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Jones Day Breaks The Glass Ceiling

The Editor interviews Mary Ellen Powers, Managing Partner of Jones Day's Washington, DC office.

Editor: Please tell our readers about your background, both personally and at Jones Day.

Powers: I grew up in Cleveland, and, although I didn't know any lawyers, I knew of Jones Day because it was a dominant player in the community. I joined Jones Day immediately after graduating from the University of Virginia Law School in 1980 and have been at the firm 30 years. In the mid '80s I decided to start a family. The firm was great about being flexible, with generous maternity leaves and part-time work for several years. I became a partner in 1990, and in 1994 I was appointed the administrative partner for the firm, which is a job that involves overseeing policies, procedures and personnel issues throughout the firm. At that same time, I was appointed to the advisory committee, which is one of the two management committees of the firm. In 2003 I became the partner-in-charge of the Washington office, and in 2007 became a member of the partnership committee, which is the management committee that is responsible for promotions and compensation.

Editor: What is the Transformative Leadership Award and why was it awarded to you and the firm?

Powers: The award that I received on May 24 is called the Economic Empowerment Award, a new award which recognizes the progress women have made in achieving leadership positions in firms and in empowering others to do the same. The award to Jones Day reflects the fact that we have five offices run by women, more than a quarter of the advisory committee is composed of women, and we have a large number of women running firmwide practice groups,

in office leadership positions, and responsible for managing client relationships.

Editor: Can you tell us how Jones Day facilitates women's rise to leadership positions, both in terms of policies and culture?

Powers: We have two advantages at Jones Day, both of which have contributed to the success of so many women partners. One is a strong managing partner system, and the other is our compensation system. We've had two managing partners over the past 17 years who have been committed to ensuring that the firm gets the full benefit of the extraordinary talent that women lawyers bring to the table. They have given women opportunities to take leadership roles, and, as the saying goes, success breeds success. Our unique compensation system also contributes to that success. Our partners are evaluated and compensated based on a qualitative assessment of their overall contribution, not based on formulas. We don't credit – or compensate based on – individual claims of business origination. All clients are clients of the firm, as the firm believes that most work is the result of historical relationships, the hard-earned reputation of the firm and team efforts to pitch new work. As a result partners willingly jump in to help on client matters and business development without worrying about who's going to receive credit. Being a relationship partner is a job that is to be done as a fiduciary for the firm, not a position that guarantees a particular level of compensation. Doing a good job as a relationship partner means spreading the relationship as broadly as possible throughout the firm and opening up opportunities for as many people as possible. Most of the women partners



Mary Ellen Powers

in the firm have responsibility for managing one or more client relationships because they're viewed as the right person to handle those particular clients. If a relationship partner isn't doing a good job, we replace him or her. If there is an internal change at a client such that the existing relationship partner no longer feels that she is the best person to manage the client, she will volunteer to turn that responsibility over to a partner who is better situated to make the most of it for the firm.

By eliminating any financial incentive to hoard work or to compete with their partners for control of client relationships, the firm instead creates incentives to put the right person on a matter for a client. Staffing decisions are made based on experience, geography and client cost and convenience rather than on concerns about protecting a partner's own team or office or practice.

This approach opens up a wealth of opportunities for lawyers in the firm. If you have developed a level of professional competence and expertise that makes you the right person to be assigned to a matter, others will reach out to you to seek your help, regardless of whether you have a pre-existing relationship with the client.

The net result is to diminish internal competition and incentivize the focus on client service. Partners in the firm are rewarded for doing the right thing for clients and for the firm, not for trying to feather their own nests. Many women – and, in fact, many men – thrive in an environment where the focus is on external competition rather than fighting with their partners.

Editor: Looking back, what role did the firm play in encouraging your own growth?

Powers: The firm has given me tremendous professional and client opportunities over the past 30 years. I have had the good fortune to work on a number of fascinating high-profile investigations and litigation,

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including in the late 1980s defending a major defense contractor in grand jury, congressional and SEC investigations into alleged Foreign Corrupt Practices Act violations, which spawned shareholder litigation and parallel civil cases in Korea, Hong Kong, and France, among other places. I then spent a number of years representing First American Bankshares here in Washington in connection with the fallout from the BCCI banking scandal. I have also represented IBM over the past decade in toxic tort litigation, and tried a major case in California, the first of its kind back in 2003, alleging that workplace exposures in the microelectronics industry caused cancers. IBM won a unanimous jury verdict in that case.

Throughout my career, the firm has been extremely flexible when I needed that flexibility the most to balance the demands of my family. I was able to work part-time in the mid-'80s when my children were young. My colleagues at the firm never assumed that because I was working part-time, I was not committed to practicing law. They let me make my own choices about how much I could do and what kinds of matters I could handle.

The firm also gave me leadership opportunities from a young age. As an associate I helped run the summer program, and I ran the new lawyer program for the Washington office when I first made partner. I became administrative partner five years later, which gave me the opportunity to get to know the firm and its lawyers all over the globe. I not only learned more about its operations, but it also gave me a chance to develop personal relationships with partners throughout the firm, which is critical to taking on a leadership position in an organization of this size. I was given the chance to start running a major office seven years ago, and now as a member of the partnership committee, it is one of my responsibilities to get to know what each one of our partners all over the globe is doing to contribute to the overall welfare of the firm.

Editor: Can you tell us about some other women leaders at Jones Day and how they got to where they are?

Powers: There are so many I am not able to do justice to all of them, but let me highlight a few. Corinne Ball runs our New York bankruptcy practice. She led the Chrysler bankruptcy and was recently named one of the ten most influential lawyers of the decade by the *National Law Journal*. There are also four women who are managing other offices of the firm: (1) Lizanne

Thomas, a corporate governance and M&A lawyer, succeeded me as administrative partner for the firm in 2003, after running the corporate practice in Atlanta for a number of years. She now runs the Atlanta office. (2) Laura Ellsworth, appointed to run our Pittsburgh office in 2003, is a litigator who has been involved in such high-profile matters as the Sherwin Williams lead paint cases; she is highly regarded by the bench and the business community in the Pittsburgh region. (3) Nancy MacKimm was appointed to run the Houston office after serving as the firmwide head of recruiting for a few years, a job that introduced her to a great many Jones Day lawyers around the globe. Nancy is a terrific environmental lawyer who has been involved in major litigation for IBM and is currently involved in representing Transocean in connection with the Gulf oil spill. (4) Liza Kessler is the most recent addition to our group of women partners-in-charge. She is an accomplished trial lawyer who, as a very young partner, was tapped to run the Columbus office.

Editor: Do women leaders in the firm have a role to play in fostering the growth of women in client organizations? And how about the reverse – in-house counsel influencing their outside firm?

Powers: Lawyers and firms can best help women in-house lawyers by doing their own jobs so well that they make the in-house lawyers look good. We can also help more junior in-house lawyers learn how to work as a team with outside counsel so that the relationship works well for both the client and the firm. In-house lawyers who are effective in managing outside counsel relationships will in turn have greater opportunities for promotion within their own organizations.

Many in-house law departments now demand responses to questionnaires and statistics on diversity issues, including numbers of women and minority lawyers in the firm and in the partnership, as well as statistics on staffing diversity on their own matters. This has brought a level of attention to the issue that can be helpful to the advancement of women and minorities, particularly in firms that would not otherwise have such a commitment. But it's important that clients go beyond the statistics and actually tap women and minority partners to lead – rather than just staff – major matters.

Editor: What would be your advice to young women interested in pursuing leadership roles today?

Powers: First and foremost, become good lawyers – professional accomplishment is a prerequisite to being – and being accepted as – a leader. Second, learn to be a good “client person” – understand client objectives, learn how to solve problems, be responsive and creative, develop friendships with clients. Third, get to know your firm and your colleagues so that you understand its core values, its operations, its practices and the expertise it has to offer to clients. One way to do that is by volunteering to take on internal firm responsibilities that will give you exposure to a broader group of colleagues. Being on your colleagues' radar screens will open up new client opportunities for you, and understanding what your colleagues do will help you to refer business to them. Finally, be a team player, support your colleagues, be willing to do the scut work as well as the high-profile projects, and share the credit.

Editor: How have the opportunities for women changed since you became a lawyer 30 years ago?

Powers: Thirty years ago there were those who didn't think women belonged in law – not at Jones Day, but I certainly saw that attitude in some clients and in some other firms with which I interviewed in the late 1970s. It was not uncommon for clients to mistake women lawyers as secretaries, but in my experience at Jones Day, male lawyers often ran interference to make sure that the younger women lawyers were not treated with disrespect by clients and judges.

In the 1980s, it became accepted that women could practice law and could even become partners in firms, but there was still resistance to the notion that women could balance motherhood with professional obligations. Jones Day was ahead of the curve in offering generous maternity leaves and the opportunity for flexible work schedules in the early 1980s, but some firms were still struggling with that issue well into the '90s. It took awhile longer for most firms to accept part-time partners, but that too has changed in most places.

Among the biggest changes in the past 30 years is the huge increase in the number of women now in positions of power in client organizations and in firms – something that was unheard of 30 years ago. There's still more that can be done, but if the opportunities that have opened up in the past decade are any indication, this is a great time to be starting out as a young woman in the profession.