

## LITIGATION

# Balancing professionalism and parenthood: How women can succeed

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The topic of “Women and Work” is having a cultural moment. In her article in *The Atlantic*, “Why Women Still Can’t Have it All”, Anne Marie Slaughter argued women should not be blamed, “if they cannot manage to rise up the ladder as fast as men and also have a family and an active home life.” In its cover story “The Childfree Life: When Having it All Means Not Having Children”, *Time Magazine* wrote that as the ranks of the childless rise, “so do positive attitudes about being able to lead a fulfilling, childless life.” Two subtle suggestions run through stories like these. The first is that women cannot be both good parents and good professionals; the second is that childlessness helps women succeed. My partners, my clients, and my female colleagues in the profession who have been honored by Benchmark have a different view. Life at the top of the profession is not an “either or” proposition. It is not only “kids or career.” Some women may choose to stay home. Some may choose to have no children. But many, like me, choose a “both and” life, in which our role as professionals is enriched by our role as parents.

It is important that we not overlook the one-sided nature of this conversation. The question whether men can be good parents and good professionals is almost never asked. When I was a law student, I interviewed with a prominent trial lawyer for a summer clerkship. He asked how I planned to be a trial lawyer, since “women have children, but then they always quit.” It was a stunning question, to which my rejoinder was, “Do your male lawyers have children? Do they quit?” He had no response. He simply assumed that professional men would remain in the work force after they had children. He assumed women would quit. Twenty-five years later, much has changed—but much has remained the same. Men continue to advance up the ladder in law firms around the globe, without comment, after they have children. When men reach the top, some may comment on their hard work and skill, but I have yet to hear someone say to a successful man, “Wow, you have kids! How did you do it?” Women hear that question all the time. As Sheryl Sandberg observed in her book, *Lean In*, “For many men, the fundamental assumption is that they can have both a successful professional life and a fulfilling personal life. For many women, the assumption is that trying to do both is difficult at best and impossible at worst.”

The truth is that to excel in any profession, for anyone, is difficult. Long hours are long, whether you are male or female. Counseling an anxious client is tiring, whether you are male or female. Seeing a



case through a long trial is literally trying, whether you are male or female. The men at the top of law firms and corporations do not go home at five--but the women honored in this publication by Benchmark don't go home at five, either. They work nights. They move mountains. They make a difference. And guess what? Many of them have children and happy personal lives, too.

How do they do it? Every woman's story is different, but to a person they have one thing in common: the extraordinary women honored by Benchmark understand deeply what it means to be an advocate. Whether the client is a corporation or an individual, whether the case involves a personal injury or a patent, the role of the lawyer is to represent the best interest of someone else, to put their interest first. Parenthood, far from impeding our professionalism, is the crucible where our professional skills are tested under fire. Having teenagers makes you better at cross-examination. Juggling homework, athletics, religious obligations, depositions, and hours of travel makes you better at logistics. Dealing with school issues makes you better at negotiation. Having children also makes you better at responding to unexpected catastrophes. Parenthood is a great way to learn to say, “I hear you, but that is not the right choice.”

Being both a parent and a professional is not easy. But we cannot—we should not—

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make it easy for women to quit in the face of these challenges. Too much is at stake, for women, for their law firms, for their clients, and for their families. Ten years ago, in an article called *The Opt-Out Revolution*, the New York Times wrote about a group of highly educated and accomplished women who left prominent jobs to stay home with their children. This year, the Times revisited several of them, in an article entitled *The Opt-Out Generation Wants Back In*. One common theme was that coming back into the work force was far harder than they had expected. Another was that staying home was not the idyll they'd envisioned.

If feminism means anything, it means every woman has the right to make her own choices. But if feminism means anything, it means we should make clear that staying home with children is not the *only* choice for women. It can be profoundly fulfilling to have both a career and a family. Our sons have lived their entire lives with a mother who works and travels frequently. Both have grown into

happy and healthy young men. They have been blessed by their father's (then unconventional) decision to resign his partnership in a prominent law firm to stay home with them. Having lived in this untraditional family structure, our sons are now able to imagine a world where anything—and any role—is possible for them.

All of us who have been honored by Benchmark know we have not made it here on our own. We are here because of firms that gave us opportunities. We are here because of clients who have had faith in us. We are here because our families, our friends, our colleagues, and, importantly, the women who came before us imagined a world where motherhood and work were not mutually exclusive. Benchmark is making a difference by raising the profile of women who have made a difference. We can *all* make a difference by encouraging women to reject the "either or" stereotypes in favor of a new archetype: one that recognizes that women—like men—can have both a full professional life and a fulfilling personal life.