

# 2023 Resolutions: Expand Your Professional Circle

by Kara H. North, Esq.

When I assumed the position as UAJ Women's Caucus chair in December 2022, I obtained the roster of women within our organization, and found there were only 52 female attorneys within the UAJ ranks. Even if we generously assume another 50 could be found somewhere within the bar, that still means that women who practice personal injury make up less than 1% of the Utah State Bar.<sup>1</sup> If nothing else, due to the disparity in numbers, we desperately need connection and support from our male UAJ colleagues because there are so few women in the practice of personal injury.

### Mentor a Female Associate/Practitioner:

A few months ago, I had lunch with a female colleague who has now left the practice of personal injury, despite being very well compensated. Her primary reason: as the only woman in her firm, she felt isolated, and that no one within her firm cared about her success. She also didn't feel as though there was anyone she could go to for support or to talk through the tough issues on cases that we all face.

In 2020, the Utah State Bar along with Women Lawyers of Utah, published their findings of a statewide study of women within the legal profession, with the purpose of identifying barriers to the advancement and retention of women lawyers within the State of Utah. Not surprisingly, the study confirmed that legal leadership within Utah

firms was predominantly male. Many women in the study expressed difficulty with having meaningful mentorship opportunities because of the so-called, "Pence Rule" — which refers to the preference of some men to limit contact with women colleagues outside of formal work obligations, to avoid any behavior that could be misunderstood as romantic or sexual in nature. The sheer numbers of male to female Utah personal injury attorney's ratio requires us to figure out a way around the "Pence Rule" if we want to further develop women in the practice of personal injury.

I'm grateful that throughout my many years of practice, I've had several incredible male mentors who were willing to guide me through a case, taking depositions, mediations, and given me feedback on my performance in trial and written product. As much as I despised those redlined edits on my work, it's made me better, and I owe a great debt to them in shaping me into the attorney I am today. I would also like to think that my development benefitted them in some way as well, financially, or otherwise. If you haven't found a female associate or colleague that you feel you could have lunch with and chat about cases, or invite to try a case with you, call me up. I'd welcome the opportunity to expand my circle.

When it comes to networking events, marketing, or other opportunities to develop relationships with others

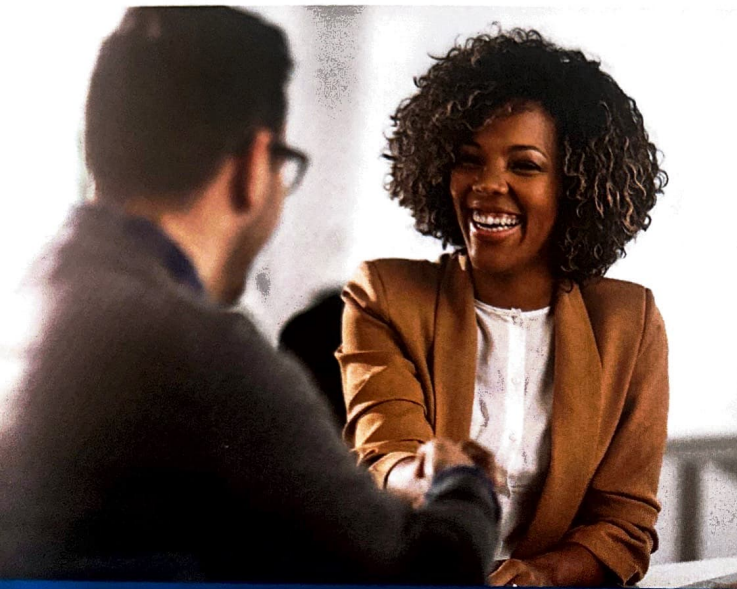
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in the personal injury sphere, don't simply conclude your female colleagues won't be interested in the golf scramble set up by those providers you send clients to. I took golf lessons growing up, and I while I don't pretend to be Tony Finau, it is something I enjoy. Despite this, I have only been invited to one networking golf scramble in my twelve plus years of legal practice. Additionally, I'm a diehard Utah Jazz fan and have season football tickets to BYU. Give me all the sports!



***"When it comes to networking events, marketing, or other opportunities ... don't simply conclude your female colleagues won't be interested."***

If you would invite a male colleague to a particular event, consider why you wouldn't likewise invite your female colleagues. If your initial presumption is that "she wouldn't like this or that" — stop. Give her the opportunity to participate and develop her network as well. Maybe she doesn't like Utah<sup>2</sup> football, but I guarantee there is something else you both like and can find a way to build your client base through. (Pickleball anyone?)

#### **Avoid Assumptions:**

We're all familiar with the adage that comes when you assume something. So, when it comes to working with any colleagues, regardless of gender — don't assume. Don't assume the woman on the phone is the paralegal

or court reporter. At our own UAJ conference this past November, one female colleague who serves on the Women's Caucus with me was asked no less than three times whether she was a paralegal. I make this point not to minimize the important work our paralegals do for us, but to point out, I've never heard of a male attorney being mistaken for the paralegal, yet as a woman, it happens frequently. Some may ask, "what's the problem, I know a lot of smart paralegals" — which is true, but when you assume simply based on gender that we can't be the same, you minimize what you think I'm capable of.

In 2018, I was at a "firm retreat" and during one meeting, the partners of the firm wanted to hear from all the associates what goals they had for the upcoming year. This retreat was something that happened every January, so not surprisingly goals were always a topic of these events, and something I had been thinking a lot about in the weeks leading up to this meeting. When one of the senior partners asked who wanted to go first, I raised my hand. I was excited about my goal and thought the partners would be as well. In response, the senior partner stated, "Now, Kara, just to be clear, we are interested in hearing about your professional goals, not your family planning." I was immediately red-faced and mortified. Trying not to let the room see how disheartened I was, I tried to move on by quickly responding that it wouldn't be a problem because my goal for that year was to "try more cases." That response was met with resounding approval, and the question proceeded around the room to the other associates. In that moment, I felt a pit in my stomach. I was confident none of the male associates would be met with such a similar quip, and of course, they weren't.

I don't believe this partner had the intention of hurting my feelings or embarrassing me in front of the entire firm, unfortunately, I was hurt and embarrassed. But how often does that happen — comments which are "well-intended," but are inappropriate in a professional context? Probably, more than we realize. Have you ever referred to one of your UAJ colleagues as a "Male Attorney," "Working Father," "Office Dad" or "Hustling Boyboss?" No? It actually sounds kind of ridiculous when you say it like that — but yet, the inverse of "Momboss" or "Working Mother," or "Female CEO" are all common terms used in our culture superficially intended as a compliment,



while in actuality these terms work to perpetuate outdated stereotypes that suggest women are not cut out to be leaders, or it's surprising if they are.

Finally, don't assume that just because your female associate/colleague has a working spouse means that their income and earning potential isn't important to them. Don't assume that because they have children, they don't want to travel to take that important deposition or spend late nights preparing for trial. As we all know, this job is extremely demanding. Our clients and the work required to prevail on their cases is not for the faint of heart. If anyone is working in this profession, it's because they are fully invested in what we do. If you're going to assume anything, assume they're all in until they prove otherwise.

### Things to Think About:

According to a 2013 ABA Study, women represented just 32% of the lawyers in all civil cases nationwide, 27% at trial, and 24% as lead counsel. When it comes to trial lawyers, only 21% nationwide are female. The conclusion of this study stated: "What these numbers show is that the steps to the role of lead counsel and trial attorney are much steeper for women than men," which is interesting considering all statistics support that women are attending law school at higher percentages than men.<sup>3</sup>

I think all of us can attest we likely have just as many female clients as male, if not more. Several articles I've seen suggest that women are more likely to ask for help after an accident. When it comes to supporting clients who have experienced sexual assault, workplace harassment, or cosmetic surgery injuries, these clients may feel uncomfortable sharing some of what they went through with a man and may be more willing to discuss it with a female attorney. If you don't have a woman in your firm, you could be missing out on important contributions to valuable cases.

As much as I try to not make my professional experience in law related to my gender, it's not something I can entirely avoid. It's a constant battle. I want judges, clients, opposing counsel, members of the UAJ, to treat me the same as they would my male counterparts, recognizing my intellect and abilities are on par with anyone else with the same years of legal experience. However, I

also want them to appreciate the fact that my experiences are not the same as my male colleagues, and when I share how hurtful instances like the above situation was for me, I don't want to be perceived as overly dramatic. In 2023, I don't think this expectation is unrealistic. My female colleagues don't seem to think so either, yet some of my male colleagues aren't so sure.

This past summer when discussing some of the particularly challenging experiences I've had as a woman in the legal field, a male counterpart said exasperatedly something to the effect of, "I don't know what you expect? Do you want us (men) to stand up for you or not?" So, for my many colleagues and members of the UAJ, who wonder how to best ally and support your female colleagues of the Plaintiff's bar, I hope this article has given you something to consider.

### Partnership for Progress:

My hope is that those reading this article don't feel attacked or beat down by the call for inclusivity. In my opinion, feminism is not about "men vs women" — or women bashing on men. It should be about both men and women combating out of touch beliefs and stereotypes about gender that don't work and shouldn't be forced upon us in this modern world. It's about toppling the outdated biases that are irrelevant to modern workers, yet still have a powerful influence over our society. My ask is that you consider this article to be an invitation to make one small change: expand your circle, change your mind about one habit in working with your female colleagues, take an incremental step in a new direction, and see how it can positively affect your practice and the UAJ community at large. "Generally, change in our society is incremental, I think. Real change, enduring change, happens one step at a time." — Ruth Bader Ginsburg.

1. <https://www.utahbar.org/about/> (Utah State Bar says there are 12,000 attorneys within the state of Utah).
2. For the record, I do like Utah Football, if they aren't playing BYU.
3. "First Chairs at Trial: More Women Need Seats at the Table (2013 ABA Study).