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## Foreword to Symposium 2004: Attrition of Women from the Legal Profession

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SYMPOSIUM 2004:  
ATTRITION OF WOMEN FROM THE LEGAL PROFESSION

BROOKE D. RODGERS-MILLER\*

When we first set out to write this book, one of the main themes we wanted to address was *Is it possible to have it all? Can you really be a super-power partner and super-mommie at the same time?* Sadly, not one sister we interviewed responded an emphatic *yes* to this question. For those of you who become SAHMs with the intention of returning to the workforce at some point in the future, we are hopeful that someday you will be able to say *you can have it all, but just not at the same time.*<sup>1</sup>

The topic of attrition from the legal profession stirs a great deal of interest among women on a law school campus. At a time when women comprise nearly one half of all law school students,<sup>2</sup> the paucity of women in law firm partnership in the United States<sup>3</sup> invokes poignant concern. Law firms of all sizes have increasing billable hours requirements<sup>4</sup> and decreasing opportunities for traditional partnership.<sup>5</sup> This means that growing numbers of women attorneys must face the fact that even the non-traditional employment

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1. LISA G. SHERMAN ET AL., *SISTERS-IN-LAW: AN UNCENSORED GUIDE FOR WOMEN PRACTICING LAW IN THE REAL WORLD* 104 (2004). "SAHM" is an acronym for "stay-at-home mommy [sic]." *Id.*

2. American Bar Association, *2004 Enrollment Statistics* 1 (2004), available at <http://www.abanet.org/legaled/statistics/fall2004enrollment.pdf> ("Males comprise 53.0% of the J.D. enrollment for 2004 while females comprise 48.0%.").

3. National Association for Law Placement, *Women and Attorneys of Color Continue to Make Small Gains at Large Law Firms*, Nov. 7, 2003, available at <http://www.nalp.org/press/minrwom03.htm> (noting that the percentage of women partners in American law firms is 16.81%).

4. Lauren Stiller Rikleen, *Foreword* to BOSTON BAR ASSOCIATION TASK FORCE ON PROFESSIONAL CHALLENGES AND FAMILY NEEDS, *FACING THE GRAIL: CONFRONTING THE COST OF WORK-FAMILY IMBALANCE* (1999), available at <http://www.bostonbar.org/prs/workfamilychallenges.htm>.

5. *Id.*

options that firms have begun to implement in response to attrition, such as part time options and on-site day care, do not overcome the sense that the practice of law has become “an environment — indeed, an entire career path — that’s particularly unfriendly toward women.”<sup>6</sup> Scholars, some firms’ executive committees, attorneys, and students discuss the problem of attrition of women from the legal profession with a vested interest in understanding the causes and creating options that will allow the practice of law to be flexible enough to retain the growing number of talented women among its ranks while empowering them to lead fulfilling personal lives.

The growing prevalence of this issue prompted the *William and Mary Journal of Women and the Law* (the *Journal*) to invite scholars, policy makers, attorneys, faculty, and students to Williamsburg on April 16, 2004, for a discussion of the reasons behind and possible solutions to the problem of *Attrition of Women from the Legal Profession*. In the year that it celebrated its tenth anniversary in publication, several founding members of the *Journal* joined in the discussion with Pamela Malone, Vice President of the NALP Foundation; Ann Bartow, Professor of Law at the University of South Carolina Law School; Rebecca White, Dean of the University of Georgia School of Law; Martha Chamallas, Robert J. Lynn Chair in Law at Moritz Law School at the Ohio State University; Mary Baroody Lowe, Counsel at Powell, Goldstein, Frazer & Murphy, LLP; and Joan Mahoney, Assistant City Attorney for Norfolk, VA.

This issue contains articles and essays written by some of those women who participated in the 2004 Symposium. Each of the pieces explores a unique aspect of the attrition problem, some of which are personal while others are statistical in nature. For this reason, the ideas and opinions put forth in the articles in this issue are those of the authors alone and do not reflect those of the *Journal*, any of its current or former staff members or advisors, The Marshall-Wythe School of Law, The College of William and Mary, or any of the faculty, students, administration, staff, or affiliates of the law school or the college.

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6. Beth Potier, *Law Students Listen to Panel About Challenges of Work, Family*, HARVARD UNIV. GAZETTE, Dec. 6, 2001, available at <http://www.news.harvard.edu/gazette/2001/12.06/12-hls.html> (quoting Nancer Ballard).