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Female Powerbrokers Q&A: Day Pitney's Beth Sher

Law360, New York (March 20, 2014, 1:16 PM ET) -- Elizabeth J. Sher has been a litigator at Day Pitney LLP for nearly 30 years and is the head of the firm's complex commercial litigation group. In addition to general complex commercial litigation, she handles appellate matters, professional liability matters, directors and officers liability defense, and consumer class action defense. A member of the New Jersey, New York and Pennsylvania bars, she has participated in trials, appeals, and hearings in state and federal court in many states and circuits, as well as state administrative matters and applications addressed to the United States Supreme Court.

In addition to her litigation experience Sher has training and experience in mediation, both as a mediator and representing clients in mediation. Over the years she has chaired Day Pitney's commercial litigation department, various business units and practice groups. For many years she chaired the firm's professional development committee, helping to expand the internal and external training opportunities for lawyers at all levels. She is the co-editor of ALM's New Jersey Federal Civil Procedure treatise and a frequent lecturer, faculty member, and team leader for the National Institute for Trial Advocacy and other CLE providers.

Q: How did you break into what many consider to be an old boys' network?

A: Thirty years ago I was blessed to receive excellent, simple advice from my parents and mentors, and I was smart enough to follow it. They all said work very hard, learn from every good and bad example you observe, strive to be the best, and stay true to yourself. I built my reputation first by becoming an excellent writer because I believed people would more likely be gender-blind about what they read. Once I had established my credentials through hard work and solid legal analysis on paper, I was taken seriously in person.

I was also fortunate to choose a firm where the partners focused on performance and results, not gender. When I became a partner more than 20 years ago, our firm made national headlines for making four partners that year, all of whom were "homegrown" women. In short, I found and continue to find that if you assume you deserve to be at the table and perform at or above the level of the others at the table, they will almost always save you a seat.

Q: What are the challenges of being a woman at a senior level within a law firm?

A: The challenges of being a senior law firm partner today are mostly gender-neutral: managing an active caseload where clients expect 24/7 service, growing and developing new business, and trying to perfect the work/home balance. But significant challenges for women do remain. For one, there are still those who judge strong, decisive, outspoken females as too aggressive and quiet, soft-spoken females as too passive. Learning to communicate with different audiences in the most effective manner is hard at times but usually invaluable.

Another challenge is deciding when it is appropriate to not be gender-neutral. For example, our law firm has a women-only group to promote mentoring and business development as part of our diversity initiative, which has played a very positive and vital role in helping our women attorneys navigate a profession still dominated by men. But I focus on making sure mentoring and business development opportunities are equally available to our male colleagues, and I look forward to the day when gender no longer merits special treatment or concern.

Q: Describe a time you encountered sexism in your career and tell us how you handled it.

A: I have encountered many examples of gender bias over the years, but the one I remember best came from a most unexpected source. Following a major success in one of our litigation matters, a midlevel male partner held a dinner party at his home for the team. I was a senior associate with a very young child and had worked many long hours to contribute to the team's success. While filling my plate in the kitchen, I glanced at the refrigerator and saw not only photos of his wife and young children, but a prominently displayed article about the evils of working mothers. I came to learn it was his wife's oft-stated belief that working mothers were placing our children at great risk, and our values were in need of serious re-evaluation. When I mentioned it to the partner the next day, he seemed uncomfortable but made a joke and changed the subject. That episode taught me that it was not only men who presented a challenge to working women's ability to succeed, and I became much more sensitive to the outside pressures my male counterparts faced, no matter how supportive they were at work.

Q: What advice would you give to an aspiring female attorney?

A: First, the same good advice I was given. There is no substitute for hard work, an open mind, and being a collaborative professional whom people want to see succeed. Second, inside or outside the law firm, it is all about building relationships — at which most women excel — and establishing credentials, which you should do by playing to your strengths and providing exemplary service and exceptional value.

Third, find a lawyer-mentor — male or female — whose professionalism and style you admire and forge your own apprenticeship, formally or informally. Fourth, be ready and willing to take on assignments and challenges outside your comfort zone. Fifth, notwithstanding the above, be careful not to over-extend or promise the world to everyone in an effort to prove you can do it all. No one can. Nothing breeds confidence and success like learning to overcome challenges to achieve good results.

Q: What advice would you give to a law firm looking to increase the number of women in its partner ranks?

A: Be an equal opportunity employer: Make sure work assignments, training and mentoring are equally available to men and women. Be patient and flexible: Give young women the resources and support to achieve an acceptable work/life balance, and they will make it worth your while when they are in the prime of their business development years. Be protective and supportive outside the firm: If clients are reluctant to have women work on their matters, remember the client is not always right and advocate on behalf of your women colleagues.

In short, consciously create and nurture the relationships and environment most conducive to developing loyalty and trust from your women colleagues, just as you would do for your most important clients.

Q: Outside your firm, name an attorney you admire and tell us why.

A: This was hard to answer given the number of attorneys I admire, but I would highlight John Baker of Denver, Colo. He is the director of the Colorado Attorney Mentoring Program under the auspices of the Colorado Supreme Court. He is the immediate past executive director of NITA.

John is that rare combination of extraordinary trial lawyer, teacher, mentor, family man, and genuinely caring person who has left his positive mark on numerous people and institutions, including the National Institute for Trial Advocacy. He was an early advocate for gender equality and has always focused on helping every lawyer develop into the best lawyer possible. He has also stressed and proven over and over that one can be a very effective advocate while maintaining the highest levels of professionalism, civility and integrity.

John became a mentor to me relatively late in my career, encouraging me to expand my skill set and experiences at a time when most of us have become complacent about our legal careers. I, like so many others, admire and strive to emulate John's model of success with integrity and compassion.

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