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Women Lawyers Look Past Men For Legal Heroines

By Sue Reisinger

Law360 (June 24, 2022, 4:23 PM EDT) -- Delving into the sources of bias against women, several female legal chiefs explored how literature, myths and their own experiences have shaped their roles in the legal profession in a webinar on Thursday.

For example, when lawyers are asked who are their legal heroes, few men ever select a woman, said Madeleine McDonough, chair of Shook Hardy & Bacon LLP. But neither do most women lawyers who are asked the same question. That bias of what makes a hero has been absorbed by men and women, the panel heard.

The webinar was offered by the Chicago-based Institute for Inclusion in the Legal Profession, a nonprofit group supporting research and scholarship to improve the hiring and retaining of minorities, women and LGBTQ people in the field of law.

The panel included McDonough, Macy's Inc.'s chief legal officer Elisa Garcia, CenterPoint Energy's executive vice president and general counsel Monica Karuturi, Eileen Fisher outlet stores' general counsel and corporate secretary Elizabeth Richman, fashion company SPARC Group LLC's senior vice president and general counsel Colette Stanford, and Lauren van Schilfgaarde, the director of the San Manuel Band of Mission Indians Tribal Legal Development Clinic at the UCLA School of Law.

The panel was moderated by Linda Chanow, chief operating officer of the IILP and former director of the University of Texas Law School's Center for Women in Law.

The webinar began with nearly a presentation by Maria Tatar, a Harvard University literature professor emerita, Harvard fellow and author of the book "The Heroine With 1001 Faces." The book is a takeoff on Joseph Campbell's "The Hero With 1,000 Faces," in which Campbell paints the archetypal, universal hero — always male, usually warriors on a journey or quest, who have occasional female support.

Tatar said she paints a different kind of hero. Hers is about women who rarely wield a weapon but rely on their wit and skills to survive, complete a quest and rescue others from harm.

Chanow then asked the panelists how to define a legal hero.

"It's in the nature of the profession," McDonough replied. "It demands some level of courage, of

fortitude in the quest for [noble causes]. Looking for those opportunities may be a good thing for us to think about."

She chose Justice Ruth Bader Ginsburg as one legal hero, saying that she got her start "by finding cases where men were discriminated against. Even she had to get the attention of the court by focusing on men. I'm fascinated by how we define our heroes, how even strategies have to emanate from what resonates with men."

Richman of Eileen Fisher said she was thinking about the images from the ongoing House hearings on the events of Jan. 6, 2021.

"The election workers are unfortunately having to be heroic in ways not consistent with an individual fighting a battle with physical strength and ferocity," Richman said. "They are people who are not in the courtroom or not lawyers, but people who are essential to the way we run our country, to our democracy, to the underpinnings of our legal system."

Richman and Stanford of SPARC Group also mentioned health care workers during the COVID-19 pandemic as real heroes.

"They are not traditional heroes," Stanford said. "But I don't play that game. What I mean is, as a Black woman, I don't fall into the definition of [typical] hero in the first place, or what an attorney [is expected to be] in the first place."

"It's a different model of being a hero," Richman said.

Garcia, Macy's CLO, said actress Katharine Hepburn influenced her idea of being a lawyer in the movie "Adam's Rib," about a couple where the husband is a prosecutor and the wife is a defense lawyer. "It formed the way [I thought] a woman lawyer needs to act, with grace and smarts," Garcia said.

Garcia discussed how, when she had the opportunity to become lead counsel for a multinational Latin American business, there were corporate concerns about putting her into that region. "Would they accept a young woman? Would these Latino men listen to me?"

She said she responded to the doubters by not going in forcefully. "I found some common ground," Garcia recalled. "Everyone has connections to Spain, so we found those connections, and I became like a little sister to them."

Asked what it means to be a good lawyer, CenterPoint executive Karuturi said, "There are so many ways you can project vision or command a room. Too often we [are told to be] more like 'Joe,' a larger-than-life litigator. That's not who I am. I am more quiet, more a negotiator and consensus builder. My skill set is different, and I don't have to fit that mold."

Richman said she was once told that she didn't scream loud enough. "I started my career as a litigator, but my style is very collaborative, so I moved off that career track," she said.

Now, especially as an in-house lawyer, "I now believe in building consensus," she said. "It doesn't always work, and sometimes you need to reroute to get to the finish line. But there are alternative ways of leading. I think the hero narrative needs to be broken down to let other [ways] exist."

Stanford had a similar experience. "I'm not a litigator. I was actually told I was too nice in a performance review," she said. "How do you even respond to that? Our goal is to get a consensus, so being mean or tough is not helpful."

As a Native American, Van Schilfgaarde brought a different perspective. "We embrace the image of warrior, especially in the legal profession," she said.

Native American law is a practice "very much about protecting the remaining [tribal] sovereignty and we describe ourselves as warriors," she said. "As a Native warrior, I will stand by the sovereignty of the tribe every time."

She added that there are few Native American lawyers "and even fewer women. It's not just underrepresentation, it's crisis level."

Chanow asked the panel what strategies women might employ to "interrupt gender bias."

Karuturi said she would pick mentorship. "Just exercise empathy," she said. "It's important to understand what they [young women] want, what success is to them, and we need to let people forge their own path and support them."

Van Schilfgaarde recalled from the discussion of literature that women were often punished for their knowledge seeking or curiosity, such as Pandora opening the box or Eve tasting the forbidden fruit. Tatar used the term *epistemophilia*, or the excessive striving for knowledge.

"Epistemophilia. I like reclaiming that," she said. "We are excellent lawyers because of that thirst for knowledge."

For Garcia, a key lesson is the importance of storytelling and its impact.

"We need to tell stories about strong, principled women in the law," she said. "Maybe it is time to get together and write a book."

--Editing by Nicole Bleier.