NALP BOARD STANDARD LIAISON REPORT

October 6, 2017

My Name: Morgan L. Smith, Professional Development Director
My Employer: Dykema Gossett PLLC
My Email: mlsmith@dykema.com
My Phone Number: 312-627-2151

Organization: American Bar Association
Section: Commission on Women in the Profession (CWP)

Chair or Key Person: Stephanie A. Scharf, Chair
Chair or Key Person Email: sscharf@scharfbanks.com

Report any meetings, webinars, calls or conferences with organizations you have attended in the last 3 months:

I attended the CWP’s August 2017 meeting at the ABA Annual Meeting and the October Board Meeting.

The CWP will be hosting a meeting on Friday, February 2nd at the ABA Midyear Meeting in Vancouver, Canada which I hope to attend.

Report any notable information or project of interest to NALP/NALP members within the last 3 months:

The book Grit: the Secret to Advancement: Stories of Successful Women Lawyers, by NALPs Milana Hogan has been released as an e-book and will be available on Amazon soon. Grit Project programs continue to be held across the country and several book launch events are being planned for 2018. The book announcement and an example of a Grit Program are attached.

CWP contacted NALP to request data on women law graduates for the most recent years and Judy Collins was able to provide much of what they needed (through a contact at the ABA).

The ABA has a restructured the Diversity & Inclusion Center to work with the seven Goal III entities. The goal is to foster coordination, collaboration and sharing of resources among the Goal III entities. Org chart attached.

Attach or include any notable communication of interest to NALP:

Now available as an e-book from the ABA and available on Amazon soon - Grit, the Secret to Advancement: Stories of Successful Women Lawyers

Report any upcoming project or event of interest to NALP:

Achieving Long-Term Careers for Women in the Law
ABA Presidential Initiative 2017-2018, Hilarie Bass, ABA President; co-chairs Roberta Liebenberg and Stephanie Scharf. This is a 3-part research project for 2018: focus group studies, survey of firms and individual lawyers and long-term career trajectories survey. The current challenge is how to identify women out of law schools 20+ years. The project team is working with the ABA, law school alumni...
departments and law firm alumni departments as well as state bar associations. But looking for other ways to “find” non-practicing women lawyers 20+ years post-grad. Initiative announcement attached.

**Legislative Affairs**
The group discussed possible resolutions around pay.

**Bias Interrupters**
Bias Interrupters was a joint project with the MCCA and Center for WorkLife Law to study how gender bias differs by race. An executive summary of the Report should be available soon and a Toolkit of best practices for law firms and in-house legal departments is being developed for launch in early 2018.

**Margaret Brent Award and Luncheon**
The Brent Committee has asked all Liaisons to discuss possible sponsorship with their home organization – while a table is probably not an option for NALP at $1750 - perhaps a small add for $250?

**Report any goal(s) you hope to accomplish by end of your term:**

I am continuing to get to know the people and projects of CWP and look forward to becoming more actively involved at the October meeting. Similarly, I am watching the communications of the NALP section on Diversity more closely for possible overlap or potential connections between the CWP and NALP.

**Report any goals suggested for the next year:**

**Identify any other NALP members(s) who also play a role of note with this entity:** Sarah Rhone has just transitioned off the CWP and is still involved in wrapping up some projects. Milana Hogan remains involved with the Grit Book and project.

**Identify what significant benefits there are for NALP to continue this liaison relationship:**

The CWP continues to research issues related to women’s professional development in the legal profession, and provide tools and resources to effectuate change. In particular, they are supporting the ABA Presidential Initiative research project “Achieving Long-Term Careers for Women in the Law,” which goes beyond After the JD and will look at women who leave the practice after 20+years as a lawyer. NALP may have an opportunity to work with the CWP and ABA on this project.
In 2017 and 2018, the American Bar Association, under the leadership of incoming President Hilarie Bass, will be undertaking a groundbreaking Presidential Initiative focused on increasing the number of women lawyers who pursue successful long-term careers in the law. The Initiative includes:

- A set of innovative applied research projects for honing best practices to stem the steady loss over time of experienced women lawyers in private practice.
- Two invitation-only National Summits, in 2017 and 2018, for Chief Legal Officers, General Counsels, senior leaders in law firms, government and not-for profit organizations, judges, academics, and bar organization leaders.

The Initiative is being supported by a national array of major law firms and corporations that have pledged their commitment to the goal of promoting the advancement and retention of women lawyers (see attached list).

Need For This Presidential Initiative

The need is pressing. Although women have been graduating from law school in roughly equal numbers to men for almost 30 years, their career paths over time are quite different. Some 20 years after graduating from law school—a time when lawyers should be in their most productive years—far too many women have not reached the same success as men, or have left the profession entirely. Thus, even though women comprise 45% of law firm associates, they account for only 18% of equity partners in private firms and that number has barely increased over the past 10 years. Similarly, in corporations, male Chief Legal Officers greatly outnumber women.

We know that the profession is suffering a tremendous talent drain when almost half of law graduates are women yet most of those graduates do not reach senior levels of the profession. The gender gap at senior levels impacts law firm finances, client relationships, and the basics of recruiting and retaining the best talent in the profession. Law firms devote substantial resources to hiring and training their lawyers, and the attrition of senior women lawyers causes them incalculable damage. The research takes on special urgency in this time of declining numbers of people entering the legal profession, the advent of technology and globalization, and changing models for the structure of legal employment.

Ultimately, clients bear the brunt of the gender gap. When senior women lawyers leave the profession, there is a reduced range of legal talent to offer clients, a narrower base for firms and businesses to develop robust client relationships, a limited ability to recruit and retain skilled women lawyers at all levels and, ultimately, serious challenges to an organization’s future growth and revenue.
The Goal of the Initiative

As a profession, we lack broad-based, reliable information about the reasons why there is a marked gender gap. Of course, there are theories: some believe that women have a greater need for work/life balance, or have less focus on getting the business that big law expects of their partners, or lack senior role models, or are discouraged by bias or discrimination. In the past ten years, and with the encouragement of some vocal corporate clients, a number of firms have worked hard on changes in their policies in order to retain women lawyers. But the results have been much weaker than was expected or hoped for. The American Lawyer has predicted that at the current glacial rate of progress, we will not reach gender parity at senior levels of the profession until 2181. This Initiative will provide critical data and solutions to this urgent problem.

National Summits on Women in the Legal Profession

The Presidential Initiative will sponsor two invitation-only National Summits. The first will be held at Harvard Law School in Fall 2017, and the Second Summit will be held in Fall 2018 at another nationally recognized law school. Summit attendees will draw from national leaders in the profession including Chief Legal Officers, General Counsels, managing partners and chairs of firms, judges, academics, consultants, practicing lawyers at various levels, and lawyers who have pursued non-legal professions.

The Summits will have a highly interactive format as participants discuss best policies and practices in law firms, corporate law departments, and other employers, in conjunction with thought leadership from specialists in legal careers and strategic law firm and law department management.

Each two day Summit will begin with an evening reception and end by 4 p.m. the next day. The schedule includes plenary sessions as well as small group sessions with discussion and reporting back to the entire Summit.

Applied Research and Recommendations

The Presidential Initiative will fund innovative research on the subject of legal careers for women lawyers, using life cycle models borrowed from the fields of sociology, social psychology and economics. The overall goal is to make empirically based recommendations for what law firms, corporations, bar associations, and individual lawyers can do to enhance the prospects for women to reach the highest levels of practice.

The research will be guided by an Advisory Council, consisting of practicing lawyers and specialists in legal careers. The research modules planned for the Initiative may include, as examples:

- Surveys of law firms and surveys of female and male lawyers in practice from 20 to 40 years to get a data-defined view of compensation, practice activities, and roles that women and men play at those stages of their careers. All data would be confidential.
- Focus group analyses, to obtain more in-depth perspectives on the personal and structural factors that enhance or impede legal careers.
- Study of the long-term career trajectories of women lawyers; the factors that move them in one career direction versus another; and the personal, social and organizational factors that impact staying or leaving a particular work setting.
- Study of the particular challenges that women of color face, techniques to overcome obstacles, and what employers can do to even the pathways.
- Study of women lawyers who change career direction after age 55, exploring the nature of the changes, characteristics, reasons why, and the positives and challenges of taking a different direction in law practice.

These first-time studies will be used to help legal employers form the policies, practices and structures to promote retention of senior women lawyers and eliminate the gender attrition gap.

The research will be conducted in collaboration with the American Bar Foundation and other organizations. We anticipate that one or more ABA conferences and reports will be based on this important research.
Diversity and Inclusion Center

Diversity Center Chair
(appointed by ABA President)

CHAIR
Commission on Racial and Ethnic Diversity in the Profession
12 Members

CHAIR
Commission on Women in the Profession
12 Members

CHAIR
Commission on Disability Rights
12 Members

CHAIR
Commission on Sexual Orientation and Gender Identity
12 Members

CHAIR
Commission on Hispanic Legal Rights and Responsibilities
10 Members

CHAIR
Council for Diversity in the Educational Pipeline
10 Members

CHAIR
Coalition on Racial and Ethnic Justice
10 Members
Grit, the Secret to Advancement: Stories of Successful Women Lawyers

Grit, the Secret to Advancement: Stories of Successful Women Lawyers, the Commission’s newest book, published in July.

The eBook is now available online.

This unique volume contains new research by the Commission begun two years ago on grit and growth mindset, two traits that have been shown to impact the success of women lawyers. The original study by Milana Hogan focused on large law firms; the Commission’s expanded research covered all legal work environments: solo practice; small, medium, and large firms; corporations; government; and nonprofits. The book also is a collection of 47 letters from a group of diverse women who have used these principles to advance in their careers, and each woman shares her advice, insight, and experience as a female attorney who has achieved success in the practice of law.

As of September 20th, revenue generated since its publication is $8,473. This represents 350 copies, which includes the 55 for package plan. Eleven of our contributors (23%) have purchased a total of 73 additional copies, and author Milana Hogan has purchased 150 copies.

The committee will convene to brainstorm marketing ideas during the upcoming year. Efforts already in progress include:

- Ads at no charge that appear on ABA website pages
- E-mail marketing [containing links to Commission backlist titles (*Learning to Lead, Road to Independence*, and *Dear Sisters, Dear Daughters*)], including outreach to women ABA members and nonmembers, Women’s Caucus listserv, and NCWBA listserv
- Item on book will be included in next issue of *The Bridge*, the ABA e-newsletter sent to bar associations throughout the U.S.
- Social media
- Meet with ABA Law Student Division executive director to target law students through e-mail and social media, including (if doable) special promotions
- Media release, which also will be sent to those who contributed letters to send to their local media
- *ABA Journal* half-page ad – November issue
- Webinar in conjunction with ABA Center for Professional Development – November?
- Sales/marketing material will be submitted to NBN (National Book Network, used by ABA Publishing to submit books to trade bookstores, Amazon, etc.) for their promotional efforts starting in 2018
Registration and Pricing

You may register through September 25 by mailing this completed form with payment or, through October 4 by going online to pay by credit card. If you register by September 12, you qualify for a $25 discount.

To register online, go to www.montanabar.org. You’ll need to log in to your State Bar account at the top of the home page. Log in and click on 2017 Women’s Law CLE in the Events Calendar.

If you have questions or problems logging in, please contact the State Bar office, 406-442-7660. Late registrations only if space is available. Please call 406-447-2206 to check on available space at least 2 days prior to seminar if you plan to register at the door.

### Registration and Pricing

**PRICE A** for attorneys practicing five years or more and all other non-attorney registrants.

**PRICE B** for attorneys practicing under five years and members of the State Bar Paralegal Section.

**PRICE C** members of the Women’s Law Section

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<thead>
<tr>
<th></th>
<th>Price A</th>
<th>Price B</th>
<th>Price C</th>
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<tbody>
<tr>
<td>Paid before September 12:</td>
<td>$300</td>
<td>$275</td>
<td>$250</td>
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<tr>
<td>Paid after September 12:</td>
<td>$325</td>
<td>$300</td>
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**Printed Course Book** $35

Electronic materials are included in the registration price, printed course books are an additional $35

**REFUND POLICY:** Refunds are 75% if cancellation is 7 days or more before the seminar. Refunds are 50% if cancellation is less than 7 days. No refunds for cancellations on or after the date of the seminar. Upon cancellation, materials will be provided after the seminar, subject to availability. Cancellations or substitutions may be made in writing or by calling 406-447-2206.

Fill out the form and submit **no later than September 25**

Name(s): ____________________________

Bar License: _________________________ (for CLE credit reporting)

Firm: ________________________________

Phone: ______________________________

E-Mail: ______________________________

I would like a printed course book for $35.00  [ ]

Mail with payment to:

CLE Registration
State Bar of Montana
P.O. Box 577
Helena, MT 59624

Questions? Please call or email mcaprara@montanabar.org (406) 447-2206

For State Bar Staff

Check No________ Date ______ Amt______ By______
### Schedule

**Thursday, 5th.**

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<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>4:30p – 5:30p</td>
<td>Women’s Law Section Meeting</td>
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<tr>
<td>5:30p-7:00p</td>
<td>Reception at Chico</td>
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**Friday, 6th.**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>7:30-7:55a</td>
<td>Registration (Hot breakfast included)</td>
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<tr>
<td>7:55-8:00a</td>
<td>Welcoming Remarks</td>
</tr>
<tr>
<td></td>
<td>Rebekah French</td>
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<tr>
<td>8:00-8:45a</td>
<td>What Every Practitioner Should Know About IP Law</td>
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<td></td>
<td>Antoinette Tease</td>
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<tr>
<td>8:45-9:45a</td>
<td>Resilience and Balance for Women Practicing Law</td>
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<tr>
<td></td>
<td>Cathy Tutty (1.0 Ethics Credit Pending)</td>
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<tr>
<td>9:45-10:00a</td>
<td>Break</td>
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<tr>
<td>10:00-10:45a</td>
<td>Legislative Update</td>
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<td></td>
<td>Helen Thigpen &amp; Kim Dudik</td>
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<tr>
<td>10:45-11:45a</td>
<td>Access to Justice in Montana (1.0 Ethics Credit)</td>
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<tr>
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<td>Justice Beth Baker, Justice Patricia Cotter, Justice Laurie McKinnon,</td>
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<tr>
<td></td>
<td>Patricia Fain</td>
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<tr>
<td>11:45a-1:00p</td>
<td>Lunch</td>
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**1:00-2:00p**

**Grit Panel & Small Group Discussion**

**Introduction to Grit and Mindset Research**

**Panel Discussion: The Grit/Growth Mindset**


Moderator: Cathy Tutty

**2:00-4:00p**

**Scenario One: The Overwhelmed Associate**

**Scenario Two: Bullying in a Deposition**

**Scenario Three: Billing Credit**

**Scenario Four: Passed Over for a Prime Assignment**

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### 2017 Women’s Law Section CLE

#### What will you learn?

In 2014, the ABA Commission on Women in the Profession created a training program to educate women concerning the importance of grit and a growth mindset, and how to improve these traits. In the afternoon, we will be using the program for small group discussions, which will be moderated by a diverse group of Montana practitioners. Each small group will include a justice or judge – women who have used grit and a growth mindset to reach their position. In the morning, you will learn about recent legislation, intellectual property law, and ethics.

#### Who are the speakers?

- Justice Beth Baker, Montana Supreme Court
- Justice Patricia Cotter, Montana Supreme Court
- Justice Laurie McKinnon, Montana Supreme Court
- Hon. Roni Brady, Northern Cheyenne Tribal Court
- Hon. Amy Eddy, Flathead County
- Hon. Ingrid Gustafson, Yellowstone County
- Hon. Olivia Rieger, 7th Judicial District
- Hon. Kathy Seeley, Lewis and Clark County
- Kelly Driscoll, Esq., Montana Legal Justice, PLLC
- Kim Dudik, Esq., Dudik Law, PLLC, Missoula & State Representative
- Patricia Fain, Statewide Pro Bono Coordinator, Montana Supreme Court
- Holly Franz, Esq., Franz & Driscoll, Helena
- Rebekah French, Esq., Risk Management & Tort Defense Division, Department of Administration, State of Montana
- Kelly Gallinger, Esq., Brown Law Firm, PC, Missoula
- Susan Gobbs, Esq., Montana AAA Legal Services, Helena
- Robin Meguire, Esq., Meguire Law, Great Falls
- Tasha Prinzing Jones, Esq., Boone Karlberg P.C., Missoula
- Antoinette Tease, Esq., Antoinette M. Tease, P.L.L.C, Billings
- Helen Thigpen, Esq., Associate Counsel, Montana University System, Helena & Former Staff Attorney, Legislative Services Division
- Cathy Tutty, Esq., Tutty Law Group, Butte

#### Where is it?

The seminar is at Chico Hot Springs Resort, 163 Chico Rd, Pray MT, 59065. Rooms have been blocked; please make your reservations before September 5, 2017 to get the discounted room rate. Rates vary based upon room type. You may call the resort at 406-333-4933 and reference State Bar of Montana.

#### Will I receive a copy of the course materials?

An electronic copy of the course materials is included in the price of the event registration. A downloadable link to the course materials will be sent via email by October 2, 2017. If you would like a printed course book for $35.00, please reserve your copy by checking the box on the mail in registration. Or, reserve online by selecting “Printed Course Book” in the optional ticket menu.

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A word of thanks...those who present at the Women’s Law Section CLE not only volunteer their time, talent and energy – they pay for their own lodging. This CLE is made possible by their generosity, the generosity of those members of the Women’s Law Section who donate money for scholarships and by the sponsorship of Moulton Bellingham, P.C.; Franz & Driscoll, PLLP; and the Brown Law Firm, P.C.