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An Open Letter To the President of the ABA

William Robinson III, President
American Bar Association
Office of the President
321 North Clark Street
Chicago, IL 60610

VIA United States mail and E-Mail to: larnetta.buck@americanbar.org

Dear Mr. Robinson:

Women leaders in the profession and in bar associations are deeply concerned about an ABA on line Journal article posted October 24, 2011, and the inadequacy of the ABA's response. The article was originally titled "Not One Legal Secretary Preferred Working with Women Lawyers." We find the article and the ABA's reaction to our expressions of concern sexist and inconsistent with the goal of eliminating bias which the ABA professes to embrace. Both the headline and the article itself were sensationalized and contained factual inaccuracies about the results of a survey of legal secretaries, falsely reporting that no secretary preferred to work for a woman. In fact, this was just one question out of a lengthy survey of the working conditions of legal secretaries. Furthermore, 47% of the secretaries who responded to that question stated no opinion when it came to the gender of the attorney they worked with.

This kind of coverage is not harmless; it perpetuates unfair stereotypes of women in the legal profession – those who work as legal secretaries and those who are attorneys, falsely implying an inability to work together in a professional setting because of their gender. Despite the correction of the headline and a follow up article that included an interview with the researcher who conducted the survey, the story had already caused damage, detracting from the serious issues facing legal secretaries that were revealed in the survey and validating the sexist views of females as being unsuited for leadership roles in the workplace and in the profession.

The ABA Journal initially took a defensive posture and refused to apologize despite acknowledging that the headline was sensationalized and the text inadequately pointed out that nearly half of the respondents expressed no opinion. We received no response to our assertions that the Journal would not have published such an article expressing preferences based on ethnicity, religion, or sexual orientation. A subsequent "apology" from the head of the Journal's Editorial Board because some readers found the article "hurtful" again missed the mark, by focusing on the subjective feelings of female readers rather than the Journal's conduct in publishing

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Monterey County Women Lawyers · Napa County Women Lawyers · Orange County Women Lawyers · Queen's Bench · Santa Barbara Women Lawyers · Ventura County Women Lawyers ·
Women Lawyers Section of Santa Clara Bar Association · Women Lawyers Association of Los Angeles · Women Lawyers Association of San Luis Obispo County · Women Lawyers of Alameda
County · Women Lawyers of Long Beach · Women Lawyers of Sacramento · Women Lawyers of Santa Cruz County · Contra Costa County Bar Association, Women's Section

an article in such a sensationalized and objectionable way and contributing to the problem of gender inequity that is now pervasive in the legal profession.

A recently published study of the top 200 law firms in the United States conducted by the National Association for Women Lawyers (NAWL) found that while recent women law school graduates are hired in roughly the same numbers as men, they comprise only 15% of the equity partners in those firms, a percentage that has not changed in 20 years. Sexist coverage detracts from women's chances at achieving leadership roles in law firms -- where women's representation is already too low.

This kind of inaccurate and sexist reporting is contrary to the third Goal of the ABA, which is to “Eliminate Bias and Enhance Diversity.” The ABA’s commitment to this goal has been an incentive for women lawyers to join the ABA and to support the work of the ABA’s Commission on Women. Women attorneys look to the ABA to speak out against stereotyping and the unfair barriers to achieving equality in the profession – not to perpetuate those wrongs.

We call on you to commit to eliminating gender bias and stereotyping in your news articles, and to develop a code of best practices for reporting stories fairly and accurately, instead of looking for the sensationalistic angle. When it comes to women in the profession, the ABA should be part of the solution rather than the problem.

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Cc: National and Legal Media