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## WOMEN'S RIGHTS



# NAVIGATING THE DOUBLE BIND: THE PATH TO AUTHENTIC LEADERSHIP

By Kristin Haugen and Jane DiRenzo Pigott

Legal organizations benefit from diversity in their leadership ranks. Younger lawyers can look up the ranks and see group and team heads who look like them. Decision making and strategic planning benefit from diverse perspectives, and companies with diverse members on their boards perform better. Diverse organizations are more attractive to clients and talent. The ability for every lawyer to feel safe being more authentic at work increases as those at the top of the organization model diverse styles of leadership. Unfortunately, the fight to increase diversity and promote the ideas of inclusion has been ongoing for years, and legal organizations still have much work to do on both fronts.

While some progress has occurred, women are still dramatically underrepresented in leadership roles. Despite having attended law school in nearly equal numbers to men for years, only 28 percent of Fortune 500 general counsel, 34 percent of state judges, and 27 percent of sitting federal judges are women. Meanwhile, women represent only 20

percent of equity partnerships and less than 25 percent of the highest governance committees among AM Law 200 law firms. In a 2014 survey, 80 percent of Americans said that men and women make equally good business leaders and ranked women equally high or higher than men on seven critical leadership traits. So why such a dearth of women leaders?

GENDER STEREOTYPES REMAIN STRONG INFLUENCERS IN HOW LAWYERS THINK AND ACT.

**The double bind.** A contributing factor is that women face what has become known as the “double bind.” Despite years of programs to combat bias, gender stereotypes remain strong influencers in how lawyers think and act. Men are expected to take charge, to be self-confident, assertive, and ambitious. These masculine traits are commonly associated with leadership. Women, on the other hand, are expected to take care, to be helpful, confident, and sympathetic. These feminine traits

are associated with nurturing and getting along, not getting ahead. Women who exhibit stereotypically feminine traits are seen as lacking strong leadership qualities, while women who exhibit stereotypically masculine traits are seen as unfeminine, mean, and unlikable—hence, the double bind. Ambitious women are often viewed suspiciously even by other women.

In a 2003 study conducted at the New York University Stern School of Business, students were given a case study modeled on the real life of entrepreneur and venture capitalist Heidi Roizen. Half of the students received information about a protagonist named “Heidi,” while the other half read the exact same text but with the name changed to “Howard.” Students thought Howard was a great guy, loved him, and wanted to work with him. Heidi was a different story; students didn’t like her, wouldn’t hire her, and didn’t want to work with her. Heidi was viewed negatively—as out for herself, too political, and less likable.

**What can or should we do?** Research demonstrating the double bind has existed for decades. Without processes in place that incentivize behavior that addresses the double bind and allows women lawyers to be authentic leaders, it will likely persist. It’s time for legal organizations to take on the issue directly and put in place the

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solutions to neutralize the impact of the double bind on the pathway to, and pipeline for, leadership roles.

*Potential solutions for women.* First, when there is a tension between what an organization culturally defines as leadership characteristics and what feels authentic to a potential woman leader, she should perform a self-assessment. She may ask herself whether the cultural demands surrounding what leaders look like offer her an opportunity to learn and grow by exercising flexibility around her personal style. However, women should never confuse what pushes them outside their comfort zone with what forces them to pretend to be someone who they are not in order to get ahead. Forcing women to act contrary to their authentic selves creates a situation where too much energy is necessary to assimilate—and attrition, often coupled with anger, becomes likely.

Second, many women leaders end up leading by doing the essential administrative work on legal matters and within teams and practice groups, such as setting agendas and calling and coordinating meetings. These often are discounted by people who only think of those with stand-up roles, client credit, or titles as the true leaders. Similarly, women may get tapped when the organization needs a “face” at an event. Women who say yes to any of these kinds of roles must ensure that, in a culturally appropriate way within the organizational politics, they ask for leadership roles with power on client teams, within the department, or within the organization more broadly. Women also need to ask to be included when an organization sponsors lawyers for leadership or spotlight opportunities outside of the organization.

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A third tactic is for the woman to acknowledge the expectation that she conduct herself consistent with feminine traits. For example, when leading meetings, finding male and female supporters in the room can help strengthen any leader’s position at the table, making it a “team” effort as opposed to an individual endeavor. Women could also consider framing arguments and tying position statements to their role as an advocate instead of their personal opinions. This makes the tone of women’s leadership more consistent with gender stereotypes that expect women to take care of others.

*Potential solutions for men.* First, men should ask themselves whether they are judging a person’s leadership potential based on an assessment of how much the person leads just as they do, bringing similarity bias into play.

Second, men need to take a hard look at their own teams, the people who have the leadership roles reporting to them, and those in whom they invest as mentors and sponsors. Do they all look like them? Early stretch assignments, early leadership opportunities, and sponsorship create a pathway to

success and a reputation within the organization that creates a presumption of leadership capability.

*Potential solutions for legal organizations.* First, the organization should practice the Mansfield Rule, one of the winning ideas of the 2016 Women in Law Hackathon. The Mansfield Rule obligates a legal organization to consider a diverse pool of people for every leadership and governance role: Each pool of candidates considered for open and new leadership roles must be at least 30 percent diverse by either gender or race/ethnicity.

Second, legal organizations should identify and invest in their pipelines for leadership roles. Too many legal organizations create gaps in their pipelines of diverse leaders through attrition at early stages where the cause for the attrition is not identified and corrected and where the lateral hiring efforts are not strategic in filling the gaps. An organization that intentionally focuses on the retention and development of its pipeline for leadership roles rarely faces the issue of having no viable diverse candidate for consideration when a leadership opportunity arises. ■