

Spotlight On ... Cynthia Jordano

When Cohen Ziffer Frenchman & McKenna was founded, you were recruited to join and focus full time on insurance recovery litigation for policyholders, which is very different from some of your experience as a general commercial litigator at your prior firms. Could you tell us why you saw this option as the right next step for you at this stage of your career?

Previously, my experience as a general commercial litigator gave me exposure to many different cases, ranging from antitrust litigations to securities cases to consumer fraud class actions. When I was a more junior attorney, this was excellent formative experience that taught me how to tackle whatever came across my desk and learn new subject matters quickly. It also taught me exactly what I liked — and didn't like — about different practice areas.

I began working with Robin Cohen and the insurance recovery group when I was a mid-level associate, and it was an immediate fit. Representing policyholders as plaintiffs against their insurance companies suits my personality well as I am naturally inclined to keep the ball moving forward in litigation. The subject matter also interested me. While insurance cases are, at their core, contract disputes, each case I worked on presented new facts and complex issues of law that kept me feeling challenged.

When I was asked to join Cohen Ziffer at its founding, and pivot full time to insurance recovery, I leaped at the opportunity. I saw real value in specializing as I became a more senior attorney. Expertise brings greater efficiency, better connections, and better outcomes drawn from a deep pool of knowledge and resources. It didn't hurt that the founding partners of Cohen Ziffer are the best at what they do, and I would be learning from the insurance recovery industry's leaders. Finally, as someone with an entrepreneurial spirit who has always gravitated toward smaller tight-knit professional groups, I couldn't resist the opportunity to help build a new law firm from the ground up.

Although associate salaries and bonuses continue to rise, we still see associates leaving large law firms in high numbers. What is your take on what is driving these departures?

I think there are two primary reasons. First, associate departures are, in part, by design. In the “up or out” structure adopted by many large law firms, there are only a handful of partnership positions in contrast to the influx of associates who join big law firms after they graduate law school. Associates need to make significant career moves early on when they are at their most marketable, in both the lateral market and for in-house positions. Second, many associates seek substantive hands-on work that they do not necessarily get at big law firms, such as deposition and courtroom experience. At Cohen Ziffer, I have noticed that our associate class is filled with go-getter personalities who joined us from larger law firms because they craved stand-up litigation experience and wanted to work at a place that gave them a platform to develop those skills.

One notable trend is that women, who generally make up at least half of most law firms’ first-year classes, are particularly likely to leave Big Law earlier in their careers. Why do you think that is?

I don’t think there is an easy answer to the question of why women remain underrepresented in partnership ranks, particularly at the equity level, even though women join firms out of law school as associates in equal numbers as men. Similar questions could be asked about a number of different professions right now. The legal industry is a profession where, for decades, there were prohibitive barriers to entry for women. As the workplace changes to include people who were previously excluded, unconscious bias undoubtedly still exists and creates a variety of obstacles for women navigating the legal profession.

I consider myself very fortunate to have graduated law school when I did. I have had amazing mentors throughout my career, and I feel like I have benefitted immensely from the work done by women who came before me. It is also extremely gratifying to work at a female-led law firm where our founding partner and hiring partner are both women. I think about diversity in the workplace frequently, and it is

not lost on me the irony that one unintentional byproduct of talking about diversity is that the phrase “women lawyers” gets used commonly as a category, when, at the end of the day. “women lawyers” want to be treated as just “lawyers.” I think this speaks to the ultimate goal of diversity initiatives, which is to make “diversity” not just a set of numbers, but a part of a firm’s culture.

You mentioned earlier that many of the associates at Cohen Ziffer come to the firm seeking substantive work. What sort of substantive work do associates at Cohen Ziffer take on?

As much as they can handle. Experience is the best teacher, and I’ve seen that giving associates a seat at the table increases their involvement and dedication to their cases. This not only enables better professional development for our associates, it creates better outcomes for clients by creating litigation teams that are invested in the case from the top-down.

Using myself as an example, last year I went to trial with two of our partners and directed and cross-examined witnesses during a multi-day Zoom proceeding in the middle of the pandemic. It would have been easy for the partners to divide the witnesses between themselves and have me, the only associate on the case, handle the behind-the-scenes work of trial preparation. However, when the question of who would take which witness came up, there was no question that I would get stand-up trial experience. To me, this is an example of the type of investment in associate development that leads to better training and ultimately better retention.

Finally, what advice do you have for associates to help them increase their chances of happiness and success?

Finding the right fit is key, and because different people thrive in different environments, a work culture that works for one person may not work for another. To find the right fit, I think associates should bring their authentic selves to work early on. This will allow them to figure out what works and does not work, determine what they value in mentors and colleagues, and develop the organic relationships that are at the heart of success.

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