

## Creative Schedules Make Motherhood Work

By Jaime Drozd Allen

As an attorney entering the prime of my working years, I made the choice that so many others in my position have made: I had a baby.

Returning to work after having a baby can be either a relief or a nightmare. Some women crave the intellectual stimulation and need a break from the monotony of the baby babble and sleeping/eating cycles. While, for others, going back to work is a painstakingly difficult decision. I was much closer to the latter, but thanks to a creative work arrangement offered by my firm, I have found that it is possible to be both a mom and an attorney.

Many moms who dread the time away from their children give up on the whole idea before trying, while others give it a go, only to later realize that the impracticalities outweigh the benefits of working. The situation is particularly apparent in law firms where billable hours are paramount and full time is often more aptly described as "full time plus."

For attorneys in private law firms, the dilemma of returning to work can be complicated by figuring out how it is possible to have a productive billable day after being awake half the night with a screaming baby. Working mothers are faced with the question of how to balance the needs of a baby and a desire to be a good mom, with the demands of being good lawyer and advancing a career. The law is a demanding profession - and so is motherhood - and asking a woman to balance both seems just this side of asking her to be a "superwoman."

Fortunately, an emerging trend in law firms nationwide, though still in its nascence, is a part-time or "balanced-hours" work arrangement. The logic behind balanced-hours arrangements is simple: Women are at equal footing with men when it comes to graduating law school and entering practice, but are falling woefully behind in the upper ranks of partnerships.

In 2003, 49% of law school graduates nationwide were women.<sup>1</sup> Yet, women lagged behind in partnership the same year, representing only 16.3% of the entire partnership population.<sup>2</sup> Women also fell short of their male counterparts in pay, falling \$373 lower in median weekly earnings.<sup>3</sup> The reasons for the gap are many, including some reasons that are entirely gender neutral, but one overriding factor is that women have children and choose, or are forced to choose, that they cannot be both a mom and an attorney.

Fortunately, I did not have to make the choice. I work at a firm with a clear balanced-hours policy supported by the membership. I was allowed to return to work on a part-time schedule that allows me to be both a mom and an attorney.

I think the policy is fantastic, and I thought so before I had a baby. The policy says something about the values of the firm and the people who work there, and gives a perspective on their

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<sup>1</sup> Cary Griffith, "Women Partners: What's Different," <http://lawcrossing.com/article/index.php?id=114>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

views on and commitment to work-life balance. It is a selling point in recruitment and helps to retain talented attorneys.

I do not know if my firm's arrangement would work for every firm, but the idea of balanced hours is catching on, and law firms are getting the message that part-time or flexible work schedules are a priority for female law school graduates, who make up about half of their applicant pool.

A 2001 study by the Program on Gender, Work and Family at the American University in Washington, D.C., concluded that "[t]o keep the keepers in an era when half or more of law students are women, and in a society where the younger generation has become more insistent on work/life balance, law firms need to offer balance without career penalties."<sup>4</sup> Some law firms clearly are understanding that in order "to attract and retain legal talent better than their competitors" they have to adopt a "top down commitment to quality reduced-hours work programs."<sup>5</sup>

It makes economic sense for law firms, too. Hiring and training a new employee is a significant investment, especially a young associate who is not immediately profitable, thus, keeping those employees makes sense.

So, will it become the norm at law firms to have meaningful, workable part-time or flexible work schedules? It is difficult to say. And, even more difficult to predict whether these policies will be enough to retain women.

I will be the first to admit, working as an attorney while being a mom is challenging and requires adjustment. When I am at work, I make less time for water cooler conversation and find myself concentrating much more on getting my work accomplished quickly and efficiently. When I am at home, I'll sneak away from the Disney tunes blaring in the baby's room to check my voicemail or return a quick phone call, silently praying that the baby does not wake up screaming in the middle of it.

Finding the balance is a constant struggle and, in most respects, I imagine it always will be difficult. But, having a balanced-hours work schedule makes the task seem more doable.

In large part because of a creative work arrangement, a few months into this new balance I am still clinging onto the belief that I can do what I have always done by striving for nothing less than the best, both at motherhood and as an attorney - albeit with slightly different expectations.

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<sup>4</sup> Joan Williams and Cynthia Thomas Calvert, *Balanced Hours: Effective Part-Time Policies for Washington Law Firms* (2d ed. Aug. 2001).

<sup>5</sup> *Id.*