

# THE EMPLOYMENT OF COURT, OREGON STATE BAR, AND PROFESSIONAL LIABILITY FUND PERSONNEL

*"I feel as if I know my role. Because I am older, I am accepting of a lot of things that I think younger women aren't. I think that a lot of the problems have nothing to do with gender. . . . It's more that they pay the people at the top as much as they can and the people at the bottom as little as they can. . . . More women are now moving into those top positions, but you still don't see men doing our work."<sup>1</sup>*

This chapter combines information gathered by two separate work groups: Judicial Administration and Interactions Between Lawyers, Clients, Staff, and Other Professionals. This chapter addresses gender fairness in employment by the courts, the Oregon State Bar, and the Professional Liability Fund.<sup>2</sup>

## I. COURT PERSONNEL

### A. INTRODUCTION AND OVERVIEW

Overall, the majority of court personnel within Oregon's court system do not perceive gender bias with respect to the conditions or benefits of their employment. However, a noticeable minority, generally about 10% to 25% of survey respondents, report observing some differences on the basis of gender. Women are more likely to report negative effects on female court personnel, and men are more likely to report negative effects on male court personnel.

Most significantly, both male and female court personnel perceive gender to influence female employees' opportunities for advancement, including appointments to supervisory positions, and the application of work rules. Those perceptions parallel statistical data suggesting that men hold proportionately more supervisory positions than do women. Additionally, many court employees are not aware of existing complaint procedures.

### B. ISSUES STUDIED

With respect to courthouse personnel, we studied whether the Oregon Judicial Department ("OJD") treats

court personnel differently on the basis of gender with respect to:

- hiring,
- promotion,
- compensation, or
- other aspects of employment.<sup>3</sup>

### C. METHODS OF STUDY

We compiled data from answers to survey questions, testimony at public hearings, written submissions to the Task Force, and other anecdotal information. We relied heavily on the court personnel survey, which focused its questions on hiring, promotion, and compensation issues for court personnel. We did not analyze extensively the employee policy manuals and other OJD policy guidelines.

We distributed the court personnel survey to all Oregon court personnel, including the following groups: (a) all permanent and temporary, management and non-management OJD employees at trial court locations (with the exception of judges); (b) employees of the Office of the State Court Administrator ("OSCA"); and (c) judicial assistants and staff attorneys to the 17 state appellate judges ("Appellate").<sup>4</sup> Oregon Supreme Court Justice Graber sent a letter explaining the purpose of the survey to each Presiding Judge in Oregon's 26 court districts and requested each court's cooperation. At the same time, Justice Graber wrote to all Trial Court Administrators asking that they distribute the surveys to their staff. We asked that staff be allowed to complete the survey during work hours.

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<sup>1</sup> Statement by female Oregon Judicial Department court employee.

<sup>2</sup> The Professional Liability Fund is a captive malpractice insurance carrier for members of the OSB. No lawyer may engage in the private practice of law in Oregon without paying a premium to the Fund; government, legal aid, and court-appointed criminal defense lawyers are exempt from this requirement.

<sup>3</sup> For a discussion of the perceptions of court personnel about the treatment of participants in the legal system, see the chapter on Judicial Administration. This chapter addresses only how gender affects the employment of court personnel.

<sup>4</sup> Law clerks were excluded from the survey.

We designed the court personnel survey for trial court employees. Accordingly, it instructed OSCA and Appellate employees not to complete several sections that did not apply to them. We sent the survey to a total of 1,547 court personnel: 1,412 to trial court locations and 135 to OSCA and Appellate. A total of 597 employees returned the survey, for an overall return rate of about 39%. More specifically, trial court employees returned 34%, or 521 surveys, while OSCA and Appellate employees returned 56%, or 76, of their surveys. Surveys were completed by 463 women and 98 men; 36 respondents did not tell us their gender. Of all respondents who told us their gender, 82.5% were women and 17.5% were men. As noted, the Oregon courts, through OJD, employ a total of 1,547 employees in various non-judicial positions, making it one of Oregon's larger employers. Of those employees, 79.4% are women and 20.6% are men, closely matching the proportions of women and men responding to the court personnel survey. The high rate of return and the proportional responses suggest that confidence in the results of the survey is appropriate.<sup>5</sup>

## D. FINDINGS

Oregon's state courts are structured by geographic area. The 36 counties are grouped into 26 judicial districts. Each judicial district has a presiding judge, and all are administered by OJD. Most courts have their own trial court administrators, but smaller courts have a court operations supervisor instead.

### 1. Hiring Process

In response to the question, "How did you hear about your current job?" court personnel offered the following in descending order of frequency: "another employee," "job posting," "newspaper," "other," and from a "supervisor."<sup>6</sup> For the most part, male and female court personnel identified the sources from which they heard about their jobs in similar ratios. However, slightly more men than women had heard about their jobs from a job posting, and slightly more women than men had heard about their jobs from another employee. Written comments revealed that some court personnel perceive

incidents of "nepotism" in OJD's hiring practices. For example, respondents commented that "the judge's kid," the "judicial assistant's daughter-in-law," and "the supervisor's friend" were hired.

Male and female court personnel reported no differences in their experiences with OJD's use of interviews or with the explanation of promotional opportunities during the hiring process.

### 2. Opportunities for Advancement

Both male and female court personnel viewed their opportunities for advancement as somewhat limited because of gender. In general, 22.5% of respondents felt that opportunities for advancement of women are limited because of gender, but only half as many, 11.4%, felt that opportunities for advancement of men are limited because of gender. Relatively more men believed that opportunities for advancement of men are limited due to gender, while more female court personnel believed that opportunities for advancement of women are limited because of gender.

Moreover, proportionately more women (23%) than men (15%) reported that they have been turned down for a promotion within the last five years. Five men (38%) and 28 women (27%) who had been turned down for a promotion were not told why. However, of those who were told (92 women and 12 men), more women (32%) than men (25%) were told that someone more qualified was hired, one man (8%) and four women (4%) were told that someone with more seniority was hired, and only women (3) were told that they did not have enough education for the position.

A little more than 10% of court personnel responding to the survey, all of whom were women, believed that taking parental or adoption leave hurts a woman's chances for advancement. Only 1.8% of respondents believed that taking parental or adoption leave hurts a man's chances for advancement. Of the remaining court personnel, roughly half reported no effect on promotional opportunities as a result of parental or adoption leave, and the other half did not know whether there was any effect.

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<sup>5</sup> There are limits to the utility of some of the survey data. In questions pertaining to working conditions, survey questions did not ask the respondent to specify the time frame within which an event or perception occurred. In other questions, a five-year time period was specified. Although we asked whether such an incident had been personally observed or experienced "in Oregon courts," we cannot conclude from the survey the extent to which answers indicating problem areas are occurring today or whether they are historical events still in the memory of respondents. We did not analyze the data to determine whether problem areas are localized geographically or occur throughout OJD.

Similarly, comments regarding the distribution of men and women in certain jobs reflect a snapshot of the population holding those jobs as of a certain date. That snapshot reflects historical hiring and promotion decisions, which may be different from the hiring and promotion practices today. We did not obtain data to indicate whether *current* hiring and promotion decisions still reflect biases that may have existed in past years.

<sup>6</sup> Of the 597 employees who responded to the survey, 171 employees heard about the job from another employee, 153 learned of it from a job posting, 102 learned of it from a newspaper, 42 learned of it from a supervisor, and 101 learned of it through "other" means.

In response to the question, “Have you been asked to perform duties that are not asked of the opposite sex?”, approximately 20% of court personnel said “yes.” Of those respondents, proportionately more men than women said “yes.” More specifically, although only 17% of survey respondents were men, over 40% of the male respondents believed they had been asked to perform extra duties not requested of women. Examples given included lifting cases or boxes, fixing broken equipment, and moving furniture. On the other hand, although fewer than 5% of court personnel reported that they are not allowed to perform certain duties because of their gender, almost all of those respondents were women.

Approximately 12% (70 court personnel) responded that they have “trained” a newly hired employee who was later promoted above them.<sup>7</sup> Of those newly hired employees receiving promotions, court personnel identified 14 as men and 68 as women.

Approximately 20% of court personnel believed that men are given preference over women in appointments to supervisory positions. However, of those respondents, 97% were women; accordingly, almost no male court personnel reported that men received preference in supervisory appointments. By contrast, 13.2% of all court personnel believed that women are given preference over men in supervisory appointments, but 37% of those respondents were men.

Thus, women and men perceive preferences in appointments very differently: women believe that men are given preference over women, while many men believe that women are given preference. For example, on the court personnel survey, one employee wrote:

*“Gender fairness does not exist in our office. Prejudice towards men abounds here. Hiring of male[s] is almost non-existent (3 men versus 11 women hires in 7 1/2 years). Supervisors have discriminated against males when they complained against sexual harassment.”*

By contrast, another employee opined:

*“I have applied for 2 supervisor positions in the past 4 years. Both times the positions were given to younger men with less court supervisory experience than I have. In this respect, I believe I was the subject of age and gender bias.”*

Overall, the percentages of female (78%) and male (22%) court personnel who *actually received* promotions closely matches the ratio of women (79%) and men (21%) within OJD. That statistic suggests that gender does not have a disparate effect on promotion decisions.

There are 201 employees classified as “management staff,” 72.6% of whom are women. Thus, women in management represent only slightly less than the percentage of female court personnel employed by OJD.

However, of the 201 management staff in OJD, 34 are management assistants to trial court administrators and judicial assistants to presiding judges, all of whom receive management benefits but have no actual supervisory duties. All those positions are held by women. When those positions are subtracted from the total number of management positions, the ratio of women to men with actual supervisory responsibilities changes to 67% women and 33% men:

	Percentage in OJD	Percentage who supervise
MEN	21	33
WOMEN	79	67

In other words, for their numbers, men are more likely than women to hold actual supervisory positions within OJD. Those results parallel the perceptions of court personnel generally, and especially the perceptions of female court personnel.

### 3. Compensation

The classification scheme and personnel rules of OJD do not permit men and women to be classified differently for performing the same work. OJD rules and policies also require additional compensation to be paid to employees who perform the duties of a higher position. Nonetheless, 21% of court personnel (23% of the women and 12% of the men) with an opinion stated that they do not believe that men and women doing the same work are classified the same.

### 4. Other Conditions or Benefits of Employment

The majority of court personnel, both men and women alike, favor job-sharing (87%), flexible work hours (74%), release time for education (67%), and on-site child care (60%).

Although 74% of court personnel responding to the survey felt no extra pressure to prove themselves on the job because of their gender, race, disability, age, or sexual orientation, a significant minority did feel such pressure. Sixty court personnel identified “gender” or “age” as factors to overcome on the job, with men and women responding in proportions equal to their overall representation among survey respondents. Additionally, 16 respondents identified “race,” five identified “sexual orientation,” and three identified “disability” as factors to overcome. Respondents were permitted to identify more than one pressure-inducing factor in the survey, and 26 marked more than one category, but only a handful marked more than two categories. These responses suggest that some OJD employees feel that they are under extra pressure to prove themselves on the job because of age or gender, and some because of race, sexual orientation, or disability.

<sup>7</sup> The survey did not define the term “trained.”

In addition, 18% of the respondents — all of whom were female — reported that, based on their observations and experiences, taking parental leave following the birth or adoption of a child was detrimental to a female employee's advancement and promotion opportunities. Only 4% of respondents (6 women and 3 men) believed that such leave was detrimental to a male employee's advancement and promotion opportunities.

## 5. Complaints about Gender Discrimination

Approximately one-quarter of court personnel, men and women alike, reported that they have been, or know someone who has been, the subject of gender discrimination. Because there is no way to know from the responses to our survey question the *number of instances* of gender discrimination or *when* they may have occurred, we view this result cautiously.<sup>8</sup> In any event, "older" female court personnel (age 45 and over) commented that gender discrimination still occurs, but not as frequently as in the past. One court employee explained:

*"As the 'old guard' goes into retirement the 'old boy' attitude will retire with them. Some things that offend younger women may offend but not outrage some of the older staff because of the way things 'were.'"*<sup>9</sup>

Another observed:

*"Mainly because of my age I have watched quite a change in this matter. What was normal, although unwelcome and sometimes uncomfortable, behavior was easily dealt with by females. We could always just say 'no.' [It] has become a legal problem that is costing the state an enormous amount of money both in prevention and in methods of dealing with the problem."*<sup>10</sup>

"Younger" female court personnel (under age 45) seem to possess one of two different perspectives: Half believe that gender bias does exist, and the other half believe that they are treated fairly and with respect.

More than half of court personnel who responded to the survey did not know whether there is a person in administration who receives complaints relating to gender discrimination. Only 3% (15) of the female court personnel and 2% (2) of the male court personnel reported that they had made a complaint "to a person in Court Administration /OSCA relating to gender based discrimination." However, 73 people (59 women, 11 men, and 3 people who did not tell us their gender) reported that they "wanted to make a complaint but

[had] not done so." In written comments, court personnel urged the identification of a person to receive such complaints, especially for instances in which the conduct is exhibited by a trial court administrator or judge. One employee wrote:

*"OJD has such a flat organizational structure, that it is difficult to make the decision to proceed with a complaint or report on inappropriate behavior by judges, managers, or administrators. It is often believed to be better to endure a hostile working environment than to confront or report a manager or judge. There is a definite need to develop a complaint process that is fair to both parties."*<sup>11</sup>

Another employee echoed that sentiment, noting: "It appears people are afraid of judges and allow them to do as they wish"<sup>12</sup>

Recent testimony before the Commission on Judicial Fitness and Disability, which suggested that the problem of gender discrimination exists at the highest levels of the state court system, underscores the significance of those comments.

## 6. Discipline

In representative proportions, most male and female court personnel (70%) reported that disciplinary practices are equally fair for women and men. Similarly, 81% believed that work rules are applied equally to men and women. Of the court personnel who do not believe that work rules are applied equally, men were slightly more likely than women to hold this belief. Two-thirds of those men believed that the rules are applied to benefit women. On the other hand, of the women who did not believe that the rules are applied equally, 77% believed that the rules are applied to benefit men and fewer than 1% believed that the rules are applied to benefit women. Accordingly, men and women view the unequal application of work rules very differently, with each perceiving a benefit to the opposite sex.

## E. CONCLUSIONS

A substantial majority of court personnel surveyed report no gender unfairness with respect to the conditions of their employment with OJD. Nonetheless, there is room for improvement.

In general, without respect to the gender of survey respondents, court personnel perceive that women's opportunities for advancement within OJD are more limited than are the opportunities for men. Women

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<sup>8</sup> For example, if one well-known person in a large court was the subject of gender discrimination, then many court personnel could report *knowing* someone who was subjected to such discrimination.

<sup>9</sup> Comment on court personnel survey.

<sup>10</sup> Comment on court personnel survey.

<sup>11</sup> Comment on court personnel survey.

<sup>12</sup> Comment on court personnel survey.

perceive that they are more likely to be turned down for a promotion and that men are more likely to be promoted over the person who trained them. They report that their chances for a promotion are hurt when they take parental or adoption leave. Women also believe that, when work rules are not applied equally, that inequality benefits men. Although women hold a proportionate share of management positions in OJD, men hold proportionately more of the positions with actual supervisory responsibility than do women in OJD.

Conversely, men believe that their opportunities for advancement are limited due to their gender, although historically the overall statistics do not bear out that perception. More than one-third of men believe that women are preferred in supervisory appointments although, again, the overall statistics do not support this belief. Men report that they are asked to perform certain extra work duties not requested of women. Men also believe that, when work rules are not applied equally, that inequality benefits women.

It is difficult to reconcile the conflicting perceptions of male and female court personnel, all working within the same work environment. Whether or not data support employees' concerns, OJD should recognize and acknowledge men's and women's differing perspectives before further progress toward a more gender-neutral work environment can commence.

## **F. COMMENDATION**

We commend the Oregon Judicial Department for:

- adopting written policies prohibiting discrimination and harassment;
- providing job-share and flex-time opportunities for employees;
- using gender-neutral job descriptions and a gender-neutral interviewing process;
- monitoring fairness in employment opportunities; and
- establishing a gender-neutral compensation system.

## **G. RECOMMENDATIONS**

### **1. The Oregon Judicial Department should:**

a. continue to encourage all its employees to help eliminate any form of gender bias from Oregon's court system. An appropriate reminder on this and other forms of discrimination should be delivered to court personnel annually;

b. distribute to all court personnel, biennially, statistics on hiring, promotion, and compensation that permit a comparison to the ratios of men to women within OJD;

c. include information in its regular personnel workshops to address the perceptions that gender limits opportunities for advancement of both men and women and that members of the opposite sex receive special preferences in supervisory appointments and application of work rules;

d. by January 1, 1999, review its personnel policies and practices to determine whether any changes are needed to achieve gender fairness;

e. by January 1, 1999, assess whether there are inappropriate barriers to promoting and appointing women to actual supervisory positions within OJD in proportion to their availability among all qualified applicants. If so, OJD should take effective steps to remove those barriers;

f. review its policies on job-sharing, flexible work hours, and release time for education to promote greater use where appropriate;

g. by July 1, 1999, and periodically thereafter, review the adequacy of the procedure for court personnel to bring complaints about gender discrimination or harassment and, if appropriate, recommend changes. That review should recognize that some complaints may be directed at trial court administrators, judges, or others in high positions;

h. by January 1, 2002, study the personnel practices applicable to OJD law clerks to ensure gender fairness; and

i. by January 1, 2002, study how issues of intersectionality affect OJD employees.

## **II. EMPLOYEES OF THE OREGON STATE BAR AND THE PROFESSIONAL LIABILITY FUND**

### **A. INTRODUCTION AND OVERVIEW**

For those employed by the Oregon State Bar (OSB) and the Professional Liability Fund (PLF), the sexes generally agree that there is less bias now than there was in the past. In fact, most believe either that gender bias does not exist or that it is limited to a few areas. More women than men perceive that bias against women continues to exist to some degree; a few people — more men than women — perceive bias against men.

### **B. ISSUES STUDIED**

We sought to determine how, if at all, gender affects employment opportunities at the OSB and the PLF, specifically:

(1) Are employment opportunities in these organizations affected by gender? If “yes,” does it matter whether the position is “professional” or “clerical”?

(2) Are advancement opportunities in these organizations affected by gender? If “yes,” does it matter whether the position is “professional” or “clerical”?

(3) Do employees in these organizations experience job-related sexual harassment?

(4) Do these organizations have policies against sexual harassment? If “yes,” are they publicized and enforced?

## C. METHODS OF STUDY

Our main method of answering the questions posed was to survey employees of each entity. We sent surveys to all employees. Because of the small size of each workforce, we did not believe that a statistical analysis of their present composition (*e.g.*, recent promotions) would yield significant results.

### 1. Employees of the OSB

We distributed 80 surveys, of which 75% (60) were returned. About three-quarters (43) of the returned surveys were from women, and about one-quarter (13) were from men, which is consistent with the gender composition of the OSB staff. (Four respondents did not tell us their gender.) Respondents were between the ages of 24 and 61. Most respondents had worked in their current positions for three to eight years. Four (30%) of the men and seven (16%) of the women were lawyers. One of the men and 33% (14) of the women held administrative support positions, 30% (four) of the men and 19% (eight) of the women were managers, and no men but 14% (six) of the women held professional or technical support positions.

### 2. Employees of the PLF

Of the 35 surveys distributed, 80% (28) were returned. About 60% (16) of the returned surveys were from women, and about 40% (10) were from men, which is consistent with the gender composition of the PLF staff. (Two respondents did not tell us their gender.) Respondents were between the ages of 32 and 64. Most had worked in their current positions for three to eight years. Most of the men were lawyers (70%), while the women held a variety of positions. Only women checked the box indicating that they held administrative support positions.

## D. FINDINGS

### 1. General Perceptions

Generally, fewer than half the respondents perceived gender bias at the OSB and the PLF. Overall, both male

and female respondents (61% and 64%, respectively) noted that there is less gender bias now than in the past. However, although 72% of female OSB employees believed that there is less gender bias now than in the past, only 44% of female PLF employees concurred. Female PLF employees (31%) also were more likely than female OSB employees (12%) to believe that there is *as much* gender bias now as in the past.

In addition, a larger proportion of women than of men reported having a general perception of unfairness. This perception is strongest among employees in support positions and weakest among supervisory and management employees,<sup>13</sup> and is borne out in the response showing that women felt that their opinions are given less weight than men’s (16% of female OSB employees and 44% of female PLF employees reported that their opinions on work matters are “often” or “sometimes” given less weight than those of a person of the opposite sex). No men reported that their opinions were given less weight than women’s. Although most employees did not perceive different treatment based on gender, a larger proportion of women (23%) than of men (17%) reported that they were asked to perform duties not asked of men.

At the OSB, a larger proportion of women (23%) than of men (15%) felt that women were treated differently than men with respect to family-care issues. Similarly, more women (21%) than men (8%) at the OSB felt that women were disadvantaged on account of their age. We did not obtain similar results from the PLF survey.

### 2. Opportunities for Advancement

Most male and female employees of the OSB (93% of men and 76% of women) and the PLF (95% of men, 68% of women) agreed that gender does not limit advancement opportunities. However, a significant minority of female employees believed that women’s opportunities for job advancement at the OSB and the PLF are limited by gender. Of those female employees who expressed an opinion, 36% of female OSB employees believed that women’s opportunities at the OSB are “often” or “sometimes” limited because of gender; nearly 30% (3 of the 11 female PLF employees with an opinion) believed that such opportunities are “always” or “often” limited for women.

Approximately 50% of the female OSB and PLF employees who expressed an opinion believed that men are given preference in appointments to management

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<sup>13</sup> For example, 56% of OSB and PLF supervisory and management employees believed that there is no gender bias against women at the OSB and at the PLF, compared to 41% of OSB and PLF support staff who held that view.

and to supervisory positions.<sup>14</sup> More female than male employees at the OSB (53% of women versus 15% of men) felt that women are “always,” “often,” or “sometimes” given preference in support positions. Men generally saw equal opportunity across all positions.

### 3. Personal Treatment

At both the OSB and the PLF, men noted almost no instances in which female lawyers and staff, or male lawyers and staff, were addressed by their first names or in terms of endearment when those of the opposite sex are not. By contrast, albeit in low numbers, women reported that female lawyers and staff are addressed by their first names or in terms of endearment, with more occurring at the OSB than at the PLF.<sup>15</sup>

At the PLF and the OSB, unwanted requests for sexual activity and acts of offensive touching were extremely rare. More prevalent were offensive comments and jokes. At each organization, no men and a small proportion of women had heard “unwelcome verbal jokes or comments of a sexual nature.” Four female OSB and four female PLF employees reported they had “personally experienced” “unwelcome verbal jokes or comments of a sexual nature.”

Once again, support staff were more likely to perceive gender-based behaviors than were those in more supervisory or managerial positions.

Finally, all men, and nearly all women, at each organization knew that a policy against sexual harassment exists. All of the male and most of the female OSB and PLF employees believed that it is enforced.

### E. CONCLUSIONS

Most employees of the OSB and the PLF believe that gender does not affect their employment, their opportunities for advancement, or the way in which they are treated. They also believe that there is less gender bias now than there was in the past. Nevertheless, some problem areas remain. A significant minority of female employees believe that women’s opportunities for job

advancement at the OSB and at the PLF are limited by gender, and that women (especially support staff) are at a disadvantage because of their family responsibilities and their age. Female employees sometimes are subjected to jokes or comments of a sexual nature and are addressed by terms of endearment.

### F. COMMENDATION

We commend the Oregon State Bar and the Professional Liability Fund for:

- adopting written policies prohibiting discrimination and harassment and making employees aware of those policies; and
- providing a flex-time option for employees.

### G. RECOMMENDATIONS

#### 1. The Oregon State Bar and the Professional Liability Fund should:

- a. ensure that continuing education programs for lawyers, managers, administrators, and supervisors at the OSB and the PLF include issues of gender fairness;
- b. by January 1, 1999, initiate regular workplace dialogues to foster an understanding of the experiences and perceptions of people of the opposite sex and to promote mutual respect;
- c. by July 1, 1998, and periodically thereafter, communicate to employees, in writing and in person, their commitment to gender fairness and to the enforcement of equal opportunity and anti-harassment policies. Additionally, the OSB and the PLF should review those policies periodically; and
- d. by January 1, 2000, study whether additional policies (besides flex-time) are feasible to facilitate employees’ meeting their family obligations.

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<sup>14</sup> Thirteen of the 26 female OSB respondents with an opinion, and 5 of the 11 female PLF respondents with an opinion, reported that men are “often” or “sometimes” given preference in appointments to management and to supervisory positions. By contrast, approximately 10% of male OSB and PLF employees reported that men are “often” or “sometimes” preferred.

<sup>15</sup> Female OSB employees reported the following: Seven employees (22% of those with an opinion) reported that female lawyers are “always” or “often” addressed by their first names when male lawyers are not, four employees (11% of those with an opinion) reported that female lawyers are “always” or “often” addressed by “terms of endearment (e.g., honey, dear, sweetie, babe, girl)” when male lawyers are not, one employee reported that female staff are “always” or “often” addressed by their first names when male staff are not, and 10 employees (25% of those with an opinion) reported that female staff are “always” or “often” addressed by “terms of endearment (e.g., honey, dear, sweetie, babe, girl)” when male staff are not.

Fewer female PLF employees reported similar experiences. Only one female PLF employee reported that female lawyers are “always” or “often” addressed by “terms of endearment (e.g., honey, dear, sweetie, babe, girl)” when male lawyers are not, and three female employees (20% of those with an opinion) reported that female staff are “always” or “often” addressed by “terms of endearment” when male staff are not. No female PLF employees reported that female lawyers or female staff are “often” or “sometimes” addressed by their first names when male lawyers or male staff are not, although a few reported that such references occur “rarely.”