

## **IN THE SPOTLIGHT - THE STATUS OF WOMEN LAWYERS IN NORTH CAROLINA**

*The Status Of Women Lawyers In North Carolina*

*Q&A: Christine Walczyk*

*By Jasmine Modoor*

*Raleigh lawyer Christine M. Walczyk says female attorneys are often forced to choose between raising families and making partner - and that needs to change...*

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Raleigh lawyer Christine M. Walczyk says female attorneys are often forced to choose between raising families and making partner - and that needs to change.

Walczyk has been studying the role of women in the profession. She recently assisted with *The Changing Face of Justice: A Look at the First 100 Women Attorneys in North Carolina*, a book published in 2004 by the North Carolina Bar Association.

One trend among women family lawyers is a move into collaborative mediation rather than adversarial litigation, Walczyk said.

An issue that needs to be addressed is a pay gap between male and female attorneys, in part because fewer women make partner, she said.

Walczyk is a managing member of Grafstein & Walczyk, a firm that represents small to medium-sized businesses and employees in Raleigh.

A graduate of UNC's law school in Chapel Hill, Walczyk teaches employment and business law courses at Meredith College and Wake Technical Community College. She has also taught continuing legal education courses for the North Carolina Association of Women Attorneys.

Walczyk has served on the NCBA's Committee on Women in the Legal Profession and is a member of the North Carolina Association of Women Attorneys, the North Carolina Academy of Trial Lawyers, the Wake County Bar Association and Wake Women Attorneys.

Lawyers Weekly caught up with Walczyk to find out how women lawyers are faring and what specific issues they face.

How did you assist with the book *The Changing Face of Justice: A Look at the First 100 Women Attorneys in North Carolina*? What did you learn by helping out with the book?

I was the chair of the Women in the Profession History subcommittee, in charge of getting the book finished. The Women in the Profession (a committee of the North Carolina Bar Association) had been working for several years to gather information about early female North Carolina lawyers. My subcommittee coordinated with the researchers, editors and the staff at the North Carolina Bar Association to complete the project in time for our celebration/dinner event featuring Marian Wright Edelman.

We had several members of our committee who basically paged through the North Carolina Supreme Court Reporter to find licensees with a female name.

We had to work to eliminate men with female sounding names like Leslie or Beverly. We also had some information on women who actually practiced before licensing was required in North Carolina.

Once we had a list of 100, we started to look for biographical information on everyone. Our researchers poked over genealogical records, news articles and cases. We asked the senior lawyers group, and other

members of the North Carolina Bar Association, if they remembered any of the women on our list.

We consulted local libraries and historical societies and even some family members. The response was overwhelming. I was very impressed with the book.

How far do you think women have advanced in law since the 1940s when Margaret Cloyd Johnson, the 100th woman attorney, was licensed in North Carolina?

The North Carolina Bar Association, formed in 1899, has permitted women attorneys to join as members since 1913, when Lillian Rowe Frye became its first female member. This organization consisted primarily of men in its early stages. But in 1991, Rhoda B. Billings became the North Carolina Bar Association's first female president. Today there are over 3,300 female members.

Women have been practicing law in North Carolina since at least 1673, but there was no independent women's bar association until 1978, when the North Carolina Association of Women Attorneys was founded. Four women are credited with creating this organization: Sharon Thompson, Carolyn McAllaster, Anne Slifkin and Kathy Schneberk-King. Since its inception, the North Carolina Association of Women Attorneys has been devoted to the advancement of women in the profession and promoting the rights of women under the law.

NCAWA was truly, in my mind, the beginning of the only real network and support group for women attorneys in the state. I have been a member of this organization since the 1990s, and I served on the board from 2000-2002. I have benefited greatly from the support and advice of more experienced members.

NCAWA has worked to support women attorneys and to protect women's rights under the law by pushing for legislation that protects women, including the enactment of equitable distribution laws, increased support for domestic violence victims and the repeal of the marital rape exception. In addition, this association has been instrumental in supporting women running for political office or other positions of power.

Anecdotally, I still hear stories all the time about women attorneys who make less money, who are reprimanded for wearing pants in court, or who are told that they do not belong on the bench. I used to think this was mostly in more rural areas, but after hearing about the plight of the women attorneys working for the Prisoner Legal Services in Raleigh last month, I realize glass ceilings are still in abundance, even in Wake County.

Although 50 percent of women coming out of the law schools are now women, there are still very few women in positions of power. There is a far lower percentage of women who are partners in large or mid-size firms. It was not until 1986 that the first three women were elected to the State Bar council.

In 1978, there were no female Superior Court judges and only a few female District Court judges. The Supreme Court and the Court of Appeals had one woman judge each. In 1986, NCAWA began making endorsements and supporting individuals who worked for the participation of women in the legal profession and who promoted the rights of women under the law. There are still very few women judges on the Superior Court. There is only one Supreme Court justice: Sarah Parker. But we have made great strides on the Court of Appeals and in the District Courts in urban areas.

What are some important contributions women have made to law in North Carolina?

There are so many I cannot recite them all here. Some of those that come to mind immediately are the people that are in the trenches. I think there are many women in North Carolina who are working for less pay, in public positions, fighting the good fight. People like Celia Pistolis who has worked tirelessly for Legal Services representing the poor, Sally Scherer who has fought against the death penalty, and Eileen Nelson and Melinda Lawrence who helped protect the rights of juveniles in North Carolina. I also think of Judge Linda McGee who has spoken across the state to students regarding her profession and has been a role model for all attorneys in the state, Bea Holt who worked for years in the legislature, Annie Kennedy, the first African-American woman to serve in the General Assembly, and Elizabeth Kuniholm who has worked for

victims of sexual harassment. I could go on and on.

What are some challenges that women face as lawyers? And how can these challenges be dealt with?

We always talk about quality of life issues and the difficulty balancing your family life with work. I think women inevitably are viewed as the caretakers, and are forced to deal with these issues more often than men. We constantly struggle with ways to create time for ourselves, time to be with our families. Many female attorneys are forced to choose between raising families and making partner. This needs to change. The profession needs to figure out how to shift away from the billable hour, which I believe is driving women from the profession. Firms must be willing to be creative in providing flexibility in the workplace. I think one step towards this would be for the profession to recognize and applaud the firms and employers that offer creative schedules or policies.

The other issue that I believe women struggle with is the lack of civility that is sometimes present in the adversarial process. One generalization which I will permit myself to make is that women on the whole are truly gifted when it comes to resolving and mediating complex issues. But we do not necessarily enjoy confrontation. We have different talents and skills that we bring to the table. My advice to younger, or newer attorneys I should say, would be to capitalize on those differences. Do not view your differences as a weakness, but a strength. One example of this surfacing in the profession is the trend in the family law community, where a great number of female attorneys practice, towards collaborative mediation rather than adversarial litigation.

A recent study called "After the JD" found that there is a \$14,000 pay gap between women and men lawyers. In your experience have you come across pay inequities? How do you think this situation can be improved?

There are definitely pay inequities, simply because there are lower numbers of women who make partner or who are placed in positions of power. Those positions yield higher salaries.

Again, I think we can improve this situation by rewarding good employment practices. If women graduating from law schools had resources to compare the employment policies, benefits, and treatment of women, firms would be encouraged to offer more progressive, creative policies.

How do you view the future of women lawyers in North Carolina?

I think we have a bright future. More and more women are graduating from law school. When [law partner] Lisa [Grafstein] and I opened our firm in 1995, people thought we were crazy. There were very few all-female firms. This is changing. You can look in Wake County, where a majority of the District Court judges are now women. This is an aberration in North Carolina, but it is evidence that we are seeing progress.

Having said this, I still see large numbers of women leaving the profession after a few years. It is very difficult to balance the stress and long hours associated with our profession with the stress and long hours associated with raising children or taking care of elderly parents. Although men deal with these issues as well, women are often forced to make choices between responsibilities at home and responsibilities at the office. If we do not find ways to creatively balance these things, we will see more women, and men, leaving the profession altogether.

Jasmine Modoor is an undergraduate student at North Carolina State University who has been interning with Lawyers Weekly.