

Female Law Firm Founders Find What They're Looking For

By **Anna Sanders**

Law360 (August 23, 2022, 11:02 AM EDT) -- When Massachusetts attorneys Elizabeth Halloran and Maura Tansley started their own law firm in 2021, their biggest concern was generating enough business. Now they worry about having enough staff to keep up.

"Learning how to be employers has been a big change and challenge for us," Halloran said. "Now we're actually employing others and are in a position where we're looking to continue to expand and bring on another attorney or support staff, growing exponentially in a way that I really didn't know we were capable of."

Women like Halloran and Tansley who started law firms amid the upheaval of the coronavirus pandemic acknowledged the challenges that come with growing a business even as they consider hiring more employees and expanding their legal offerings. They see these growing pains as well worth the chance to steer their own career and practice after the pandemic showed them that running a firm could be lucrative and liberating — and it's easier than they thought.

"It's really empowering," said Robin Cohen, chair of Cohen Ziffer Frenchman & McKenna LLP, a firm she co-founded with three male coworkers in January 2021. "And it's the happiest I've been professionally since I graduated law school."

More than half of recent law school graduates are women, but last year they made up only 38.9% of attorneys and 27.3% of partners at law firms surveyed for Law360 Pulse's Glass Ceiling Report: Women in Law. The share of female attorneys and partners only increased by about a percentage point each since 2020.

And while women have nearly achieved parity with men at the associate level — making up 49.5% — the Glass Ceiling Report found that their numbers dwindle at the upper ranks of law firms. Just 33.1% of nonequity and 23.9% of equity partners are women, according to Law360 Pulse's survey.

Still, as the legal industry inches slowly toward gender equity, law firms started by women in recent years are growing and thriving, at least partially due to the unique perspectives and policies of their female

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Chair
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founders. Those who launched law firms since the pandemic began said serving in management positions has increased their ability to recruit and retain other women.

"We're attracting a great group of women," Cohen said. "It makes a difference to a lot of women when you have a woman chair ... Firms really have tried to make it equal, but when you have a firm that's run by a woman, a lot of those subtleties go out the window."

Even with their success, women who began law firms since spring 2020 said they're hesitant to grow too large too quickly.

"At some point, expanding means you're further and further away from your client, from the actual lawyering, being in the courtroom and representing people," said Tansley, whose firm Tansley | Halloran recently hired a male of counsel. "At the same time, wouldn't it be great to have a whole bunch of lawyers that think like us in the firm?"

Cohen said her firm has grown from 12 attorneys to more than 30, forcing them to move into a larger space in New York. Now she said her firm's challenge is deciding whether they will expand beyond insurance recovery and indemnity work.

"Our partnership sort of split in the middle on that," Cohen said. "Things are going so well, so why break it? But on the other hand, it's great to diversify."

Ensuring their law firm ranks are diverse is also a priority for female founders.

"Our biggest challenge is going to be finding a great mix of experience in qualifications," Tansley said of her firm, which practices criminal defense, family and estate law, and civil litigation.

Rinat Klier Erlich said the firm she helped launch last year is able to hire nontraditional candidates — such as a 75-year-old attorney — that a larger law shop wouldn't consider.

"That is something I could never do at an established firm," said Erlich, founding partner and head of the Los Angeles office of litigation firm Zelms Erlich & Mack. "We can just go by our current needs. Of course, we have a vision, we're going to grow, we're going to add more partners."

Women spearheading the hiring practices helps to elevate diverse attorneys, according to female firm founders.

"We really want to diversify both the partnership and the associate ranks," Cohen said. "We've done a great job with the women, but we want to do better with more diverse women."

About half of Cohen Ziffer's attorneys and partners are women. Cohen said they all benefit from working for a firm where men aren't subconsciously prioritized for work assignments.

"We all feel a difference," Cohen said. "We feel it's completely blind,

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JANINE POLLACK
Co-founder
Calcaterra Pollack LLP

your assignments aren't chosen whether you're a woman or man. That subconscious bias goes out the window, or at least gets minimized significantly, when you work for a firm that's run by women."

Female law firm founders extolled the other advantages of setting their own agenda and shaping a practice from the ground up. They said they can respond better to interoffice issues, structure their own day and give themselves and employees greater work-life balance. And as remote work became more viable during the pandemic, their firms were able to offer more flexibility, particularly for working mothers.

"You don't have to be tied to an office," said Janine Pollack, who co-founded New York litigation shop Calcaterra Pollack LLP last year. "You can actually give people the flexibility they need and, it turns out, they're more productive because they're able to tend to their families but still get done with their work."

Co-founder Regina Calcaterra said the rest of the small firm took up the slack when a paralegal had a baby shortly after starting there this winter, noting the business benefits of allowing their employees time to see family.

"We understand the importance of maintaining those relationships, that they're part of helping sustain our team members' mental health," Calcaterra said.

Tansley said she's also able to take a sick day without guilt when she's unwell. "That makes me more productive in the end," she said.

Alyson Claire Decker, a former in-house attorney who started her own law firm in January 2021, said she was grateful not to have to deal with "all the crazy interoffice politics that always arise."

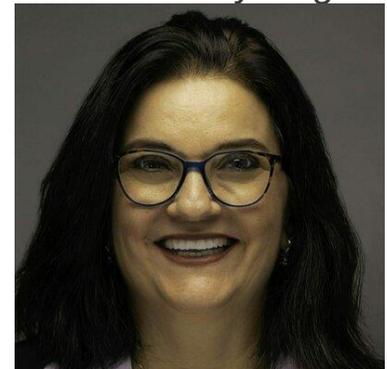
"I can control what kind of cases I take on, how I structure my workday, how I do things and the work that I want to do on the side that might be interesting," said Decker, owner of Alyson Claire Law in California.

Pollack and Calcaterra said they were glad to have the freedom to specifically take on "lawsuits with a purpose," including cases around potentially harmful baby food and inclined infant seats touted as sleepers. And for Decker, working at a larger firm or legal department with billable hour requirements or potential conflicts stopped her from exploring other interests, like space law.

"It often feels very frustrating being in traditional law firm situations where many times we are paid less than our male counterparts or we're just not promoted or given the same opportunities, and sometimes we're even dealing with bigger issues like sexual harassment or assaults at work," Decker said. "Being out on my own, I don't have to worry about those issues."

Women said running their own law firms leads to better pay for them and their employees, since they don't have to contribute a share of revenue to a vast BigLaw partnership or extensive overhead costs like rent.

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RINAT KLIER ERLICH
Founding partner
Zelms Erlich & Mack

"Definitely the money has been better, there's no question about that," Tansley said. "I agree with what I'm pricing my cases because I know what the value is, and I know what I'm bringing to a case."

Plus, owning a law firm means female attorneys can see where the money is coming and going, allowing them to be more innovative with billing.

"We're doing flat fees, we're doing partial contingencies, we're really partnering up with our clients in a creative way that a lot of the more traditional firms can't do," Cohen said. "It's so much more fun."

Women who started law firms said they've been able to develop business through word of mouth, as well as applying for public contracts where minority and female vendors are prioritized.

"I'm getting a lot more business," Erlich said. "It could be attributed to my name being on the door."

Erlich added that running her own smaller firm gives her the freedom to evaluate attorneys more fairly for raises, promotion and assignments. Larger firms, she said, will see more attrition because attorneys may feel they're treated the same even if they perform better than colleagues.

"I love that I could pretty much implement my own vision to everything," she said.

When an employee quit, Erlich said she took it as "my personal failure" and held numerous meetings with employees about how the firm can better support staff and integrate new hires. When an attorney started this summer, Erlich had already set up mentors and meetings for her.

"I don't think I would have ever cared when I was at the big firm ... people left all the time," said Erlich, who departed Manning & Kass Ellrod Ramirez Trester LLP to start the new firm. "I would always attribute it to just the big firm, all the rules, billing requirements ... Here, it was just me, I set the processes and procedure at the firm and the interaction between the paralegals, secretaries and the attorneys."

Still, this power comes with more responsibilities, including additional hurdles from pandemic restrictions.

Working remotely can erode morale, and generating new clients and business is tricky with limited in-person gatherings. Courts are backlogged, so criminal defense attorneys like Tansley have hit what she calls a "COVID crunch" and face a crowded calendar of trials that should have begun in 2020. And for those in the plaintiffs bar like Calcaterra, putting together a business plan is difficult without the ability to predict when cases might settle or go to trial.

But women who began law firms said the pandemic and administrative work shouldn't stop others from doing the same.

"Those management aspects, I don't love," Erlich said. "What you get in return is this absolute freedom and respect."

--Editing by Pamela Wilkinson, Kerry Benn and Rachel Reimer. Graphics by Chris Yates.