

Female Powerbrokers Q&A: Sheppard Mullin's Betsy McDaniel

Law360, New York (April 01, 2014, 1:57 PM ET) -- M. Elizabeth ("Betsy") McDaniel is co-managing partner of Sheppard Mullin Richter & Hampton LLP's San Francisco office. She is also the environmental team leader for the firm's climate change team. She has practiced environmental law for more than 25 years, with an emphasis on environmental issues in real estate transactions, permitting, hazardous materials management, claims involving Comprehensive Environmental Response, Compensation and Liability Act and Resource Conservation and Recovery Act and state environmental law, and California's Proposition 65.

McDaniel holds a certificate in hazardous materials management from U.C. Berkeley, and she counsels clients on a wide variety of environmental compliance issues, including water quality matters and hazardous materials handling. She has worked on numerous transactions in all parts of the United States involving contaminated property, and she has worked with developers on projects on contaminated property.

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

A: I was almost 40 years old when I graduated from law school, so perhaps my status as an "old girl" helped me. I do believe that my age and life experiences were assets for a beginning attorney, and often people assumed I was a more experienced attorney because of my age.

I think that my two years of working at courts was also a contributing factor to my success in law firms. By the time I finished my clerkships, I had two years of relevant experience that enabled me to have more confidence in my abilities as an attorney.

Finally, I could see that there were few women partners at my initial firm, but I always assumed I would become a partner if I were diligent and did good work for my clients. One of my mentors gave me some good advice when I was a junior associate. He told me to look for assignments that increased my experience, rather than doing exclusively research and writing. So I managed early in my career to go to court, do an arbitration, have a bench trial, take depositions, meet with clients, and do site visits. My goal was always to do a good job, but also to gain experience that made me an asset to clients and to my firm.

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

A: I don't believe my challenges are significantly different than those for men at a senior level. For me personally, this is because the demands of child care on my time are gone as my children are now adults. My firm has a good percentage of women at senior levels and in management positions. My own challenges are balancing the demands of my practice with the requirements for client development and the time spent on administrative firm duties.

I do carry a heavy load of administrative firm work, perhaps heavier than the average male senior partner, because I am committed to participating in diversity efforts at all levels. This includes attending the women attorney meetings and women partner meetings, participating in women attorneys' client development events, and working on maintaining or increasing the numbers of women attorneys in our office and in our management. I have maintained my work as office managing partner and encouraged other women to take management jobs, because I believe it is important for the future of our firm that we have women in management roles.

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

A: In my third year of law school, I interviewed with a group of judges for a clerkship at their court. During the course of that 1984 interview I was not surprised that I had been asked a general question about my family, which consisted of my husband and three children, because that question was common in 1984. However, at one point in the interview a judge said, "I have a hypothetical for you." As a law student, I imagined this meant his question would involve law. But this was his hypothetical: "Imagine you are working as my law clerk. It's after 5 p.m., and I need some legal research by 8 a.m. the next morning. Who is going to cook dinner for your family?"

My mind raced with several responses, including a return question regarding whether he had ever asked male candidates that same question. But I decided that since I wanted the job, the best way to respond was to pretend that he really was concerned about my family's nourishment. So I said with a smile, "Well, let's see. My husband is an adult, my children are 11, 13 and 15 years old, and they all know how to cook. So it could be anyone of them or all of them who will prepare dinner that evening." Another judge quickly asked me a more reasonable question, and later I was offered the job.

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

A: I have several suggestions I share with more junior women attorneys. The first is to always listen to advice from more senior attorneys. You don't have to take the advice, but you can learn a lot by listening. Also, by working with a number of attorneys, you can learn that there are lots of approaches to problem solving and many styles of working with clients, and you should develop a style with which you are comfortable. Don't try to hide your personality but use your personality to enable you to be the best attorney you can be. Never forget that doing excellent work for clients is the most important thing you can do to succeed.

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

A: There are two sources of women partners — you can hire lateral women partners and you can promote women associates. It's best to focus on both sources. Talk to women associates regarding whether there are ways to minimize the number of women associates who depart for other jobs. Establish women attorney groups in every office so that women associates will have more interaction with senior women. Have senior management emphasize to partners that increasing the number of women partners is a priority. Encourage partners to participate in recruiting lateral women partners. Include a goal of increasing women partners in your strategic plan, and periodically inform partners of progress. Look at the firm by offices and practice groups, set diversity goals for offices and practice groups, and praise office and practice group leaders when those goals are met.

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

A: The attorney I admire is Beth Jay who works at the California Supreme Court. Beth has been the principal attorney to the last three chief justices of that court. She has won numerous awards for her scholarship and achievements. Beth scheduled her retirement for the end of 2012, but has since returned to the court. I had the honor of working with Beth when I was a law student, and again when I clerked at the California Supreme Court. Beth's achievements at the court and on behalf of the court are sufficient reasons for admiration.

My particular admiration for Beth also stems from her generosity in sharing her knowledge and skills with junior attorneys and law students who have worked at the court. When I worked at the California Supreme Court, Beth provided guidance, assistance, and encouragement to me. As time passed, I came to recognize all the pressures on Beth in her job and just how amazing it was that she took so much time to work with the law students and law clerks. I try to remember Beth's generosity when I work with associates and law students at my own firm.

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