

A top-down view of a person with dark hair, wearing a white shirt, sitting at a desk. They are using a silver laptop. Their hands are on the keyboard and trackpad. To the left of the laptop is a spiral notebook with a pen resting on it. The background is a plain, light-colored wall. The text is overlaid on a semi-transparent pinkish-orange rectangle in the center of the image.

Lawyer Needs Survey

A study on the disparate impact by
sex of COVID-19 on the Texas
attorney population

State Bar of Texas: Women in the Profession Committee

Executive Summary

By Katherine Kunz, State Bar of Texas Women in the Profession Committee Chair, 2021-2022

The Texas Bar formed the Women in the Profession Committee over thirty years ago to identify barriers that prevent women lawyers from full participation in the profession. In May 2021 we surveyed more than 2000 of our male and female State Bar members to see whether and how they have been struggling during the pandemic, and how we might help.

We encourage you to read all of the Survey results, but here are some of the takeaways:

Who we are:

- The total number of female attorneys is growing at a faster rate than that of male attorneys.
- Nevertheless, the percentage of female attorneys remains at about one-third of the total number of attorneys.
- The population of female attorneys is younger than the male population.
- Female attorneys are less likely to be married than their male counterparts.
- Female attorneys are more likely to be primary caregivers than their male counterparts.

What are our challenges:

- Female attorneys were more than four times as likely as male attorneys to consider leaving the workforce to care for their families.
- Female attorneys were nearly twice as likely to report feeling like they had to choose between caregiving and their job.

What do we need:

- The most requested workplace option identified by survey respondents (and by more female than male respondents) is the need for remote work flexibility.
- Many respondents want employers to facilitate mental health awareness and wellness policies.
- Many respondents also want employers to consider actively helping with caregiving responsibilities by providing family-support subsidies, on-site childcare and tutoring, and/or progressive family leave policies.

The Women in the Profession Committee will take this data and propose ways in which the State Bar, law firms, and other employers can respond to attorneys' needs.

Thank you to everyone who took the time to respond to the survey. Having this data is an essential first step toward mitigating the negative effects of the pandemic in the weeks, months, and years to come.



Methodology

Active State Bar members totaled 106,591 as of December 31, 2020. To obtain a confidence level of 95% and a margin of error of less than 5%, the survey was sent to a stratified random sample of 20,000 active members. Specifically, the sample population was stratified into 13 metropolitan and non-metropolitan statistical areas or MSAs as defined by the Federal Office of Management and Budget. Excluded from the survey were members who have opted out of participating and those who had not reported the Texas county they practice in.

A total of 2,014 members participated in the survey. With 2,014 respondents, there is a margin of error of $\pm 2.1\%$. This means that if 40% of the respondents answered “yes” to a question, we can be 95% confident that the actual proportion of the population who would answer “yes” to the same question is 2.1 percentage points lower or higher than 40% (38 to 42%).

September 16, 2021



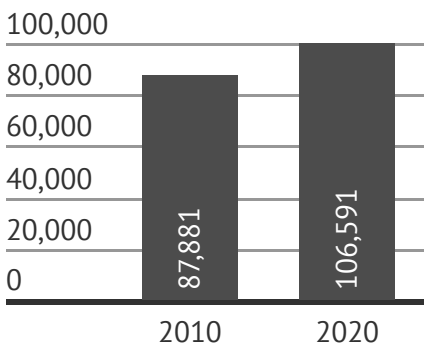
Demographics

As of December 31, 2020, Texas attorneys numbered 106,591. The Texas attorney population is composed of 63% men and 37% women. The population growth of women attorneys exceeds that of men. Over the past 10 years, the population of women grew by 39% compared to 14% for men. However, women currently make up only about one third (37%) of the Bar's membership.

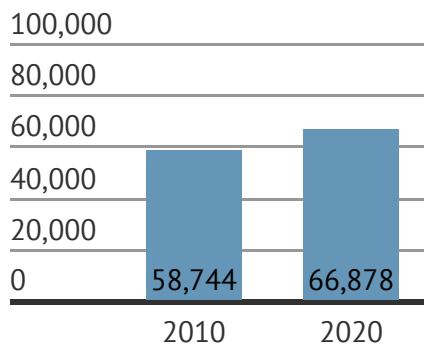
This recent growth means the population of women attorneys is younger (median age 44 versus 53) and has been licensed fewer years (15 years versus 23) than men attorneys. Detailed demographic information can be found below:



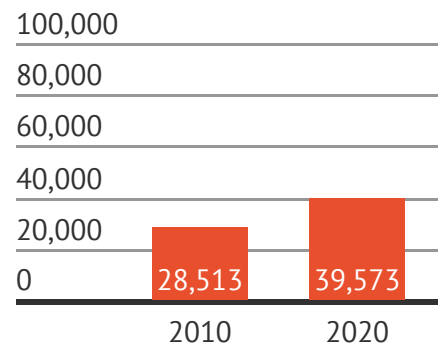
As a whole, the Texas attorney population grew by 21% from 2010 to 2020.



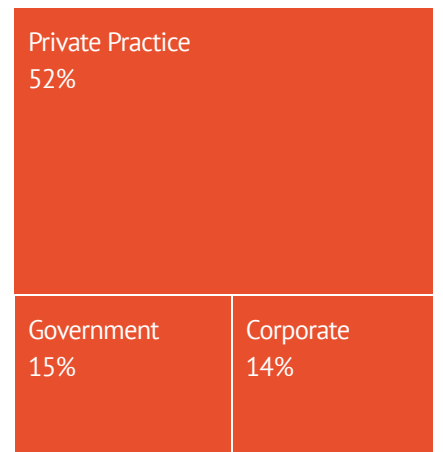
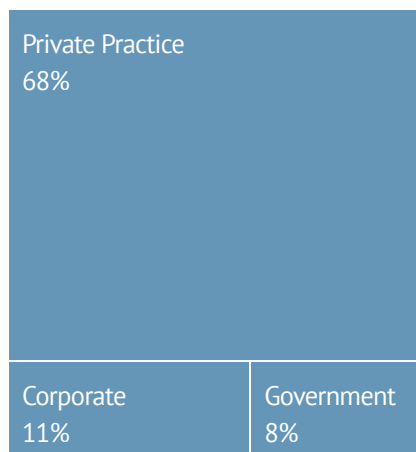
The men attorney population grew by 14% from 2010 to 2020.



The women attorney population grew by 39% from 2010 to 2020.



Top 3 Occupations



Median Years Licensed
Median Age
49 **19**

Median Years Licensed
Median Age
53 **23**

Median Years Licensed
Median Age
44 **15**

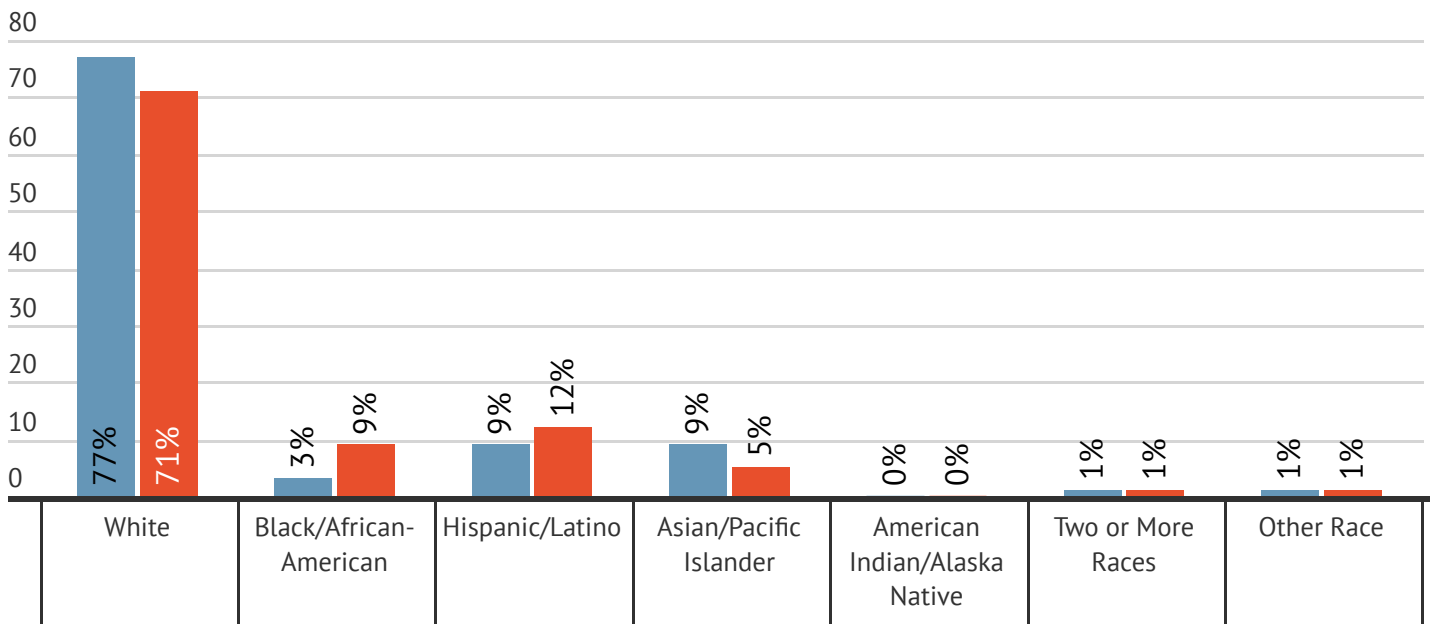


Demographics Continued

The Texas Bar is primarily composed of white attorneys, with nearly 75% of attorney respondents identifying as white. While 29% of Texas women attorneys reported their race/ethnicity as non-white, 23% of men attorneys did. Race/Ethnicity information is as of December 31, 2020.

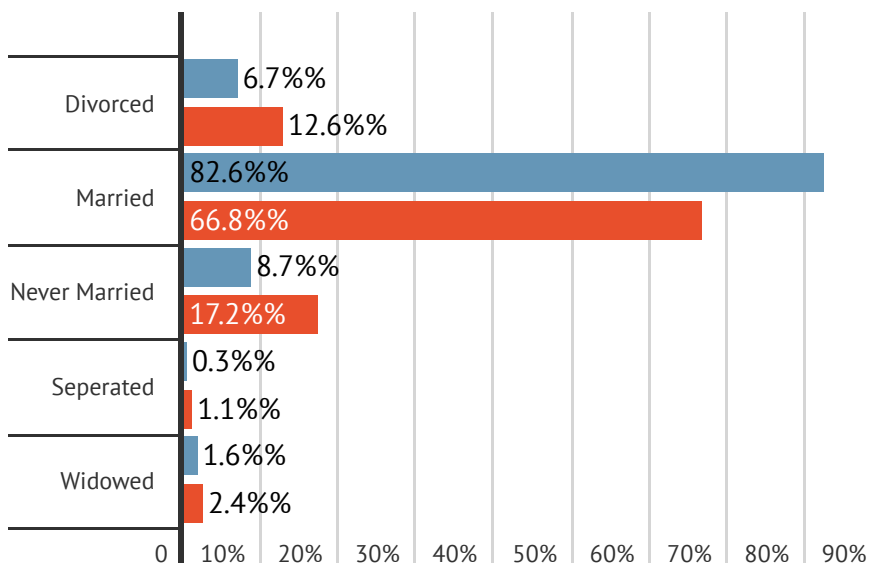
Based on the survey results, more than twice the number of women than men attorneys report as never married, possibly due to the women attorney population generally being younger. Nearly twice as many female attorneys as male reported being divorced.

Race/Ethnicity



Marital Status

A higher percent of men (83%) attorneys are married than women (67%), while a higher percent of women are divorced (13%) or have never been married (17%).

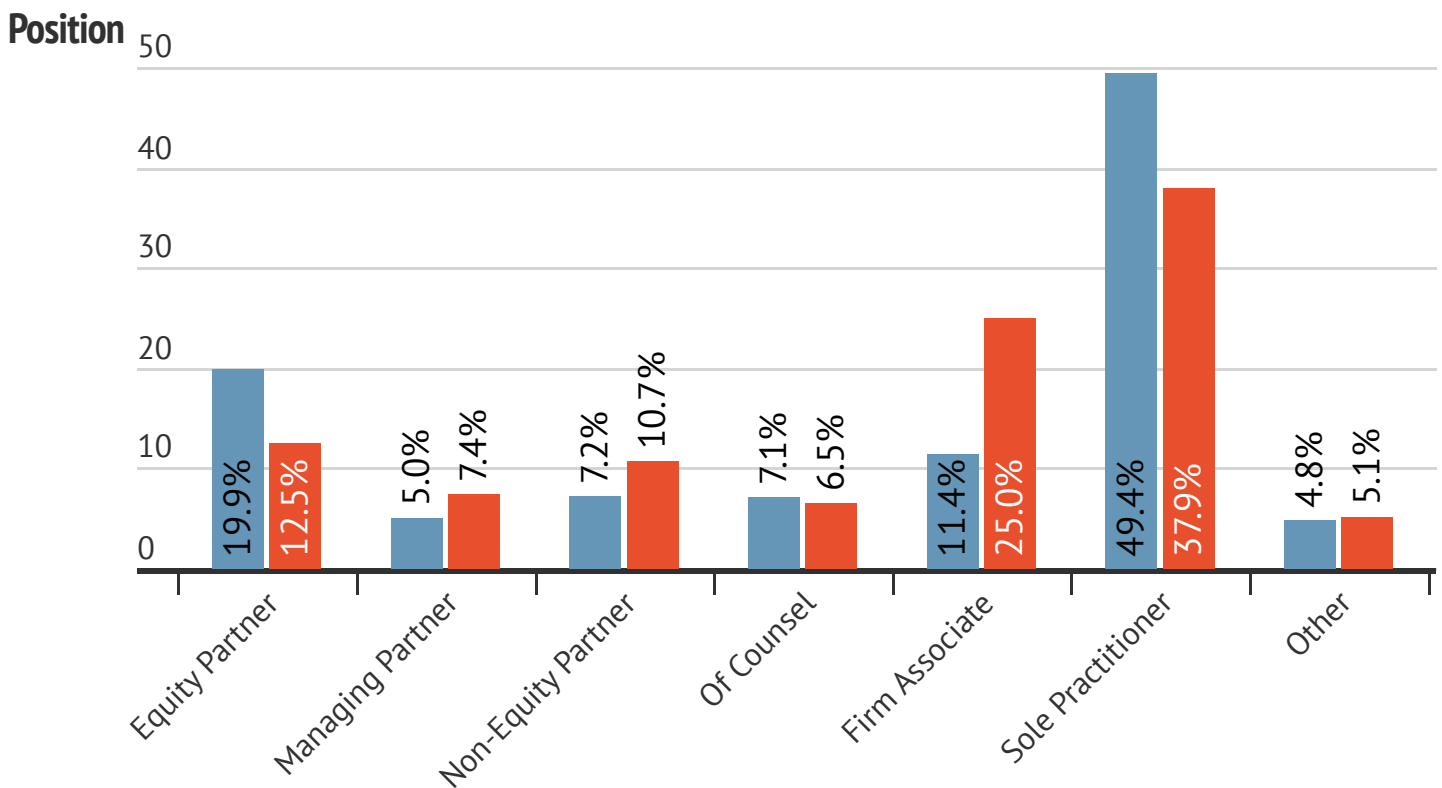


Demographics Continued

Private practitioners were asked to provide their position at their firm. Please note that 52% of women reporting working in private practice, compared to 68% of men.

Men and women attorneys reported similar numbers for partner level positions. 31% of women reported being in a partner level position, compared to 32% of men. Overall, women made up 33% of partner level positions reported.

One notable difference is that fewer women report working as sole practitioners. There were 38% of women who reported being sole practitioners compared to 49% for men.



Position	All		Men		Women	
Equity Partner	191	15.3%	132	69.1%	56	29.3%
Managing Partner	122	9.8%	33	27.0%	33	27.0%
Non-Equity Partner	100	8.0%	48	48.0%	48	48.0%
Of Counsel	77	6.2%	47	61.0%	29	37.7%
Firm Associate	197	15.8%	76	38.6%	112	56.9%
Sole Practitioner	505	40.5%	328	65.0%	170	33.7%
Other	55	4.4%	32	58.2%	23	41.8%



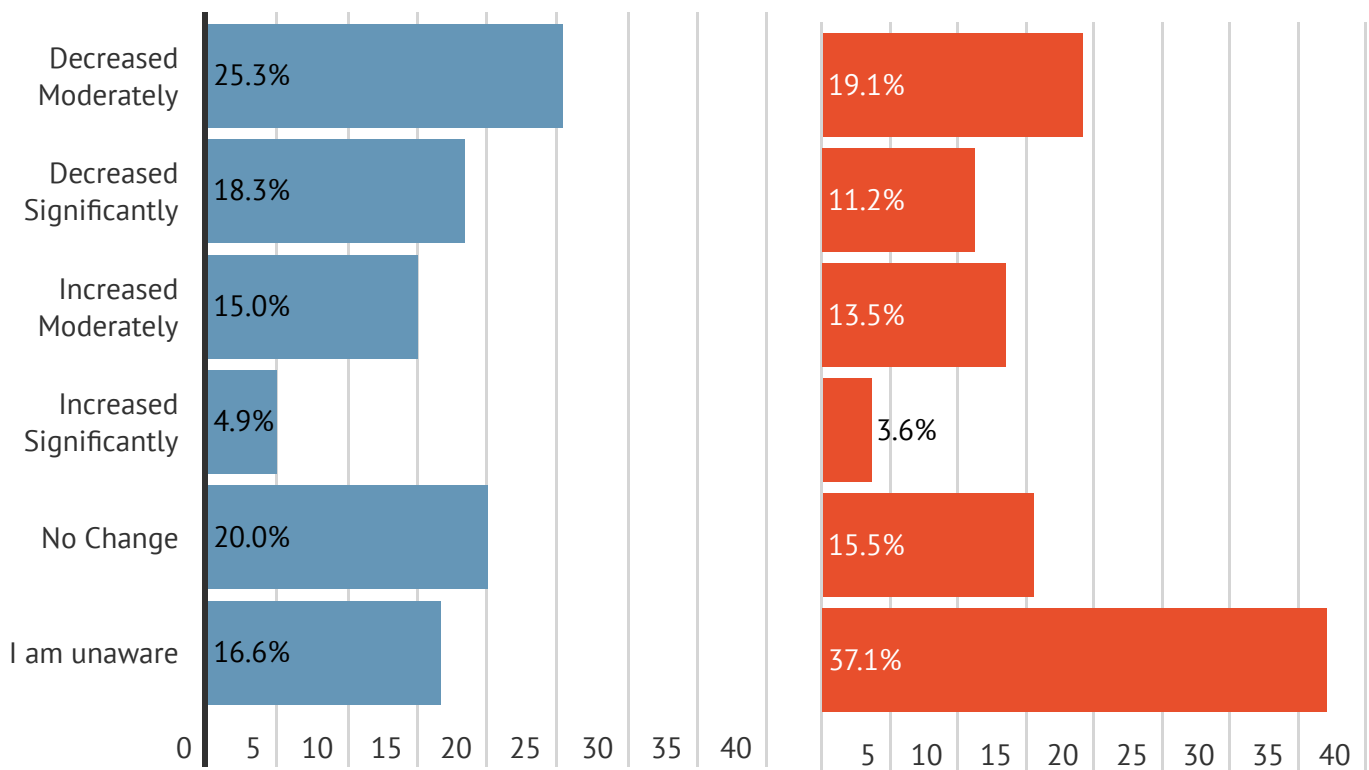
Revenue Change

Presented below is the reported revenue change from March 2020 and May 2021. For comparison, information is reported for all respondents regardless of their type of employment (government, corporate, private or sole practitioner), and then also reported separately for private practitioners.

Overall, 37% of women said their firm lost revenue compared to 44% of men.

The relatively higher percent of women reporting being unaware of any revenue change may be due to the smaller percent that report working as sole practitioners and the higher percent that report working as associates.

Revenue Change



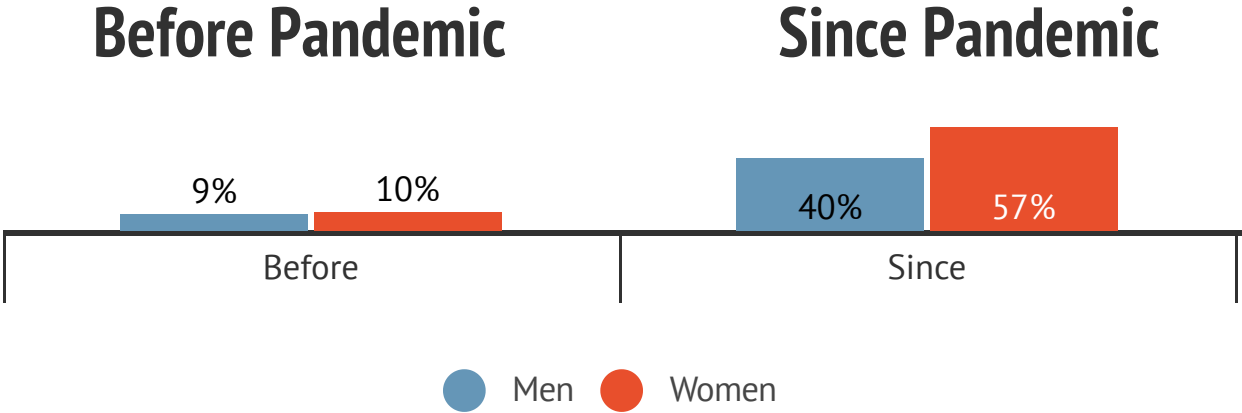
Private Practitioners	Men	Women
Decreased Moderately	26.8%	30.5%
Decreased Significantly	14.9%	20.8%
Increased Moderately	19.4%	16.3%
Increased Significantly	4.5%	5.3%
No Change	10.2%	17.9%
I am unaware	24.2%	9.4%



Remote Work

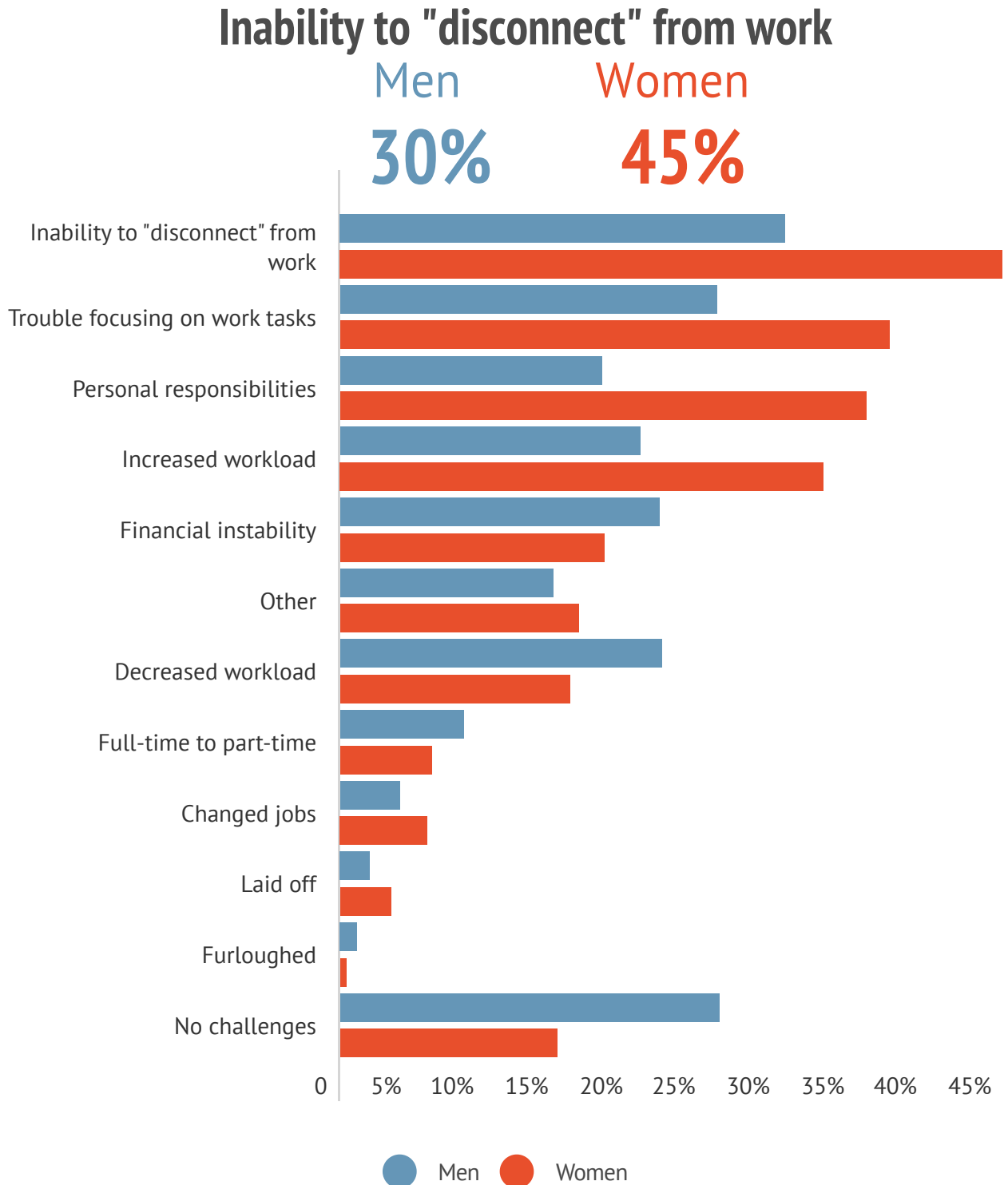
Before the pandemic, only 5% of Texas attorneys worked remotely. That number grew to 46% since the pandemic began. Comparison data is presented below.

Remote Work



Challenges

Texas attorneys have faced challenges in response to the pandemic. The inability to "disconnect" from work was the biggest challenge across the board. A greater percentage of women reported challenges in the four "most challenging across the board" areas – increased workload, personal responsibilities, trouble focusing on work tasks, and inability to disconnect from work. Further, nearly twice as many men as women reported facing no challenges as a result of the pandemic. A full list of the challenges can be found below.



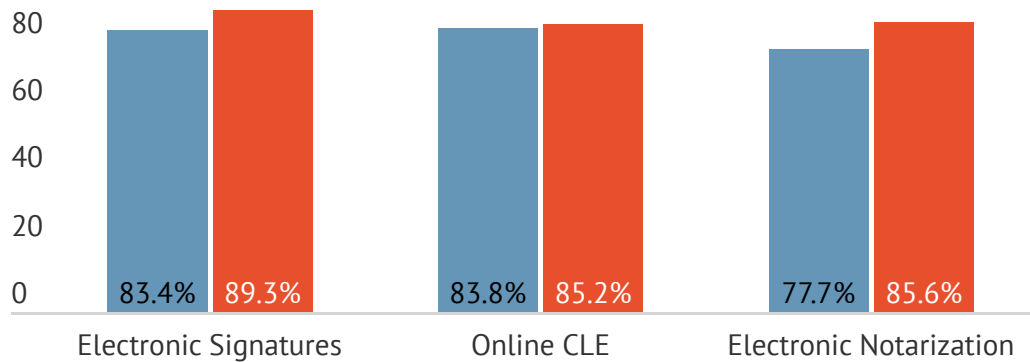
Changes to Continue

Men and women attorneys agreed on the administrative changes they would like to see continued: electronic signatures, online CLE, and electronic notarization.

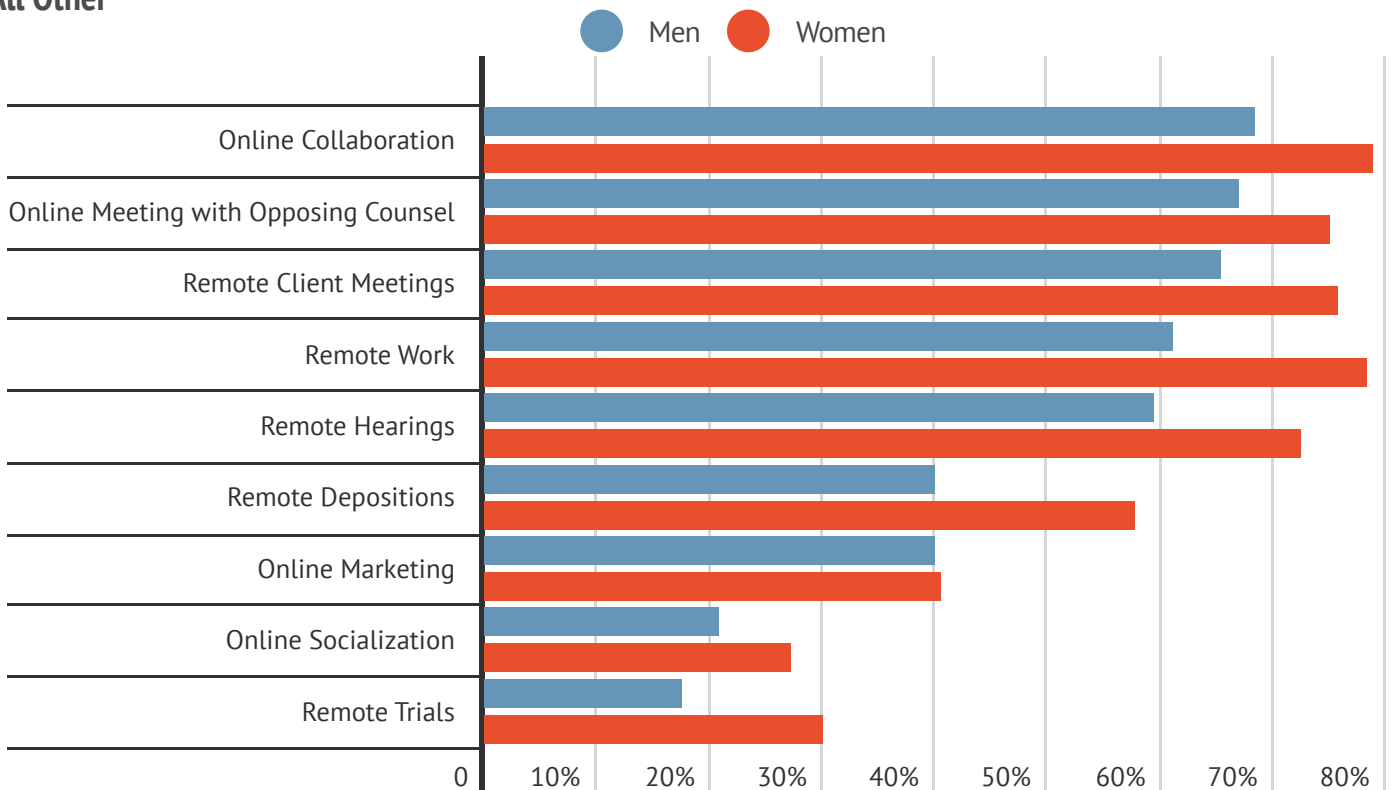
For their work practices, while a majority of men and women asked to continue with remote work options, the numbers were greater for women than men. For those who litigate, women more than men asked for continuation of remote hearings and remote depositions.

While remote trials and online socialization were among the items most attorneys would not like to see continued, more women than men still preferred having these virtual options.

Top 3



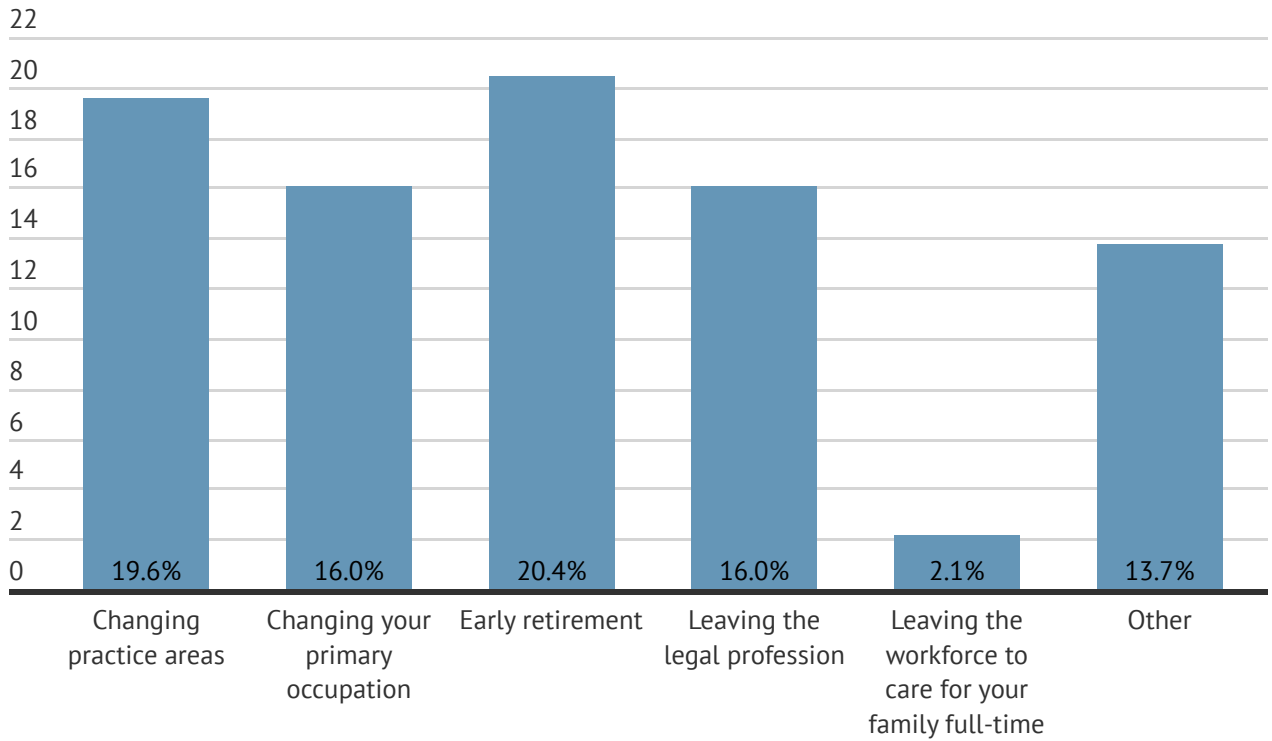
All Other



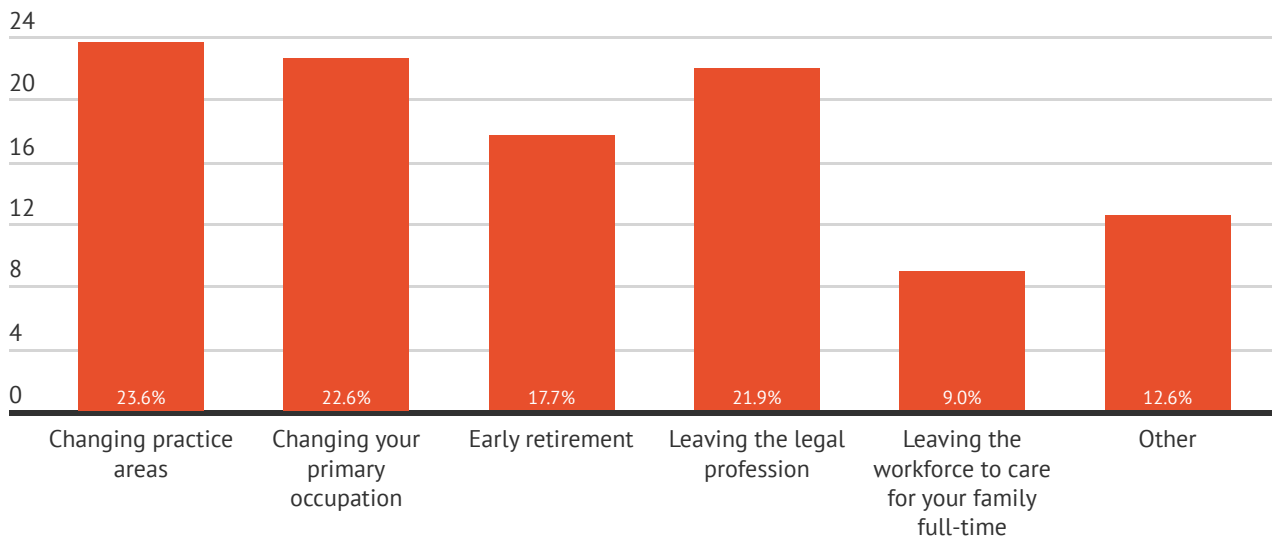
Considered Career Changes

Career changes vary between men and women. The major career change considered by men was early retirement (20%), while for women it was changing practice areas (24%). Some of this difference is likely due to the relatively younger age of women attorneys. Women were over four times as likely as men to consider leaving the workforce to care for family full-time.

Men



Women



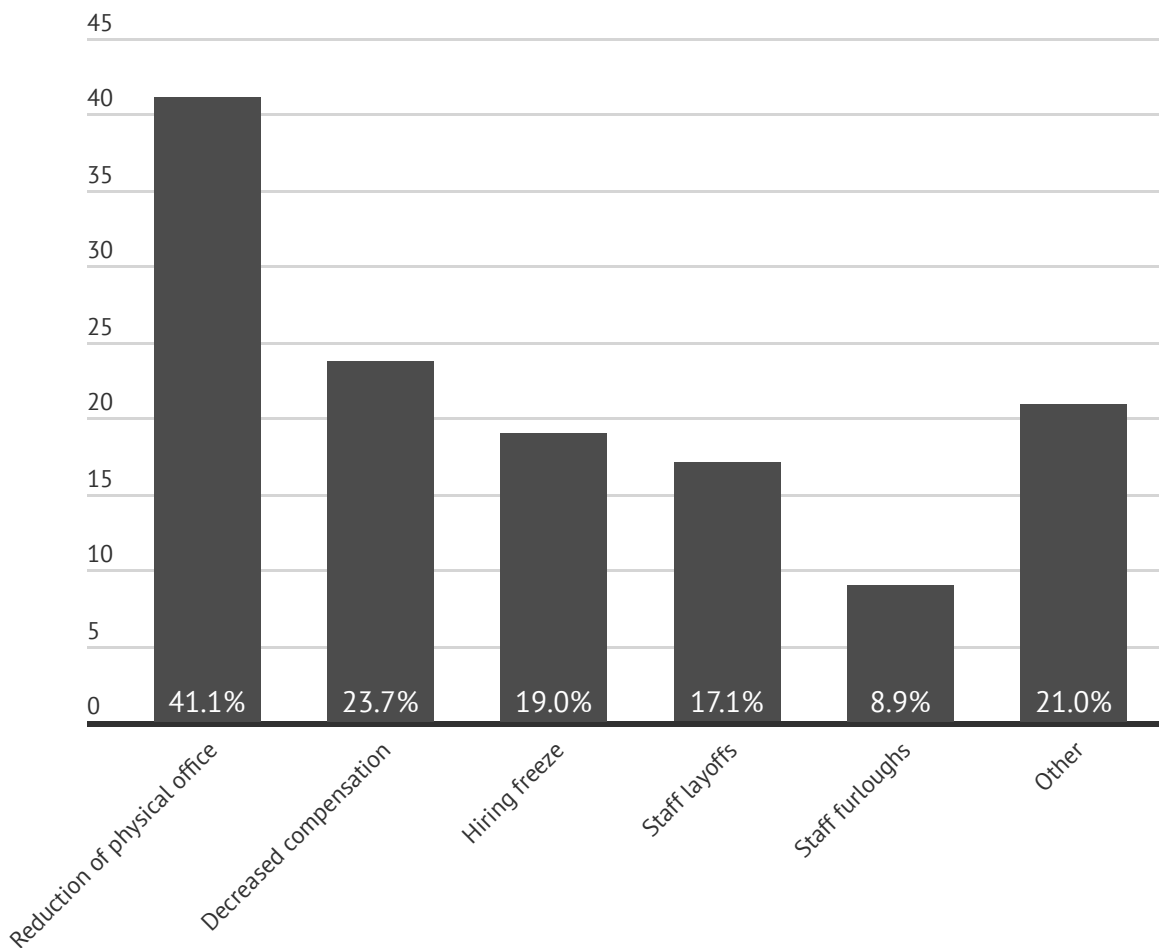
Workplace Actions

Attorneys reported a reduction in physical office space as a result of the pandemic.

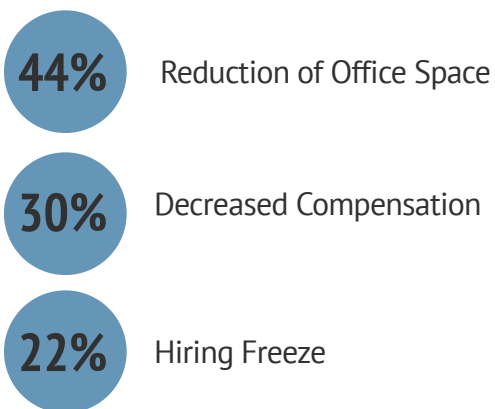
Almost a quarter of the attorneys (23.7%) also reported decreased compensation, along with staff layoffs (17.1%) and furloughs (8.9%), an indication that as a result of the pandemic, many attorneys may have been paid less to do more of the work themselves.

Like many businesses, the reduction in office space was the main action taken by firms.

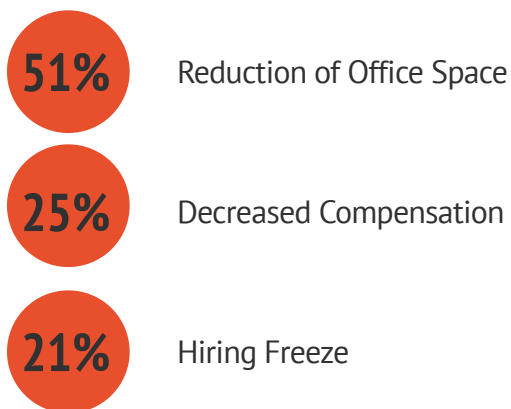
All



Men



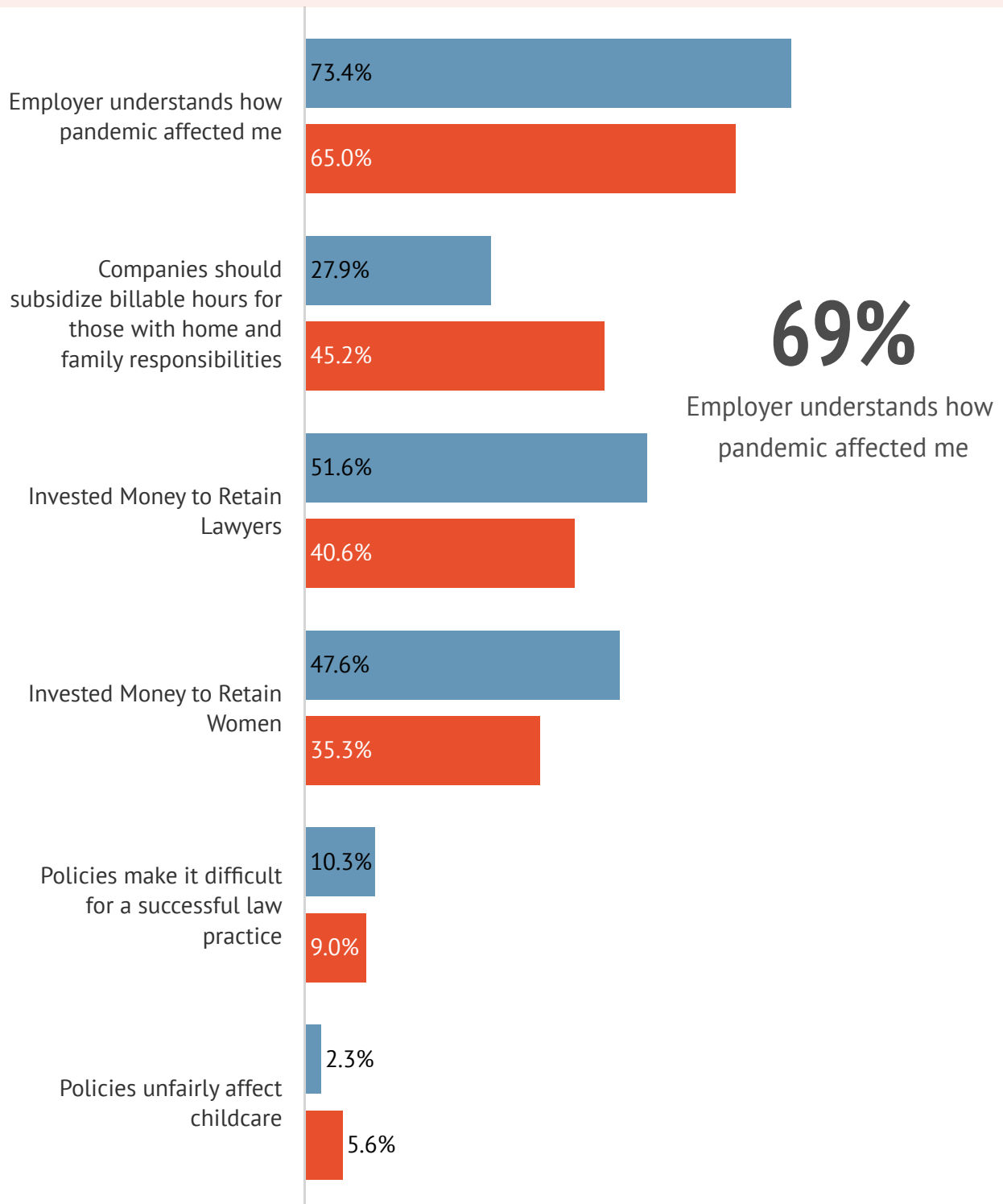
Women



Workplace Policies

The chart below shows policies firms implemented and how they affected attorneys. A majority of attorneys (male and female combined) stated that their employer understands how the pandemic affected them (69%).

At the same time, a large percentage of women (45.2%) and a significant percentage of men (27.9%) want companies or firms to subsidize billable hours for those with family responsibilities.

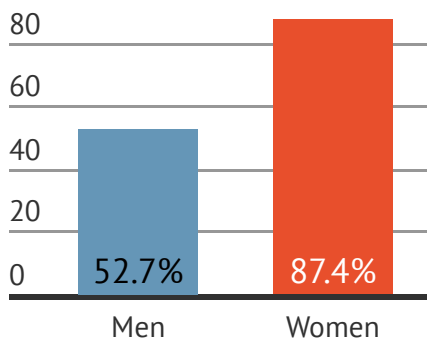


Caregiving

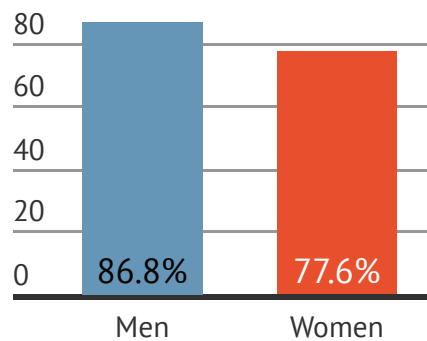
The survey collected data concerning caregiving and its impact on attorneys. More than 87% of women attorneys are primary caregivers. For men, that number is 52.7%. Both male and female attorneys reported having support that helped with their caregiving responsibilities. However, during the pandemic, 63% of the women felt like they had to choose between caregiving and their job, compared to 37% of the men.

Women are more likely to be the primary caregiver of their children (87%). A higher percent of men (87%) have support raising their children compared to women (78%).

Primary Caregiver

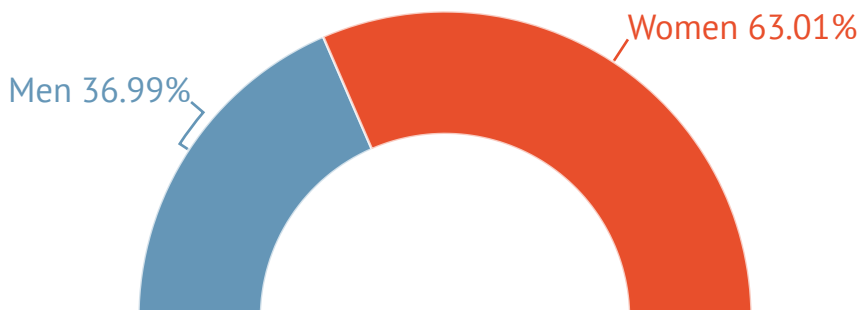


Have Support



Caregiving or Job

Women attorneys (63%) were more likely to report feeling like they had to choose between caregiving and their job, compared to men (37%).

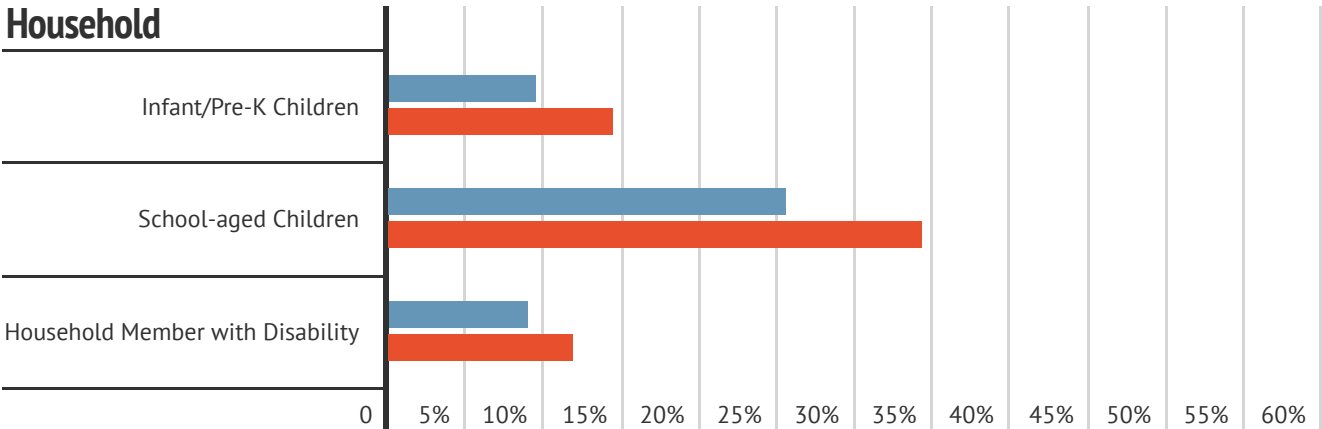


Caregiving Continued

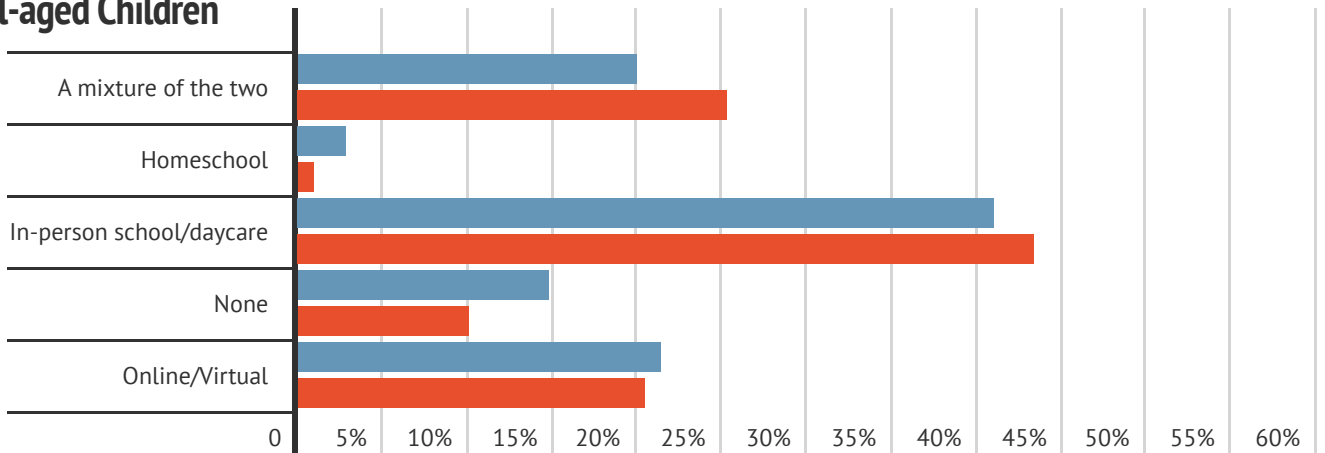
Women are more likely to have children (14% have infants compared to 10% of men and 34% have school-aged children compared to 26% of men) or a household member with a disability (12% of women compared to 9% of men).

The survey also gathered information on school and daycare of young children of attorneys. Results related to school vary little by sex.

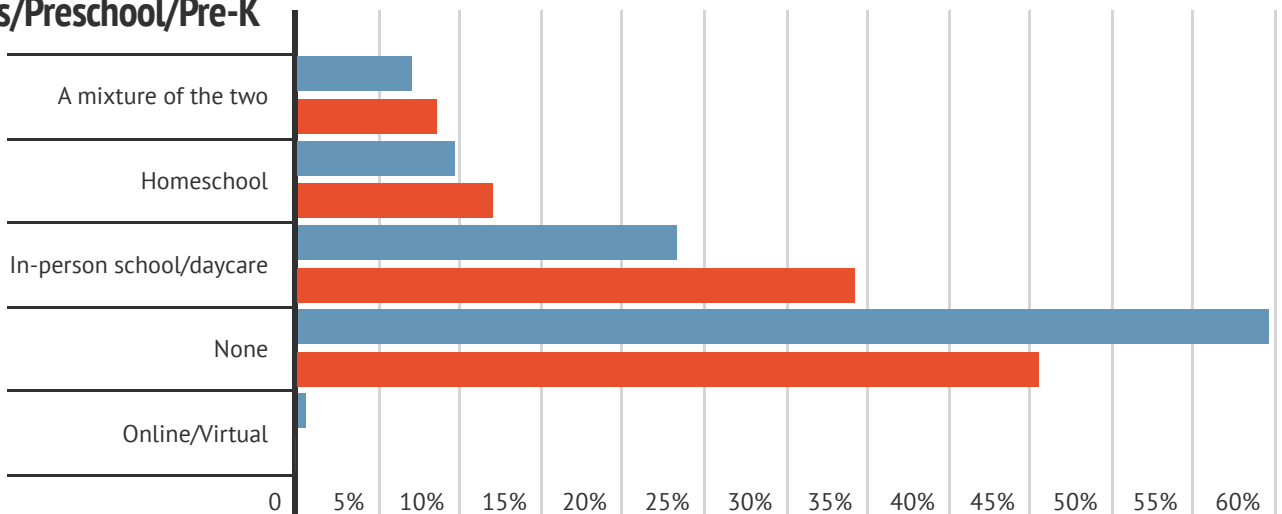
Household



School-aged Children



Infants/Preschool/Pre-K

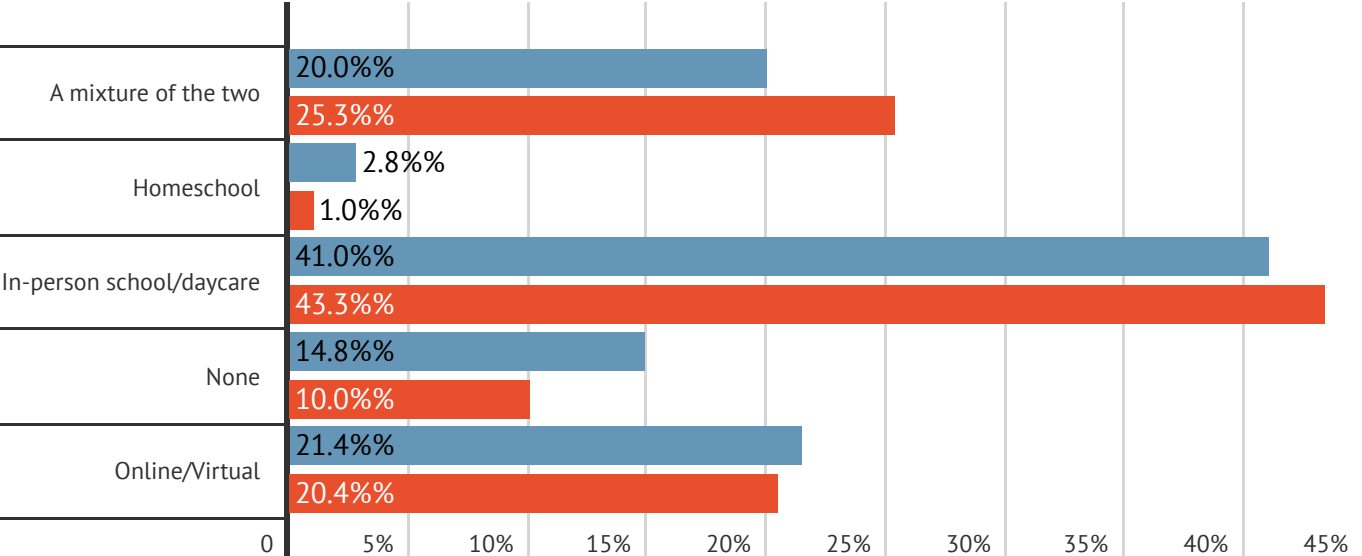


Caregiving Continued

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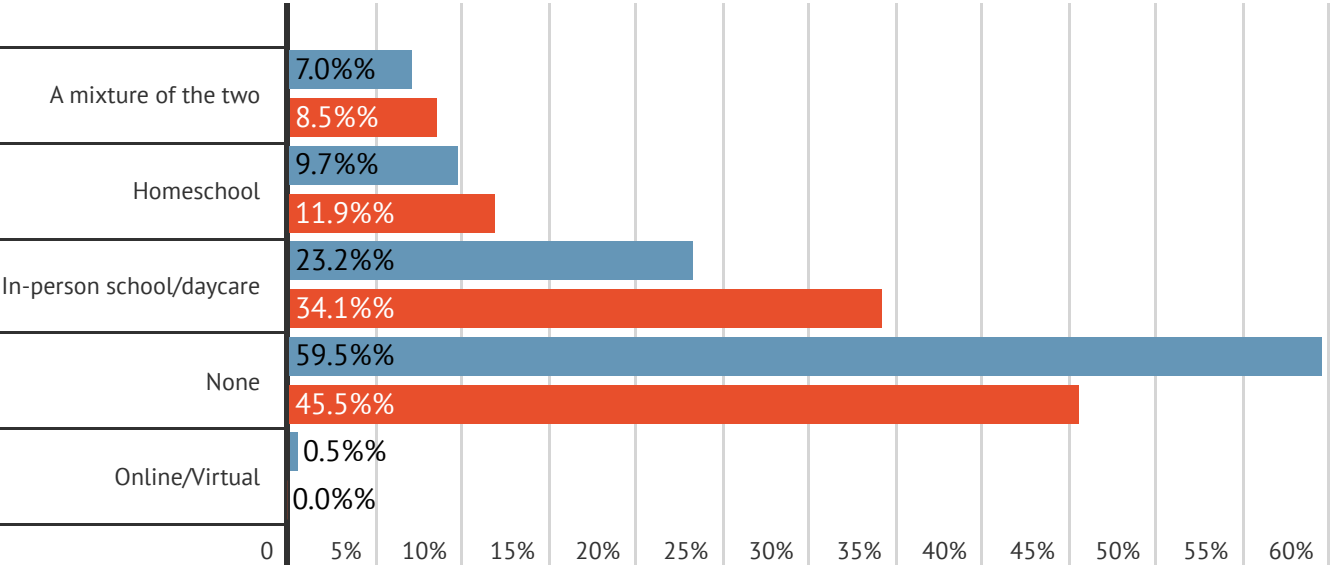
School-aged Children

School-aged children of attorneys were primarily attending in-person school/daycare.



Infants/Pre-K

The majority of infants/Pre-K children of attorneys were not attending school.



Comments: Workplace Recommendations

Attorneys were asked what specific actions they or their employer took that they think other employers should replicate. Respondents provided 976 comments. A summary of the comment categories is provided below. Work schedules (43%) and management (28%) ranked highest among the categories attorneys wanted to see replicated. Flexibility in work schedules, including alternate-work schedules, were ranked the highest among respondents. Respondents also had suggestions for how to improve office management, with over half of these recommendations comprising office safety protocols and regular meetings.

	Total	Percent
Work Schedules	422	43.2%
Remote Work/Flexibility	408	41.8%
Alternate Work Schedules	14	1.4%
Management	268	27.5%
Office Safety Protocols	74	7.6%
Regular Meetings	71	7.3%
Increased Benefits	35	3.6%
Mental Health Focus	27	2.8%
Leadership	22	2.3%
Client Based	20	2.0%
Cut Expenses	10	1.0%
Reduce Billable Requirements	7	0.7%
Additional Staff	2	0.2%
Technology	164	16.8%
Technology	164	16.8%
None	127	13.0%
None	127	13.0%
Other	79	8.1%
Other	44	4.5%
Business as Usual	30	3.1%
Not happy with Employer Response	5	0.5%



Comments: Attorney Needs

Attorneys were also asked to identify one thing they need that would help them succeed in their profession. Resources (27%) and office-related needs (20%) were the most common response categories. Technology (14%) was the overall most mentioned need.

	Total	Percent
RESOURCES	264	27.4%
Technology	134	13.9%
Additional Staff	100	10.4%
Marketing Tools	15	1.6%
Benefits/Resources	9	0.9%
Office Space/Supplies	6	0.6%
OFFICE RELATED	182	18.9%
More Clients/Cases	75	7.8%
Remote/Flexible Work Schedules	65	6.8%
Career Change	17	1.8%
Less Work	16	1.7%
Job Security	9	0.9%
COURT	127	13.2%
Office and Court Back to Normal	92	9.6%
Uniform Rules in Courts	26	2.7%
Communication - Court/Staff	4	0.4%
Support Courts/Management	5	0.5%
MENTAL/SOCIAL	124	12.9%
Mental and Physical Wellness	33	3.4%
More Time	33	3.4%
Networking	22	2.3%
Compassion/Grace	18	1.9%
Socializing	8	0.8%
Patience	5	0.5%
Motivation	3	0.3%
Sleep	2	0.2%
PERSONAL	87	9.0%
Work-Life Balance	46	4.8%
Vacation	22	2.3%
Childcare	19	2.0%
FINANCIAL	71	7.4%
Additional Compensation	52	5.4%
Financial Assistance	6	0.6%
PPP	5	0.5%
Loan	5	0.5%
Student Loan Forgiveness	3	0.3%
OTHER	65	6.8%
Other	65	6.8%
TRAINING/EDUCATION	42	4.4%
Training/Mentor	14	1.5%
CLE - Free	7	0.7%
CLE - Less Expensive	7	0.7%
CLE - Remote	7	0.7%
CLE - More	4	0.4%
CLE - Live	3	0.3%

