



Presented by the  
ABA Presidential Task Force on Gender Equity  
and the Commission on Women in the Profession

# What You Need to Know about Negotiating Compensation



# Introduction

Study after study has long shown that women lawyers are not paid at the same level as their male counterparts. In August 2012, American Bar Association President Laurel G. Bellows appointed a blue-ribbon Task Force on Gender Equity to recommend solutions for eliminating gender bias in the legal profession, with a principal focus on the disparity in compensation between male and female partners. This guide is one in a series of projects the Task Force has implemented to promote gender equity.

*What You Need to Know about Negotiating Compensation* helps you understand what information you need to know—and where to find it—before the partner compensation process gets underway. You will find specific strategies and techniques for how best to navigate your firm’s compensation system and to strengthen and leverage your negotiating position. You also will learn about the importance of sponsors and effective self-advocacy and what you need to say about yourself. This knowledge will help you level the playing field, maximize your ability to increase your partnership compensation, and close the gender pay gap.

Special thanks go to Carol Frohlinger, Andrea S. (Andie) Kramer, and Jane DiRenzo Pigott for their hard work, insights, and enthusiasm in creating this publication. Their tireless efforts in bringing this guide to fruition are greatly appreciated.



# Table of Contents

Introduction ..... inside front cover

I. What Do You Need to Know about Your Firm’s Partner Compensation System? ..... 2

    What Is at Stake for You?..... 2

    Who Makes the Decisions?..... 3

    What Type of Compensation System Does Your Firm Employ?..... 3

    Who Advocates for You before the Compensation Decision-Maker?..... 4

    What Are the Criteria Used to Make Compensation Decisions?..... 5

    What Other Factors Count in the Compensation Process?..... 6

II. How Can You Find Out What You Need to Know? ..... 7

    Substantive Benchmarking..... 7

    Intelligence Gathering ..... 7

    Methodology, Timing, and Venue..... 8

III. What Is Effective Self-Advocacy?..... 9

    What Are the Official and Unofficial Processes?..... 11

    Additional Considerations..... 13

IV. How Can You Positively Position Yourself for the Future?..... 14

    Strategies Directly Related to Compensation Negotiations..... 14

    Long-Term Strategies..... 15

Conclusion ..... 15

About the Authors ..... 16

About the ABA Task Force on Gender Equity ..... inside back cover

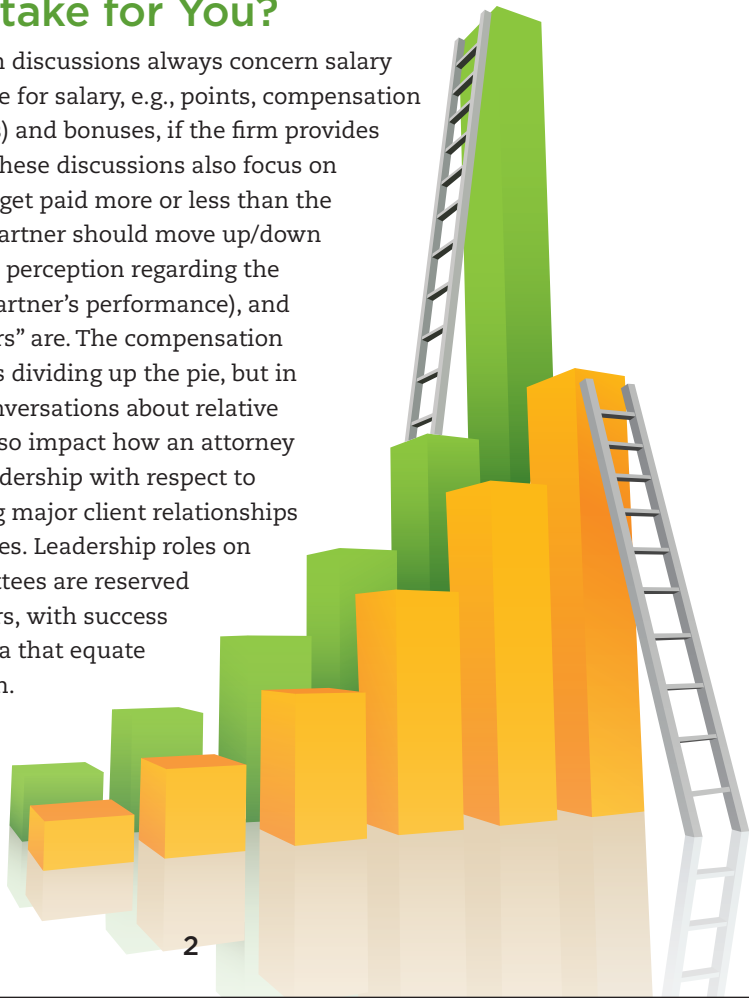
About the ABA Commission on Women in the Profession ..... inside back cover

# I. What Do You Need to Know about Your Firm's Partner Compensation System?

It is impossible to play a "game" well without knowing its rules. Law firm compensation systems vary widely and, as with most systems, the rules that matter are not all written in the formal procedures. In fact, many of the most important rules are not. Changing trends in the profession also contribute to the ever-changing nature of most law firm compensation processes, increasing the importance of business origination and client development. Even if you feel that you're familiar with your firm's particular system, it always makes sense to begin your preparation for successfully navigating the process by familiarizing yourself with how the process will work each year.

## What Is at Stake for You?

Law firm compensation discussions always concern salary (or your firm's surrogate for salary, e.g., points, compensation groups, levels, or bands) and bonuses, if the firm provides bonuses for partners. These discussions also focus on whether a partner will get paid more or less than the prior year, how fast a partner should move up/down (normally based on the perception regarding the sustainability of that partner's performance), and who the partner's "peers" are. The compensation process clearly involves dividing up the pie, but in many law firms the conversations about relative compensation levels also impact how an attorney is perceived by firm leadership with respect to readiness for managing major client relationships and firm leadership roles. Leadership roles on important firm committees are reserved for "successful" partners, with success being defined by criteria that equate to higher compensation.



## Who Makes the Decisions?

Law firms make compensation decisions in different ways.<sup>1</sup> Some firms place compensation decisions in the hands of their managing partners; others invest their executive management committee or boards with the authority. Still others designate a specific compensation committee. Some firms have their practice group, client service team, or industry group leaders make compensation decisions, or put the final decision to a vote by the partners. In order to maximize your effective advocacy, determine who makes the decisions at your firm. If it is a group of people, it is important that you know which attorneys will comprise the decision-making body. Never leave your compensation fate in the hands of a group of people who do not know you or what you've accomplished (more about the process of advocating for your compensation below).

## What Type of Compensation System Does Your Firm Employ?<sup>2</sup>

Law firm compensation systems have varying degrees of transparency.

- There are open systems—"I know what everyone makes, or can easily find out."
- There are closed systems—"I don't know what anyone else makes."
- There are partially open systems—"I know ranges of compensation, but do not know exactly who makes what."

Partners of firms with open compensation systems not only reported the highest satisfaction levels,<sup>3</sup> but they also reported significantly higher compensation levels than partners in firms with partially open or closed systems. Transparency in a firm's compensation system allows a partner to understand both his/her absolute and relative standing.

---

1. In *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women* (Joan C. Williams & Veta T. Richardson, July 2010), the Project for Attorney Retention and the Minority Corporate Counsel Association, in collaboration with the American Bar Association Commission on Women in the Profession, reported the following breakdown among law firms with regard to compensation decision-makers for equity partners:

- management or executive committee (40%)
- separate Compensation Committee(22%)
- managing partner, chair, or president (20%)
- practice group leaders (12%)
- partner vote (7%)

2. All definitions from Jeffrey A. Lowe, Major, Lindsey & Africa 2012, *Partner Compensation Survey*.

3. There was a gender gap in satisfaction levels reported by partners. Twenty-eight percent of men reported they were "very satisfied" with their compensation, but only 22% of women reported the same satisfaction level. Conversely, 9% of women reported they were "not at all satisfied," while 6% of men classified themselves the same way. *Id.* at 26.

Another factor in evaluating compensation systems is the degree to which the system is lockstep, i.e., compensation is based on seniority and not on ability, experience, or work product. Firms are typically divided into pure lockstep, generally lockstep but allowing some variance, and not at all lockstep. A pure lockstep system is rare.<sup>4</sup>

A third factor in the transparency of the compensation system itself is whether it is formula-driven, based on objective factors, based on subjective factors, or some variation of these three. Understanding what factors will be considered and how they will be weighted is critical to your decisions about how to get an acceptable return on the investment of your time, both billable and nonbillable.

Understanding the structural dynamics of your firm's compensation system and the transparency of the process and its outcomes is the minimum information you need to strategically plan your self-advocacy. This information, along with an understanding of the culture of the firm and the politics of the decision-makers, allows you to ascertain your relative position and formulate your most effective arguments.

One final factor that impacts a true understanding of the partner compensation process is the partnership structure of your firm. The vast majority of big firms today are two-tier partnerships, comprised of equity and non-equity partners.<sup>5</sup> Some firms remain one-tier partnerships where every partner is an equity partner, but these are a shrinking minority. There also are hybrid partnership structures that not only have equity and non-equity partners, but also have some fixed compensation equity partners who are required to invest capital in the firm but do not participate in the decision-making or share in the financial results as a true equity owner. The compensation process, the amount of your compensation, and your negotiation strategy can be materially impacted by where you are situated in the partnership structure of your firm.

## Who Advocates for You before the Compensation Decision-Maker?

As with all compensation system characteristics discussed above, the official process will vary widely among firms. The important point is that you know who will be your official advocate before the compensation decision-making body. That knowledge enables you to strategically plan both your official and unofficial advocacy (see below).

---

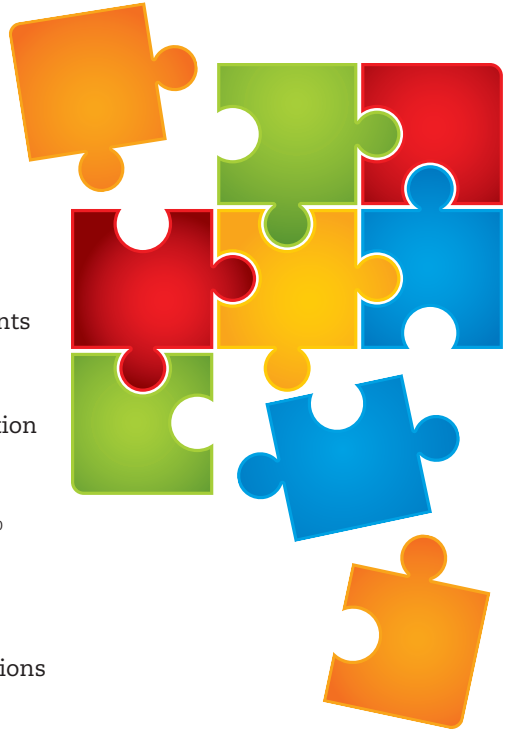
4. *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women*, *supra* note 1, at 20.

5. Equity partners share in the firm's profits and losses. Non-equity partners (or income partners) receive a fixed salary and may also receive a bonus.

# What Are the Criteria Used to Make Compensation Decisions?

There may be a list of criteria in the official description of your firm’s compensation process, but very few, if any, of these lists describe how the listed factors are actually weighted in the decision-making. That list may be separated into “objective” and “subjective” factors and is likely to include at least some of the following:

1. Origination credit (more about this later)
2. Working attorney receipts<sup>6</sup>
3. Billable hours
4. Realization rates
5. Revenue collected
6. Personal profitability<sup>7</sup>
7. Cross-selling to other practices
8. Cross-selling to other offices
9. Leverage of your practice<sup>8</sup>
10. Strategic nature of your practice
11. Necessary specialty for important clients
12. Firm management participation
13. Firm committee participation
14. Practice group management participation
15. Industry team leadership<sup>9</sup>
16. Client relationship team leadership
17. Institutionalizing client relationships<sup>10</sup>
18. Mentoring others within the firm
19. Training others
20. Marketing yourself (and/or the firm)
21. Participation in professional organizations
22. Participation in civic organizations
23. Participation in pro bono work
24. Contributions to diversity (e.g., planning events or serving on committees)
25. Visibility (e.g., writing articles and giving speeches)



6. Major, Lindsey & Africa 2012, *Partner Compensation Survey*, *supra* note 2, at 111, defines “working attorney receipts” as the number of dollars collected (or expected to be collected) for work performed personally by an attorney in a fiscal year, even if it was actually collected in the following fiscal year.

7. Personal profitability involves a calculation of the revenue collected by the firm as a result of the hours billed by an attorney, less the expenses associated with that attorney (e.g., salary, bonus, benefits, and allocated overhead).

8. Most large firms analyze the number of people a partner keeps busy (other partners and associates) in relation to a minimum expectation for partners.

9. Industry teams are organized by client segment (e.g., financial services or energy) and work across practice groups.

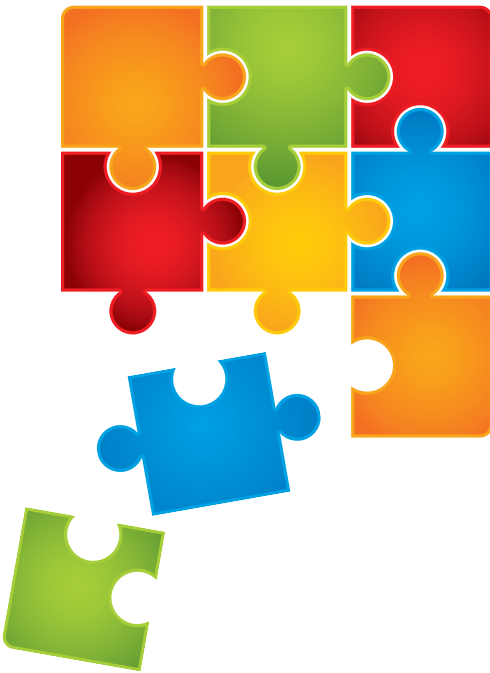
10. As part of the succession planning process, some firms encourage partners to transition large clients to the firm to manage rather than handing the client over to another partner. If a client becomes a firm client, the relationship is managed by a team, rather than by a single partner.

If your firm uses a formula system, then the only factors that really count will be the ones with numeric values in the equation. In objective and subjective systems (and hybrids of the two), there is likely to be talk about the “number of factors” that are considered. However, in a recent survey, partners almost universally felt that the most important factor in any firm’s compensation decisions is origination of business, and the top three factors are originations, working attorney receipts, and billable hours.<sup>11</sup> One of the key due diligence challenges for you will be to figure out which factors actually influence compensation decisions at your firm. Those should be your primary focus.

## What Other Factors Count in the Compensation Process?

There are two factors that will not make any official list of factors, but which have a material impact on the outcome of the process vis-à-vis your compensation. The first factor is whether you have a mentor/sponsor who is participating in the process formally on your behalf or who sits on the decision-making body. The second factor is whether there is diversity on that committee. Research has consistently shown that having more women

and minorities on a compensation committee is important to counteract any implicit biases that might otherwise affect compensation decisions. In any event, it is imperative that those on the decision-making body are informed about your accomplishments and contributions to the firm for the period under evaluation.



---

11. Major, Lindsey & Africa 2012, *Partner Compensation Survey*, *supra* note 2, at 29-31.



## II. How Can You Find Out What You Need to Know?

Now that you know what you need to know, the next step is to figure out how to get that knowledge. Research shows that when women have solid information, they are more successful when negotiating for themselves.<sup>12</sup>

Information gives you power—it enables you to focus on the criteria that matter and to be sure that what you are asking for is reasonable within the context of the firm culture and policies. It not only helps you defend your requests to others but also to yourself. We suggest you think about data gathering on two fronts—first, the **substantive benchmarking** described in Section I above and second, **intelligence gathering** about the people who will be making the decision about your compensation.



### Substantive Benchmarking

Some of the information is available in writing from the firm, contained in the partnership agreement or other policy/procedure statements; other data are more challenging to amass. In many cases, the only way you'll be able to get it will be to ask someone whom you trust—that's why relationships, particularly those with sponsors and mentors, are so critical. But note that not all of the information is objective in nature, which is why it is useful to ask more than one individual to share his/her experience and perspective with you. The more people you ask, the better your analysis will be.

### Intelligence Gathering

Although the people who are involved in your compensation decision are, in the vast majority of cases, trying to be fair and equitable, it is inevitable that firm politics as well as their personal preferences will have an impact on whether you get what you deserve.

Find out as much as you can about the people who are making the compensation decisions so you can anticipate how they'll react. What might their concerns be? How can you make it easier for them to support you? Think about how best to make your case to each of them.

---

12. Hannah Riley Bowles, *Psychological Perspectives on Gender in Negotiation*, Working Paper Series rwp12-046, Harvard University, John F. Kennedy School of Government (2012).

# Methodology, Timing, and Venue

Be sure to take process into consideration as you develop an action plan to garner support.

## »» Methodology.

With each person in mind, think about when, where, and how best to position yourself for success. Is a face-to-face conversation likely to be most effective? Or is a phone call a better choice? We strongly caution against relying on email as the way to communicate with others regarding this sensitive subject—it can be the right choice in some situations, but should be selected for a specific reason rather than as the default.

Another point to carefully consider is whether your firm's formal or informal processes discourage "lobbying" on your own behalf with members of the compensation committee. Instead, in many firms, it is preferable to enlist others to advocate for you with members of the committee.

## »» Timing.

When does the timing work best to begin the conversations? If there are any natural windows of opportunity, for example, a meeting where there will be some time for informal conversations, take advantage of them. We suggest that compensation discussions, like tax planning, can't get started too early in the year.

Then think about with whom you should begin. You may want to start with people who are likely to become allies because they will be easier to approach and more likely to offer you candid feedback. Or perhaps your plan is to begin with those who you anticipate will be more difficult to get on board since it will likely take you more time to convince them to support you. Regardless of what your strategy is, the key is to have one.

## »» Venue.

Consider where it is best to hold these discussions. If possible, select places where you will have some measure of control—spots where you are less likely to be interrupted and will be comfortable.

Because there will likely be more than one decision-maker, you also have to think about how they will interact with one another. Is the situation such that, despite a "committee" construct, one person really makes the decision and others then fall into line? Or is it that the committee functions by majority vote? Or perhaps a consensus has to be reached? What coalitions exist and how do they operate?

An informational vacuum creates anxiety. Getting the relevant information takes away some of the uncertainty. The more you know, the easier it will be to develop the right case. With a plausible rationale and justification, you can support your argument and not be tempted to fold in the face of opposition.

# III. What Is Effective Self-Advocacy?

Decades of data demonstrate a gender gap in compensation. As discussed in detail in the publication produced by the ABA Task Force on Gender Equity,<sup>13</sup> the gap is “pervasive and longstanding.” As troubling as that is, there is evidence that the gap is widening.<sup>14</sup>

The reasons are complicated. To a major degree, however, the cause is attributable to **second generation gender issues**.<sup>15</sup> Second generation gender issues are workplace challenges women face resulting from either:

- cultural beliefs about gender (stereotypes and related implicit biases). For example, a woman who is assertive can be perceived as aggressive (or even worse!) instead, a trait considered unattractive in a woman.
- workplace practices or policies that appear neutral on their face but result in advantages to men. For example, origination credit policies at many firms award all (or most) of the credit for new business from existing clients to the “origination attorney” or “billing attorney,”<sup>16</sup> who “manages” the client relationship. Because men are more likely than women to be in these roles, they are more likely to benefit from these sorts of policies.



13. Lauren Stiller Rikleen, *Closing the Gap: A Road Map for Achieving Gender Pay Equity in Law Firm Partner Compensation*, 2013, chap. 2, published by the American Bar Association Task Force on Gender Equity.

14. Major, Lindsey & Africa, 2012, *Partner Compensation Survey*, *supra* note 2. \$734,000 for men vs. \$497,000 for women in 2012, compared to \$675,000 vs. \$513,000 in 2010.

15. Susan Sturm, *Second Generation Employment Discrimination: A Structural Approach*, *Columbia Law Review*, Vol. 101, No. 1, April 2001. See also Deborah M. Kolb, Judith Williams, and Carol Frohlinger, *Her Place at the Table: A Woman’s Guide to Negotiating Five Key Challenges to Leadership Success* (Jossey-Bass/John Wiley, 2010).

16. *Closing the Gap: A Road Map for Achieving Gender Pay Equity in Law Firm Partner Compensation*, *supra* note 13, chap. 3.

Second generation gender issues are usually “unexamined”<sup>17</sup>—they are “just the way things are.” Even more disheartening is that one such issue often triggers another, thereby exacerbating the damage. For example, in a firm that has an origination credit policy like the one in the example mentioned above, a woman who believes she deserves some or all of the credit has to make a difficult decision: should she ask for the credit and subject herself to the pushback she is likely to get or should she just let it go? This is known as the “double bind.” As one report termed it,<sup>18</sup> a woman “is damned if she does, but doomed if she doesn’t.”



So how does knowledge about the fact that second generation gender issues exist help you? Many women believe that knowing about this research is useful as a backdrop for their conversations about compensation. They report the knowledge enables them to appreciate the context in which they are negotiating and to understand that the challenges they face are often attributable to second generation gender issues rather than individual shortcomings.<sup>19</sup> As we have emphasized throughout this guide, knowledge is power in negotiation.

Second generation gender issues impact how women lawyers’ performance and contributions are assessed<sup>20</sup> and, thus, affect compensation decisions. Accordingly, women must pay careful attention to these issues and how they impact firm culture to be effective at advocating for themselves.

---

17. Joan C. Williams, *The Social Psychology of Stereotyping: Using Social Science to Litigate Gender Discrimination Cases and Defang the “Cluelessness” Defense*, 7(2) *Emp. Rts. & Emp. Pol’y J.* 401, 424 (2003).

18. Catalyst, *The Double-Bind Dilemma for Women in Leadership: Damned if You Do, Doomed if You Don’t*, July 2007.

19. Based on numerous interviews and focus groups Carol Frohlinger has conducted.

20. Joan C. Williams & Consuela A. Pinto, *Fair Measure: Toward Effective Attorney Evaluations*, (2d ed. 2008), written for the American Bar Association Commission on Women in the Profession, in collaboration with members of the ABA Section of Labor and Employment Law. The stereotyping and implicit biases that affect the evaluations of women associates also affect the evaluation of women partners in the compensation process.

# What Are the Official and Unofficial Processes?

Spend some time thinking about how you want to present yourself to those who will be evaluating you. This is *your* opportunity to make sure that your successes are clear to those who decide your compensation. One thing you can do to ensure you have the specificity you need is to keep a written record of your accomplishments (some call it a “brag book”) and update it regularly.

## » The Official Process.

Let’s assume your firm, like many firms, requires a self-evaluation and reviews by others in determining attorney compensation:

- You evaluate your performance over the past evaluation period—usually one year, although it can be a longer or shorter time period.
- People<sup>21</sup> with whom you have worked will evaluate your performance over the same period.

We recommend that you consider the following as you write your self-evaluation:<sup>22</sup>

- Carefully follow the instructions and don’t turn in your self-evaluation late!
- Answer the questions you are asked, and describe your performance in the most positive light. Focus on your important assignments—your goal is to highlight your strengths, not to provide a detailed account of everything you did during the year.
- Confidently explain your contributions, staying on point as you do so.
- Organize statistical information on all of the client and administrative matters for the evaluation cycle in a way that is easy to understand.
- Quantify as much as possible. For example, it may be helpful to state the dollar value of transactions/trials/projects you have worked on. Focus on what you accomplished, not just on the activities you performed (i.e., return on investment, not amount invested).
- If you faced professional or personal setbacks in this review period, mention them. Because these issues can affect your performance evaluation, you should be sure to address them yourself.
- Be sure to explain the significance of and causation for increases or decreases in your numbers.
- Be sure to discuss criticisms/negative feedback you may have received in prior reviews and the actions you’ve taken as a result.

---

21. Reviewers may include practice group heads or others senior to you as well as peers. Peer reviews can happen in two ways. First, if a partner does work for a client of another partner (the relationship partner), the relationship partner will often review the partner’s work on that matter. Second, partners on the compensation committee evaluate the performance of other partners.

22. See Andrea S. Kramer, “Self-Evaluations: Dos and Don’ts,” Women’s Bar Association of Illinois Fall 2011 Newsletter.

- Don't let your numbers do the talking. Tie your responsibilities and accomplishments to your numbers and explain why your numbers show important contributions.
- The language you use should be clear, direct, and specific. Don't use emotional words such as "hope" or "disappointed" or express anger or frustration. Speak in bullet points, not paragraphs.
- Be positive. Don't make excuses, give explanations.

Don't forget to use your "brag book" for specific examples as you prepare your memo. If a self-evaluation memo is not required, consider preparing a personal advocacy brief anyway. You can decide whether to submit it or simply use it as a way to keep track of your accomplishments and your successes.

With regard to getting reviewers to evaluate your work, approach them early and get their agreement to submit a timely review. Don't assume, however, that they actually will submit a review or do it in a timely and comprehensive manner. It is up to you to provide your reviewers with the information they need to effectively and accurately evaluate you, and to encourage them to do it. You need to remind them of your contributions, highlighting the projects you worked on together.

Don't ignore potential reviewers who might have negative or critical things to say about you. In most compensation processes, reviewers can submit unsolicited comments. If you sought out timely constructive feedback and acted on it, you are likely to have already minimized this problem and neutralized your detractors. Your response to this feedback should be part of your self-evaluation. But if not, the time to act is before the reviews are in.

The last part of the official process typically gives you an opportunity to meet with those involved in making the compensation decision. As stated earlier, each firm has its own process; you may be meeting with the compensation committee (or individual committee members), practice group leaders, office heads, or other partners involved in the compensation process. Get ready for this meeting the same way you would for a critical negotiation or court hearing:

- Prepare an outline.
- Boil down your key points.
- Know the facts by heart.
- Structure the facts as an advocate.
- Practice your presentation with a trusted colleague and ask him/her to provide feedback on both content and delivery.
- Present your achievements in a positive and direct way.<sup>23</sup>
- Be prepared to affirmatively address any issues or prior criticisms.
- Make a specific "ask." That is, say what you expect and believe you are entitled to receive.

---

23. See Andrea S. Kramer, "Professional Advancement and Gender Stereotypes: The 'Rules' for Better Gender Communications," Women's Bar Association of Illinois Fall 2011 Newsletter.

## » The Unofficial Process.

What about the unofficial compensation process? Every firm has one. Ask senior colleagues and peers how the compensation process actually works. Carefully watch how your senior colleagues navigate the process to see how things actually get done and what really does not work. Here's one example. If the only people who can submit reviews for you must be on your "reviewer list," develop a list that includes not only your major supporters but also other busy people who you know get many other requests. You would only hurt yourself by not including those people on your reviewer list. Include people with whom you've done pitches, people who know about your client relationships, and people who understand your contributions to firm culture and citizenship.

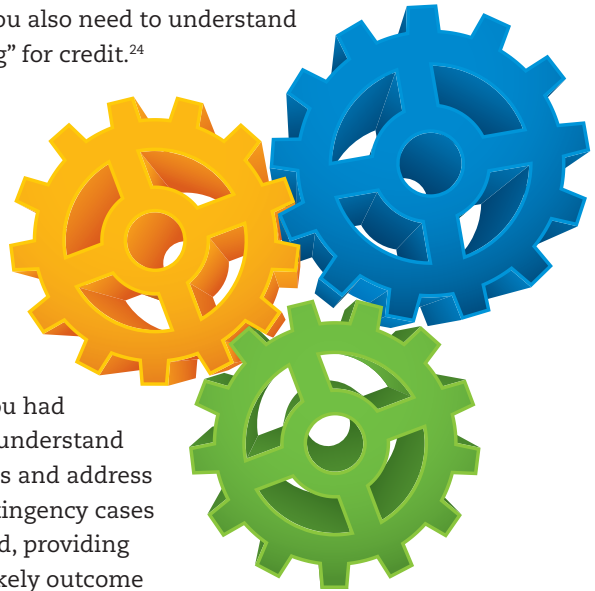
## Additional Considerations

### » Client billing credit/origination credit.

As discussed earlier, most compensation systems give great weight to partners who are "credited" for having brought the client into the firm and for maintaining the client at the firm. Often the person getting the "credit" is not the person who actually brought the client or new matter in or who actually keeps the client's business at the firm. To address this, you need to be sure that your contributions are detailed in your self-evaluation and otherwise communicated to those people who are making the compensation decisions. You also need to understand the political morass of "fighting" for credit.<sup>24</sup>

### » Uncollectible time that is not your fault.

What about uncollected time that was written off by others or because of fee arrangements negotiated by others? How can you protect yourself from criticism for uncollectible time for which you had no responsibility? Be sure you understand any billing and collection issues and address them directly. Include any contingency cases even if they are not yet resolved, providing a detailed assessment of the likely outcome and when the fee is expected to be received.



24. *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women*, supra note 1, at 33-41.

# IV. How Can You Positively Position Yourself for the Future?

Although the systemic issues that impact compensation negotiations are beyond the scope of this guide, each of us can and should reflect on things that are within our individual control. The question here is, “How can you best strengthen your negotiating position?” The answer includes immediate actions related directly to compensation, as well as long-term strategies.

## Strategies Directly Related to Compensation Negotiations

### » Learn from your own experience.

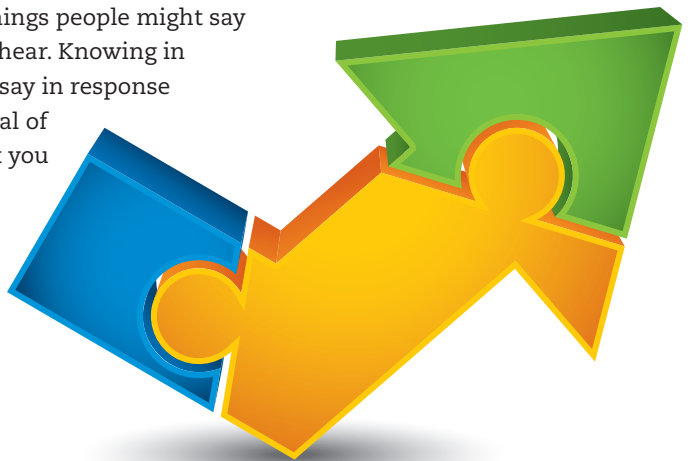
Think about what you’ve learned from your previous compensation negotiations. What did you do that worked well? What was not effective? Then consider what actions you’ll take this time to ensure that you will advocate for yourself as successfully as you would for a client.

### » Get yourself in the right frame of mind.

Recognize that you don’t get what you deserve; you get what you ask for. Accept that negotiating for yourself is something you have to do—no one else will do it for you.

### » Anticipate challenges.

Don’t be blindsided; most of the time, you’ll be able to figure out the things people might say that you don’t want to hear. Knowing in advance what you will say in response will alleviate a great deal of stress and ensures that you will be more effective “in the moment.”





## Long-Term Strategies

### »» Invest in yourself.

Make sure you have a career development plan (including a well-developed business development strategy) and the skills to execute on it. If you don't, close the gap.

### »» Keep a journal.

This “brag book” enables you to recall your accomplishments when it's time to write your self-evaluation or to regularly update important people on what you're doing.

### »» Enlist allies.

Purposefully identify and cultivate people you like and trust who will advocate on your behalf. These may be sponsors or others with whom you have a strong relationship. Of course, because reciprocity matters, you should always be seeking ways to help them as well.

### »» Help other women.

More than as allies, women should be alert to the benefits of promoting qualified women colleagues for leadership roles in their firms and supporting women colleagues generally. The greater the number of women on the major governing committees of your firm, the less impact second generation gender issues will have on women generally because these issues are more likely to be recognized and addressed. Additionally, the diversity of thought that women bring to firm decision-making benefits not only women but men and the firm more broadly.

## Conclusion

Negotiating for yourself about compensation can be tricky. Gender stereotypes about whether and how women should negotiate, coupled with organizational impediments, mean that women must navigate negotiation carefully and thoughtfully. Preparation is the key to success. We hope this guide has provided you with the information you need to craft a plan that will work for you.

# About the Authors

**Carol Frohlinger, J.D.**, is a consultant, speaker, and co-author of *Her Place at the Table* and *Nice Girls Just Don't Get It*. As a co-founder of the advisory firm, Negotiating Women, Inc., she is committed to helping organizations gain strategic advantage by leveraging the talent women bring to leadership roles. Carol's pragmatic approach, grounded in solid research, focuses on change initiatives embraced by both men and women. Carol is also an internationally known speaker on the topic of how women can negotiate with authenticity to achieve their maximum personal and professional potential. She has appeared on the *Today* show as well as other television, and her advice has been featured by CBS *MoneyWatch*, NPR, and *The New York Times*, among other mainstream media. Frequently called upon to provide expert insight by publications serving the legal profession, she also contributes articles to professional journals, *Forbes.com*, and *The Huffington Post*. Carol was selected by then-Senator Hillary Clinton to lecture on the issue of pay equity for women and to serve on a panel with the senator to address the causes and implications of the gender gap in pay. She has been honored by The International Alliance for Women with its "World of Difference Award" and was named to the Top 50 Most Influential Women List by the *Irish Voice*.

**Andrea S. (Andie) Kramer** is a partner in the law firm of McDermott Will & Emery, where she heads its Financial Products, Trading and Derivatives Group and chairs its Gender Diversity Subcommittee. She previously served on her firm's Management Committee and Compensation Committee. Ms. Kramer helps clients successfully resolve difficult legal situations, including federal and state regulatory matters, adversarial proceedings, and tax planning and compliance issues. She investigates, assesses, and resolves complex problems with respect to business objectives, regulatory and legal requirements, and public policy considerations. She received the 2013 Founder's Award (Chicago Bar Association, Alliance for Women), the 2012 National Public Service Award (Business Law Section, American Bar Association), and the 2011 Women with Vision Award (Women's Bar Association of Illinois), and was named by the *National Law Journal* as one of the "50 Most Influential Women Lawyers in America." Ms. Kramer is a frequent speaker at diversity conferences and has written articles on the importance of and methods for achieving equal access for women to career opportunities and leadership roles. Her most recent articles include "Professional Advancement and Gender Stereotypes: The 'Rules' for Better Gender Communications" and "Self-Evaluations: Dos and Don'ts," published in the Fall 2011 Newsletter of the Women's Bar Association of Illinois.

**Jane DiRenzo Pigott** is Managing Director of R3 Group LLC and specializes in providing leadership, change, and diversity/inclusion consulting to professional service organizations. R3 Group's services enhance financial performance and an organization's competitive edge by allowing the organization to retain, develop, and promote its key talent. R3 Group approaches leadership, change, and inclusion strategically and produces measurable results toward its clients' goals and objectives. Before founding R3 Group, Ms. Pigott practiced law for over twenty years, most recently at Winston & Strawn, where she served as the chair of the global Environmental Law practice and relationship manager for one of the firm's largest clients. At Winston, Ms. Pigott served on the firm's Executive Committee, the first woman to do so, and its Compensation Committee. While there, she created and chaired the firm's Diversity Initiative; that initiative implemented a strategic action plan that resulted in the firm winning multiple awards for its leadership in the industry and results as compared to its peers. Ms. Pigott is a frequent speaker and author on topics of leadership, project and people management, and diversity and inclusion. In addition, she holds leadership positions on corporate and civic boards.

## About the ABA Task Force on Gender Equity

In August 2012, American Bar Association President Laurel G. Bellows appointed a blue-ribbon Task Force on Gender Equity to recommend solutions for eliminating gender bias in the legal profession.

The Task Force has produced several publications addressing pay equity:

- Toolkit for Gender Equity in Partner Compensation
- Closing the Gap: A Road Map for Achieving Gender Pay Equity in Law Firm Partner Compensation
- What You Need to Know about Negotiating Compensation
- Power of the Purse: How General Counsel Can Impact Pay Equity for Women Lawyers

The Task Force also has implemented numerous projects to achieve gender equity, including:

- The Midwest Regional Summit for Women In-House Counsel was held in March 2013, in Chicago.
- ABA women's affinity groups are addressing ways for these groups to leverage their collective power and maximize coordination.
- Young lawyers are utilizing social media to engage young women and men in the conversation about gender equity.
- In conjunction with the Section of International Law, the Task Force created a women-to-women business referral network with various women bar leaders and lawyers from international bar associations.

For more information on the Task Force on Gender Equity, visit its website at [www.americanbar.org/GenderEquity](http://www.americanbar.org/GenderEquity).

## About the ABA Commission on Women in the Profession

As the national voice for women lawyers, the ABA Commission on Women in the Profession forges a new and better profession that ensures that women have equal opportunities for professional growth and advancement commensurate with their male counterparts. It was created in 1987 to assess the status of women in the legal profession and to identify barriers to their advancement. Hillary Rodham Clinton, the first chair of the Commission, issued a groundbreaking report in 1988 showing that women lawyers were not advancing at a satisfactory rate.

Now in its third decade, the Commission not only reports the challenges that women lawyers face, it also brings about positive change in the legal workplace through such efforts as its Women of Color Research Initiative, Women in Law Leadership Academy, women in-house counsel regional summits, and Margaret Brent Women Lawyers of Achievement Awards. Drawing upon the expertise and diverse backgrounds of its twelve members, who are appointed by the ABA president, the Commission develops programs, policies, and publications to advance and assist women in public and private practice, the judiciary, and academia. For more information, visit [www.americanbar.org/women](http://www.americanbar.org/women).



*Presented by the  
ABA Presidential Task Force on Gender Equity  
and the Commission on Women in the Profession*

## **ABA Presidential Task Force on Gender Equity**

### **ABA President**

Laurel G. Bellows

### **Chair**

Roberta D. Liebenberg

### **Compensation Projects Coordinating Chair**

Stephanie A. Scharf

### **Members**

Linda Addison	Dianna P. Kempe	Raymond L. Ocampo Jr.
Pamela A. Bresnahan	Katherine Larkin-Wong	Drucilla Stender Ramey
Kelly-Ann Clarke	Karen M. Lockwood	Lauren Stiller Rikleen
Doreen D. Dodson	Stephanie McCoy Loquvam	Estelle H. Rogers
Fatima Goss Graves	Lorelie S. Masters	Marsha E. Simms
William C. Hubbard	Hon. Leslie Miller	Robert N. Weiner
Mary Ann Hynes		

## **ABA Commission on Women in the Profession**

### **Chair**

Mary B. Cranston

### **Members**

Fred Alvarez	Carrie Hightman	Margaret K. Masunaga
Ruthe Catolico Ashley	Denise F. Keane	Gloria Santona
Hon. Fernande R.V. Duffly	Jessica Kornberg	Stephanie A. Scharf
Patricia Kruse Gillette	Paul W. Lee	

### **For more information, contact:**

ABA Commission on Women in the Profession

321 N. Clark Street, Chicago, Illinois 60654

Phone: 312-988-5715

Fax: 312-988-5790

Email: [abacwp1@americanbar.org](mailto:abacwp1@americanbar.org)

Website: [www.americanbar.org/women](http://www.americanbar.org/women)

The materials contained herein represent the opinions of the authors and editors and should not be construed to be the views or opinions of the law firms or companies with whom such persons are in partnership with, associated with, or employed by, nor of the American Bar Association, the Task Force on Gender Equity, or the Commission on Women in the Profession unless adopted pursuant to the bylaws of the Association.

Nothing contained in this publication is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. This publication is intended for educational and informational purposes only.

© 2013 American Bar Association. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the publisher. For permission contact the ABA Copyrights & Contracts Department, [copyright@abanet.org](mailto:copyright@abanet.org) or via fax at 312 988-6030.