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JUST SAY YES

Ladies' Day

Tracey I. Batt / Special to NLJ.com

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Last fall, I was invited to participate in a "Ladies' Day" panel at a law school. My first thought was, "Sure, I'll just cinch on my corset and get in my time machine." "Ladies Day"? Are you kidding me? Who thought up that name?

I was only slightly embarrassed when I discovered that "Ladies' Day" was in fact a reference to some obnoxious 1960s Harvard Law School property professor's practice of allowing females in his class to speak only on certain designated "Ladies' Days." The gist of the program was to be that, in today's law schools and law firms, every day is Ladies' Day. "Okay," I thought. "I can go along with that."

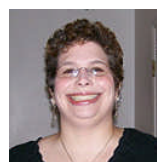
Then I found myself seated at a long table with some very impressive women in front of a large audience. The other panel members – judges, professors, law firm partners and associates – talked in turn about their respective experiences as women, wives, and mothers in the law, and their encounters with various "glass ceilings." Their stories were all inspiring and moving.

And I was doomed. I sat there, quaking in my boots, waiting for the moderator to announce my name, and having no idea whatsoever what I was going to say. I am nobody's wife or mother, and I simply do not have any motivational stories about juggling work and home life while overcoming enormous odds to become a New York big firm associate, the executive director of a statewide non-profit legal services organization, a law school professor, and/or a columnist. Unlike my panel compatriots or many of my friends, I never had to worry about writing a brief and getting dinner on the table at the same time, or about appearing in court and making childcare arrangements for a toddler with a fever. The moderator called my name, people applauded, and I had absolutely nothing to say.

That didn't stop me, of course. Dipping into the "fly by the seat of my pants" playbook, I jumped in with both feet. I started by saying that I had no idea whether I served the panel better as a role model or as a cautionary tale.

I have never thought of myself as a "woman in the law." I prefer to identify myself simply as a lawyer, an executive director, an adjunct professor, a columnist. What I do and who I am are two completely different things. My gender has never had any impact on my career, to the best of my knowledge, any more than my ethnicity or my religion (or lack thereof). Perhaps it is more appropriate to say that I have never allowed my gender to be an issue. Of course, it is equally possible that I am too big, too loud, and too mean to be placed into even so basic a category.

From the day I arrived at the firm in New York, I made it clear that I wanted to be treated as "one of the guys." Although I was by no means the only female associate in my department, I was the only one who chose to have dinner in the firm's dining room many nights with a group of male associates. I told "the guys" in no uncertain terms that they could say anything in my presence that they would have said were I not there. The benefit I gained from those dinners in the form of a greater understanding about areas of the law outside my own practice, and especially about firm politics, clearly outweighs any embarrassment I suffered from the occasional "men's room etiquette" conversation. I still blame my more colorful speech patterns on those dinner conversations, a decade or more later. In retrospect, even my wardrobe of pants suits



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(see "[Confessions of a high-paid fashion failure](#)"), at least in part, may have been an outward manifestation of my desire to be viewed as more or less gender neutral, ensuring a focus on my skills.

My skills are what have gotten me where I am today, to every place I have been in the past, and to every place I will go in the future. None of my successes, and none of my failures, are related to my being a "woman in the law." I will not claim that I obtained any of my strange mélange of law jobs because, or in spite of, the fact that I am a woman, and I refuse to blame the fact that I did not make partner on my gender.

My students and my interns frequently ask me how I have obtained all the different types of experience I have under my belt. These days, they ask the question more and more often, panicked by the dearth of positions available after graduation. I always tell them the same thing. The secret to my success: Whenever any opportunity arises that even tangentially is related to your areas of interest, say yes. "Tracey, do you have time to work on a new copyright matter?" "Yes." "Tracey, do you know how to negotiate a music contract for this pro bono matter?" "Yes." "Tracey, can you teach Entertainment Law?" "Yes."

Even if the real answers were "No"; "Not yet, but I will learn quickly"; and "We'll find out, won't we?," the skills that I have picked up along the way have yet to let me down.

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