



Diversity Briefing

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Is The Glass Ceiling Half Full, Or Half Empty?

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In the 2016 presidential election, the issues of women's rights and the equal treatment of women were at the forefront of many hotly contested debates—a focus which was amplified by the presence of the first major party female presidential candidate. Although this highly publicized platform increased scrutiny of the advancement of women in the workplace, and of the future steps still necessary for women to be truly treated as equals to their male counterparts, unfortunately, the rhetoric did not result in significant

improvement in the lot of women in the workplace, nor did it bring about any new, substantial efforts to close the gap.

A new study conducted by the LeanIn.org and McKinsey & Company found that “women remain underrepresented at every level in corporate America, despite earning more college degrees than men for thirty years and counting” (*Women in the Workplace*, October 2017). This holds true even in the legal profession, where women make up only 36 percent of the profession

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(ABA: Market Research Department, April, 2016). This is a surprising statistic considering that in the 2010-2011 academic year, 47.3 percent of the Juris Doctorate degrees awarded were awarded to women, while in 2016, women made up 51% percent of first year law students (American Bar Association Section of Legal Education and

Admissions to the Bar; and Olson, Elizabeth, December 16, 2016, Women Make Up Majority of U.S. Law Students for the First Time). According to Deborah

J. Merritt, a professor at Mortiz College of Law at Ohio State University and her colleague Kyle McEntree, executive director of Law School Transparency, while the number of female law students has risen, a significant percentage of women wound up attending lower ranked schools, undercutting their employment

possibilities and earnings potential (higher ranked schools generally have better track records for placing their graduates in full-time, long-term jobs requiring a law degree. Olson, Elizabeth, December 16, 2016, Women Make Up Majority of U.S. Law Students for the First Time).

In 2016, 22.13 percent of partners at law firms were women, and of that figure only 2.76 percent were minority women (2016 Report on Diversity in U.S. Law Firms. NALP, January 2017). In 2016, 45 percent of associate positions in law firms were held by women and only 22.72

percent of those were held by minority women. Id. Women are also twice as likely as their male counterparts to leave large law firms (Cohen, Nancy, Women Lawyers, Discipline and Leaving the Practice of Law, (March 7, 2016). Specifically, 85 percent of minority female attorneys in the U.S. will quit large firms within seven

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LeanIn.org and McKinsey & Company

years of starting their practice because they feel they have no choice. Studies by groups such as the ABA and the National Association of Women Lawyers show that law firms have made limited progress in promoting female lawyers over the course of decades, and women of color fare worst. (Jackson, Liane, Minority Women are Disappearing from Big Law- and Here’s Why (March 2106). Adding to the problem, in 2015, a woman lawyer’s salary was 89.7 percent of what her similarly qualified male counterpart made. A Current Glance at Women in Law, (January 2017), ABA, citing 2015 Bureau of Labor Statistics, Median weekly earnings of full-time wage and salary workers by detailed occupation and sex.)

While women have higher enrollment numbers in law schools, the reality is that women, especially women of color, still face great obstacles to their success in the profession and do not receive the necessary support in order to rise to the top of their professional field. There are a number of simple steps law schools and law firms can implement to help close the gap. First, improving mentorship programs across the board. Second, capitalizing on networking opportunities to introduce female lawyers to people in leadership positions and to encourage camaraderie, by assisting each other in business opportunities. Third, providing support in staff meetings, court proceedings, and with other colleagues. Fourth, promptly and fully addressing any comments or conduct, whether, subtle or overt, that is demeaning, dismissive or alienating. Fifth, taking active steps to recruit women attorneys. Although the cracks in the glass ceiling continue to develop, there is still a considerable way for women to go.



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