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 - My Account Home Page
 - Photo Directory Page
 - Streaming Meetings
 - eNews Archive
 - Logoff

- Quick Links
 - About KCBA
 - 125th Anniversary
 - Join / Renew Online
 - Bar Bulletin
 - Meetings & Events Calendar
 - Education / Training
 - Pro Bono Services
 - Diversity
 - Public Policy & News
 - Publications
 - Lawyer Referral Service
 - Jobs & Internships

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Return to Bar Bulletin Home Page

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Good Life Hangs in the Balance

By Sarah K. Duran

You've put in a full day at the office. The dinner mess is cleaned up, the kids are in bed and the dog is fed. Remember when you would use this time to watch television, work out, read a book or talk to your spouse or friends?

Instead, you boot up your computer to return emails or get some billable time in.

You're not alone: As many as 50% of workers in a recent survey reported bringing their work home with them regularly.¹ Using data from a national survey of 1,800 American workers, researchers from the University of Toronto measured the extent to which work interfered with personal time. Participants were asked questions such as: "How often does your job interfere with your home or family life?"; "How often does your job interfere with your social or leisure activities?" and "How often do you think about things going on at work when you are not working?"

Nearly half of those surveyed reported that these situations occur "sometimes" or "frequently." Sociology professor Scott Schieman said there was reason to be concerned "given that the negative health impacts of an imbalance between work life and private life are well-documented."²

For many lawyers, work-life balance remains an elusive goal. Anecdotally, the current recession may have pushed the goal even further out of reach.

The recession has affected attorneys and their work schedules in many ways. Some feel added pressure to bill extra hours so their numbers look as good as possible in case their firm lays off attorneys. Others have the stress of being the primary bread winner after spouses were laid off. Some report having fewer opportunities for flexible work schedules and, in particular, having the opportunity to work from home.

The statistics bear out the concern that part-time opportunities may be harder to find right now. Over the past three years, although the percentage of Seattle-area partners working part time has inched up, the number of associates who work part time has gone down, according to The Association for Legal Career Professionals. In 2007, 5.1% of partners and 9.0% of associates reported working part time.³ In 2009, 6.0% of Seattle-area partners reported working part time, while the number of Seattle-area associates working part time dropped to 7.2%.⁴

One Seattle attorney, who did not want her name to be used, believes the recession caused her firm to refuse her request for a part-time schedule after she gave birth. Her firm told her that it did not want to set a precedent, even though she knew of others who had been given flexible work schedules in the past.

"In a better economy, you can be more flexible," she said.

Lynn Hubbard, managing director of Major, Lindsey & Africa, a legal search firm, said she is not aware of law firms that have specifically changed their policies to make flexible schedules harder to come by. However, for those seeking a flexible schedule at a new firm, it may be difficult to make the sell, Hubbard said.

"It's easier to go part time in a firm where you already work, unless they don't have a policy. It's hard to go to another firm and explain that you're going to be a dedicated worker when you're asking for a part-time schedule," Hubbard said.

Fernanda Torres tried to find a part-time position after having a child. Her own firm did not offer a part-time schedule and she could not find a firm that would take her on part time. So Torres, a criminal defense attorney, opened up her own practice earlier this year.

"At the end of the day, I think it will be worth doing," Torres said. "No one would give me the flexible hours, so I had to make it happen for myself."

Working a part-time schedule is just one option for attorneys seeking work-life balance. Another popular option is the ability to telecommute. But Hubbard cautions that if your firm prefers face time and if you are worried about your firm cutting back, this may not be a good time to do extensive telecommuting.

Attorneys who are busy making — or exceeding — their billable goals and juggling other time demands may find that they lack the energy or enthusiasm to network and market. But in this economy, marketing is more important than ever, Hubbard said.

"That's an area you definitely don't want to let go," Hubbard said. "And it is hard to make time for marketing because it's an investment in your future and you often don't see immediate returns." She added that attorneys can find ways to market during the day, so it intrudes less on their personal time.

Helping women attorneys achieve work-life balance is among the goals of the Mother Attorney Mentoring Association of Seattle (MAMAS), said Rachel Black, the organization's president. For instance, Black said, each month MAMAS holds a networking event to which attorneys can bring their children. For mother attorneys, networking can present a special challenge because of their desire to be with their families.

"We all understand the importance of networking," Black explained. "Becoming a lawyer does not have to mean you give up having a life outside the office or spending quality time with your family."

Sarah K. Duran, an attorney at Davis Wright Tremaine, LLP, practices media, trademark and other intellectual property law, and general litigation. She works full time and is mother to two young children.

1 See April Kemick, "U of T study finds work-life balance elusive," Jan. 12, 2010, available at <http://www.news.utoronto.ca/lead-stories/u-of-t-study-finds-worklife-balance-elusive.html>.

2 Id.

3 See "Few Lawyers Work Part-Time, Most Who Do Are Women," The National Association for Legal Career Professionals (Dec. 5, 2007), available at <http://www.nalp.org/fewlawyersworkpart-time>.

4 See "Most Lawyers Working Part-time Are Women — Overall Number of Lawyers Working Part-time Remains Small," The National Association for Legal Career Professionals (Dec. 17, 2009), available at <http://www.nalp.org/parttimesched2009>.

[Go Back](#)



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