



---

**Portfolio Media. Inc.** | 860 Broadway, 6th Floor | New York, NY 10003 | [www.law360.com](http://www.law360.com)  
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | [customerservice@law360.com](mailto:customerservice@law360.com)

---

## Sex Bias At Root Of Female Lawyers' Lower Pay: Study

By **Jessica Dye**

Law360, New York (September 13, 2010) -- A new Temple University study has found that women at all levels within top law firms are compensated less than their male counterparts because of pervasive discriminatory practices and standards, not lower productivity.

The study, released Thursday by lead author and Temple University Beasley School of Law Professor Marina Angel, found that, as the percentage of women at a law firm rises, the average compensation for lawyers at the firm goes down, an indicator that women in all positions at the firm are being paid less than men, according to the authors.

The study — conducted by Angel along with Temple University Fox School of Business professor Rajiv D. Banker, University of Texas-Pan American assistant professor Eun-Young Whang and Temple law student Joseph Lopez — covers the years 2002 through 2007, drawing data from the American Lawyer 100 and Am Law 200 studies, as well as the Vault/Minority Corporate Counsel Association Law Firm Diversity Program studies.

According to the authors, the study includes the 123 top law firms that ranked among the Am Law 200 during all six years of the study, yielding 638 observations.

To disprove notions that women are being paid less because they are less productive, the study found that the average gross revenue at firms with the highest percentage of female lawyers was approximately \$20 million more than firms with the lowest percentages. Nevertheless, the revenue per lawyer at the firms with the highest percentage of female lawyers was roughly \$120,000 less per lawyer, according to the study.

Among other key findings presented by Angel and her team, the study found that the ratio of women equity partners to women nonequity partners was 2.546, compared to a ratio of 4.759 for men holding those respective job titles.

An increase of 1 percent in the proportion of women partners at a firm generally corresponded to a 1.112 percent decrease in the overall compensation for all partners, according to study, even after controlling for the lower compensation of nonequity partners versus equity partners and the greater likelihood of women remaining nonequity partners.

“We found that the average compensation for lawyers at a firm goes down as the proportion of women at a firm rises, indicating that women in all positions at a firm are paid less than their male counterparts,” Angel said. “Furthermore, women partners are paid less despite the fact that they are not less productive than men partners in generating revenue per lawyer for their firms.”

The study attempts to rebut several possible explanations for the pay disparity between the sexes, including the growing number of women among the lower-paid non-equity partner ranks, a preference among female lawyers for lower-paying, less hierarchical firms and outside social factors, such as time away from the office to care for family members.

According to the authors, none of these reasons produced much variation when factored in with the rest of the data. With women ranking nearly equal with men in terms of productivity — and in some cases, pulling ahead — the only explanation the authors could find was discriminatory pay practices among the firms.

“The gender gap discrepancy in pay could be explained if women lawyers are paid less than their men colleagues because they devote less time to their careers, are less productive or opt for lower-paying, more egalitarian law firms,” the study authors wrote. “The analysis presented disproves these claims. Our results are consistent with discrimination.”

Despite the increasing number of female lawyers in the work force, they may face various instances of disparate impact discrimination at major firms, according to the study authors. For instance, they may reduce their chances of making partner and decrease their earning potential by taking time off to raise a child or care for a family member, particularly at firms that use lockstep procedures to promote attorneys.

Their results are also consistent with the most recent data from the U.S. Census Bureau, which found that female lawyers earn, on average, 73.7 percent as much as their male counterparts. And lawyers aren't the only female members of corporate America having a tough time reaching pay parity with men, census data showed — female CEOs make roughly 74.5 percent as much

as male CEOs, and female physicians only take in about 60.8 percent of what their male counterparts do.

--Additional reporting by Elaine Meyer

---

All Content © 2003-2010, Portfolio Media, Inc.