



# Dallas Business Journal



## Legal challenge

Frank Alvarez and Veronica Bates say their law firm, like many, is working hard to ensure diversity.

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## Fast times at Victory high-rise

Big leases by Ernst & Young, PlainsCapital have Victory Park tower nearly full

BY CHRISTINE PEREZ AND CHAD ERIC WATT | STAFF WRITERS

Well, that didn't take long. The first office high-rise planned for

Victory Park is nearly full.

Just a couple of months after kicking off the 20-story One Victory Park with a 175,000-square-foot lease from the law firm Haynes

and Boone LLP, developers Hillwood and Hines have secured two other big deals: a 48,500-square-foot lease from PlainsCapital Bank and a 145,000-square-foot commit-

ment from the accounting firm Ernst & Young.

The two new leases put One

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## Private equity booms

Equity firms outpaced VCs in 4Q race to fund

## DART rail plan riles residents

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in Metroplex business

### New venture

A former CEO of Trammell Crow Co. has launched a Dallas research center, aiming to improve conditions for the city's have-nots. P4

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D-FW's trade, transport and utility sector has come on strong over the last three decades. P4

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A group of health care organizations says a new, wallet-sized card could help reduce medical mistakes. P5

### Hunting them down

Big banks in North Texas are making a push for more small-business customers. P7

### Man with a plan

The city's top technology man is supervising a multimillion-dollar project to update Dallas' computer systems.

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### Taking a chance

Wilcox Development Services is putting up a big speculative office building off State Highway 190. P9

### Milestone

It won't be long before Crosstex Energy has a whopping \$1 billion invested in the Barnett Shale natural-gas play. P10

### California bound



**FOCUSED ON DIVERSITY:** Frank Alvarez and Veronica Bates, Hermes Sargent Bates LLP, say the goal of their firm is to have a work environment where people have diverse points of view.

## EEOC eyes outreach program

BY DAVE MOORE | STAFF WRITER

**E**mployers who practice subtle discrimination as the workplace bully will find no safe harbor when it comes to enforcement of federal work force laws, according to the head of the Dallas office of the Equal Employment Opportunity Commission.

"Typically, the kinds of things I'm looking at are equal-opportunity harassers," said Mike Fetzter, director of the EEOC office in Dallas. "Joe and Sue (two hypothetical bosses) are abusive to everyone," Fetzter said. "They're intimidating, shouting at you, engaging in abusive behavior. But if you look behind these behaviors ... an investigation will find an edge against women and minorities."

Although sometimes investigations find that specific racist terms or other slurs aren't used, employers are still found guilty of discrimination based on how they mistreat workers.

Such investigations can lead to tens of thousands of dollars in court costs and fines.

Fetzter said that though the number of EEOC cases has dropped in North Texas — from 3,436 in 1993 to 2,059 in 2006 — it doesn't mean the federal agency is giving a free pass to employers who violate workplace employment laws.

The drop in numbers, he explains, is due to a number of reasons:

- Since the size of the EEOC staff has dropped significantly, the agency has stopped investigating every complaint and instead is pursuing complaints that have merit.

- Federal workplace suits are filed as much to send messages to communities as to the individual offenders.

- With the decrease in staffing, the federal agency has started emphasizing education to deter bad employer behavior.

- The agency has started a mediator program to end disputes before they reach federal courts.

- Newer generations have adopted better workplace behavior, reducing the need for federal intervention.

Fetzter put a damper on perceptions and rumors that small- and medium-size businesses are being targeted for enforcement by the EEOC.

"We are targeting them for outreach and education," Fetzter said, adding that outreach is a big part of the EEOC's program. "We would like small businesses to be attuned to the principals or they're not going to survive."

It's not that the EEOC will drive smaller employers out of business.

# Slow climb to the top

MORE **WOMEN LAWYERS** ARE BEING HIRED BY FIRMS, BUT THAT NUMBER ISN'T YET REFLECTED IN HIGH-LEVEL MANAGEMENT POSITIONS

BY LISA TANNER | STAFF WRITER

**O**nly a few decades ago, a law firm didn't need to draft a policy to cover maternity leaves for firm partners, because the partners were almost always men.

Now many firms are embracing diversity initiatives, aiming to hire and promote women and minorities so that their offices are more reflective of society. Firms are hiring women with the intellect, competitive nature and drive needed to make partner. But without a mentor, or a path to follow, many leave the firm before they reach the top level.

Women still face a long climb to the partnership level and to other leadership roles in law firms, despite the fact that law schools are increasingly turning out greater percentages of female attorneys.

There is often a disconnect between the number of new hires

who are women and the number of women who make it to the firm's higher ranks. Some leave to start their own solo practices. Others take on in-house corporate counsel roles, aiming for a better balance of work and life issues.

Law schools graduate classes with almost the same number of men and women and firms hire new associates at a similar balance. Women attorneys make up 30% of the State Bar of Texas according to bar research based on a 2005-2006 survey, and women make up 47% of the students at Texas law schools, according to the same research.

Yet in 2006, women accounted for less than 18% of the partners in the country's major law firms, according to research by the National Association for Law Placement Inc., a Washington, D.C.-based trade group founded in 1971. In Dallas, about 17% of law firm

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# WOMEN: Flexible work schedules help some reach top management ranks

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partners are women, according to the trade group.

But law firms can make the climb to leadership easier and more attractive.

One way is to realize women can devote different amounts of time to their careers at different times during their life, said Veronica Bates, founder and name partner at Hermes Sargent Bates LLP in Dallas.

The law firm, founded in 2000, is more diverse than many, she said, and, because it is young, is perhaps more flexible. As of Dec. 2, 2006, 52% of the firm's lawyers, 28% of its partners and 66% of its associates were women or ethnic minorities.

The goal is to have a work environment where people with diverse points of view share their ideas, said Frank Alvarez, a partner who heads the firm's diversity committee.

Rather than lose women attorneys and their talents, firms can offer some flexibility so that women can continue to work and keep their skills sharp, Bates said. A reduced-hours track, one where the lawyer works full time but not the extreme number of hours that is typical, is one option.

Although firms may say that they encourage diversity, women may find that the idea isn't put into practice.

"The arrangement has to work for both parties," Bates said. Part of it is training. If an attorney is working a reduced number of hours, others at the firm have to understand that they can't go to that person at 5 p.m. with a project that has to be complete first thing the next morning, for example.

Women have had to fight for options, and those options are more acceptable than they were 10 or 15 years ago, she said.

When a woman makes it work for her, she opens the doors for other women to do the same.

"Law firms are learning, as corporations have, that they must invest in people. They must recognize the value of the whole person, and retain those people to be successful," Bates said.

## Women who went before

"I tell women attorneys that they stand on the shoulders of those who went before," said Elizabeth "Betsy" Whitaker, co-managing partner for Dallas and Fort Worth for Bracewell & Giuliani LLP. "There has never been a better time to be a female attorney."

The firm ranked No. 5 of 105 United States law firms in providing the best opportunities for women in a recent survey of women attorneys. The Women's Law Association of Harvard Law School compiled 4,000 responses to produce the report "Presumed Equal: What America's Top Women Lawyers Really Think about Their Firms."

Although some barriers remain, the change is happening, and women now hold top positions in the state and local bar associations, Whitaker said. There are also more women judges and women general counsels.

"It's a marathon, not a sprint, so it requires staying the course," Whitaker said. When women become corporate general counsels, for example, they begin to demand that the law firms they hire to represent their companies have women and minorities on the team, and at every level, she said, and they are tracking that closely.

So law firms must not only value diversity and talk about it, but also create paths

so that women can see a way to succeed at a high level within the firm.

Women bring certain important skills, Whitaker said. That includes not only being good lawyers and strategists, she added, but also good listeners, which is incredibly important in front of a jury.

## Top of class

With women making up about half of current law school classes, and holding top rankings in those classes, more firms than ever are eager to recruit and hire women, said Robin Green, managing partner of the Dallas office of law firm Powell Goldstein LLP.

Firms now have a tremendous commitment to diversity, Green said. Still, it is an industry that lives by billable hours and therefore time is always at a premium. Yet, there is still a strong feeling in society that it is the women who are expected to attend their children's school meetings and take their children to the doctor when needed, which forces women to make choices at what is an exciting, productive time in their careers.

If firms help those women by allowing work flexibility, both sides benefit. Instead of taking a three-month maternity leave, for example, an attorney may opt to return to work on a part-time basis after four weeks and work a reduced schedule for a longer period of time. That helps the attorney not lose touch with her clients and work.

Firms also have had success by creating paths for continuous advancement that are perhaps not at the same pace throughout a career, Green said. That can be a real help to retaining female attorneys.

"They may have a reduced work load, and a reduced salary, but can still be mak-

ing progress in their advancement," she said. "That's a benefit to the attorney and the firm."

## Other challenges

When Carol Glendenning, now a partner and chairman of Strasburger & Price LLP, joined the firm 27 years ago, she recalls that in some respects, it was more of a challenge that she was a Yankee than a woman. A woman had already made partner at the firm, but there was still a client every once in awhile who would prefer to have a male attorney.

One key to her advancement was having a mentor who included her in client meetings.

A mentoring relationship is a real key to a female lawyer's success, she said, as is having a chance to show your skills.

There are different pressures at different levels of responsibility within a firm, she added.

An attorney who has been there a while gets a good feel for what it takes to accomplish what they need to on behalf of their clients. An attorney who has firm management issues, however, may see little end to his or her duties, since anything from client relations to hiring to policy issues and community relations may be under their leadership.

Now, as women have leadership roles at client companies and on those companies' boards, there is a more natural push to make sure that there are women at the other side of the table at the law firms that represent them, Glendenning said.

Strasburger, for example, added eight new associates in fall 2006. Three are women, two are Hispanic.

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