



NYSBA News Release

FOR RELEASE: IMMEDIATE

Date: June 15, 2020

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NEW YORK STATE BAR ASSOCIATION: GENDER EQUITY FOR LAWYERS IN THE COURTROOM MUST BE IMPROVED

The New York State Bar Association (NYSBA) House of Delegates voted overwhelmingly on Saturday to approve the report of a task force that found a disappointing lack of gender equity in courtrooms across the state and made a host of recommendations for creating parity.

The report, produced by the Commercial & Federal Litigation Section Task Force on Women's Initiatives, "The Time is Now: Achieving Equality for Women Attorneys in the Courtroom and in ADR," is an update to a landmark study issued by the same task force in 2017. The updated study determined that - despite some minimal and encouraging gains made by women attorneys over the past three years - the profession has much more to do to address professional imbalances among the sexes.

"At this crucial moment in our history as a state and a nation, as we struggle to overcome long-standing and deep-seated systemic inequalities, we must recognize that true progress lifts everyone up," said NYSBA President Scott M. Karson. "As a profession, we must - and we will - do better to ensure that all attorneys, regardless of their race, gender and/or sexual orientation have the opportunity to excel and succeed."

According to the 2017 findings, women accounted for approximately 24.7% of attorneys in lead counsel roles in New York courtrooms, though those in the public sector fared better than their private sector counterparts.

However, the 2020 task force members - most of whom also worked on the original study - found that women now comprise 25.3% of attorneys in lead counsel roles, which is only a minimal improvement, at best.

In addition, according to the updated report, while women accounted for only 25.3 percent of lead counsel roles, they accounted for 36.4 percent of additional counsel roles.

Also disturbing is the fact that the large gap between the public and private sectors that was revealed in the 2017 study has not been closed. In 2020, women made up 35.1% of public sector lead attorneys but just 20.8% of private practice lead attorneys. In 2017, the public sector number was 38.2%, compared to 19.4% in private practice.

One positive note highlighted in the updated report: Women are appearing with slightly greater frequency in trial courts. In 2017, women made up 24.7% of appearances in trial courts but now, according to the 2020 report, the figure is 26.3%, which is an increase of nearly 2 percentage points.

However, appellate court appearances for women were nearly unchanged at roughly 25%.

The task force has again issued a host of recommendations to improve gender equity across the legal profession, including the establishment of programs to support, train and advance female attorneys in private firms with an emphasis on sponsorship.

In addition, the new report calls for a continued focus on diversity in outside counsel by inhouse corporate legal departments; and ongoing efforts by the judiciary to encourage more women in leadership roles in the courtroom.

The task force members, all of whom were co-authors of the report and former chairs of the Commercial and Federal Litigation Section, are:

- Shira A. Scheindlin (ret.), of counsel, Stroock & Stroock & Lavan
- Carrie H. Cohen, partner, Morrison & Foerster
- Tracee E. Davis, partner, Seyfarth Shaw
- Laurel R. Kretzing, bureau chief, Litigation and Appeals, Nassau County Attorney's Office
- Bernice K. Leber, past president of the New York State Bar Association and partner, Arent Fox
- Sharon M. Porcellio, member, Bond Schoeneck & King
- Lauren J. Wachtler, partner, Barclay Damon

[Gender Disparity in New York Courtrooms Persists Three Years After Landmark State Bar Association Report Decrying Inequity](#)

[The Time Is Now: Achieving Equality for Women Attorneys in the Courtroom and in ADR 2020 Women's Initiative Task Force Follow-Up Study](#)

About the New York State Bar Association

The New York State Bar Association is the largest voluntary state bar association in the nation. Since 1876, the Association has helped shape the development of law, educated and informed the legal profession and the public, and championed the rights of New Yorkers through advocacy and guidance in our communities.

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