

Upcoming Survey on the Status of Connecticut Women in the Legal Profession 2024

By Judge A. Susan Peck (Ret.)

On September 22, 2024, the Connecticut Bar Association (CBA), and the Connecticut Bar Foundation (CBF), distributed by e-mail, to active and retired, male and female lawyer members of the CBA, a Survey on the Status of Connecticut Women in the Legal Profession. The survey may be completed by computer, tablet, or cell phone in less than 15 minutes. We hope you will support this important research effort by promptly responding to the survey.

THERE WAS A TIME WHEN FEW WOMEN were members of the legal profession in Connecticut. The very first woman, Mary Hall, was admitted to the Connecticut bar in 1882. Unlike the men who preceded her, she had to litigate the issue of her application before the Connecticut Supreme Court. See *In re Hall*, 50 Conn. 131 (1882). In 1927, Frances Roth became the first woman to become a member of the Connecticut Bar Association. Roth graduated from New York University Law School in 1914, at age 18. She was the first female prosecutor in Connecticut and a founder of Connecticut's Juvenile Court and its first administrator.

Beyond Mary Hall and Frances Roth, we have sparse records

of women in the legal profession until the 1940s and 1950s when more law schools opened their doors to women. No woman became a judge in Connecticut until the 1960s, when Margaret (Maggie) Driscoll (1960) and Frederica (Freddy) Brenneman (1968), were appointed to the Juvenile Court. It was not until the early 1970s that a handful of women were appointed as judges to the Circuit Court and the Court of Common Pleas. No woman served on the Superior Court until 1976. It took until 1978 for Ellen Ash Peters, a Yale law professor, to become the first female Associate Justice of the Connecticut Supreme Court. In the same year, Superior Court Judge Ellen Bree Burns became the first woman appointed to the United States District Court for the District of Connecticut. Then in 1984, Justice Peters became the first woman to serve as Chief Justice of the Connecticut Supreme Court.

Despite these trailblazing jurists, women did not begin to



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enter the legal profession in any significant numbers until the 1970s and 1980s. By the time I became a Superior Court judge in 1996 and began swearing in new members of the bar in 1998, almost half of the new attorneys were women. Because women were latecomers to the profession, many of those who were the earliest to achieve milestone careers in the law were alive in 1998 to tell the stories of their journeys as lawyers. In 1999, the time seemed right, and the Fellows of the CBF created an oral history project of Connecticut women lawyers. This project was born of the recognition of the importance of recording the myriad stories of the singular accomplishments of women who became lawyers at a time when the path for them was unpaved and uncertain.

The CBF oral history project, created in 1999, is now known as the History of Connecticut Women in the Legal Profession (HOWLP). The name change came about when the goals of the project moved beyond creating oral histories. Today, within the

framework of this dynamic project, HOWLP continues its mission of creating a permanent video, audio, and photographic historical record reflecting the milestone achievements of women as they have become more visible and prominent in the law. Since 2000, the project has produced 63 oral history interviews, two short documentaries, and 125 photographic portraits of state and federal judges and magistrates. The portraits are currently on exhibit at the Quinnipiac University School of Law. In 2025, along with the 150th anniversary of the Connecticut Bar Association, HOWLP plans to celebrate the first 25 years of its progress and to highlight the accumulated work of the project.

1975 Survey

In 1975, Shirley Raissi Bysiewicz, former law librarian and professor of law at the University of Connecticut Law School and chair of the CBA Committee on the Status of Women, spear-

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headed a survey of Connecticut women in the law. The survey was sent to 200 women lawyers in Connecticut and 89 responded. The purpose of the survey was to study the status of women in the law to learn “whether the increasing acceptance of women by the law schools... [was] paralleled with an increasing acceptance of women by law firms and other employers.” Another area of interest was to study “the relationship between a professional career and the family.”¹ The results were published in the 1975 “Centennial Edition” of the *Connecticut Bar Journal*, which also included a chapter on the history of Connecticut women lawyers.

1979 and 1981 Surveys

The CBA Committee on the Status of Women conducted two additional surveys in 1979 and 1981. An article reporting on these surveys noted “nearly one-third of law school graduates were women compared to ten percent in 1970;” that of the 610 attorneys admitted to the Connecticut Bar in 1981, 194 were women; and that “women were working in all areas of the law: in private law firms, as sole practitioners, in government, and legal aid offices, for the judiciary, as corporate counsel, for public interest law firms, and as teachers.” Women were also reportedly represented in the state and federal judiciaries. Significantly, the authors reported that partners in both small and large firms were “predominantly male” and that it remained to be seen whether women who were then associates would become partners.²

Connecticut Task Force on Gender, Justice and the Courts, 1988-1991

In 1988, task force findings on women in the courts from New York, New Jersey, Rhode Island moved Chief Justice Peters to create the Connecticut Task Force on Gender, Justice and the Courts. The task force found that “gender bias is present not only among judges, attorneys and court staff, but in the structure of the culture within which we labor. While the overwhelming majority of examples brought to the attention of the task force were directed at women, the fact that gender bias also harms men cannot go unnoticed.... In short, both men and women have a special interest in ensuring that gender bias and its effect on the decision-making process in Connecticut is addressed and, if possible, eradicated.”³ Similar to task force findings in other states, in its Report to the Chief Justice, issued in 1991, the Connecticut Task Force found numerous examples of bias and discrimination in the “attitudes of attorneys, court personnel to the judicial decision-making process and underlying statutory authority” The Executive Summary defined gender bias as: “Any unjustified differential treatment of a man and a woman based on that person’s gender.” Ultimately, the task force concluded that “women are treated differently from men in the justice system and, because of it, many suffer from unfairness, embarrassment, emotional pain, professional deprivation and economic hardship.” The Task Force Report further noted: only one of the seven justices of the Connecticut Supreme Court was a woman; only one of the nine judges of the Appellate Court was a woman; only 18 of the 150 Superior Court judges were women; and only 42 of the 133 probate judges were women.⁴

CBA Survey on Gender Issues in the Legal Profession. 1993-1995

In direct response to the Task Force Report, the CBA president appointed a committee on Gender Bias in the Profession (the committee). In 1993, the committee’s Women and Employment subcommittee conducted a survey of state lawyers, which generated 1,247 responses, from 648 women and 599 men in private practice, government, corporate and miscellaneous work settings. Both the survey and an extensive report were published in the *Connecticut Bar Journal* in 1995.⁵ The “Preamble to the Attorney Survey Report,” stated what it termed “four disturbing observations” based on the survey results: “One, the persistence of sexual harassment; two, the disparity in both private practice and corporate settings between women’s and men’s compensation for the same work; three, the absence of women from decision-making positions and policy-making responsibilities; and four, the exploitation of female attorneys who are working ‘part-time’ in order to meet family responsibilities.” The survey results also reflected “a marked gulf between the perceptions of women and men as to the present status of women in the profession.”⁶ At least 63% of women in each of the [four] work settings “reported having experienced one or more harassing or sexist behaviors in the past year [1992].”⁷

Upcoming 2024 Survey

With the benefit of the knowledge gained from the 1975, 1979 and 1981 studies, we know that the landscape for women in the law changed significantly from 1975 to 1995. The 2024 survey hopes to explore how far women have progressed toward equality in the profession since the time frame of the 1995 Survey. The 1995 Survey was conceived as a benchmark against which “[f]uture studies and surveys on the status of women in Connecticut’s legal profession” could be measured.⁸ By employing a similar but updated line of inquiry, the 2024 Survey is also meant to provide a measure of the progress of women toward equality within the profession over the last 30 years. It is intended to update the 1995 survey with modifications to reflect the impacts of COVID, the 2008 recession and other significant changes in the profession. As lawyers and judges, we have had a front row seat to these changes. The 2024 Survey will inform us whether the changes we observe are simply window dressing or measurable progress. An updated survey will also provide another benchmark against which future progress can be measured.

The CBA has provided the logistical support for the distribution of the 2024 survey. Because it will be distributed electronically, the new survey may be completed anywhere respondents can access their e-mail, whether by laptop or desktop computer, tablet or cell phone, in fifteen minutes or less. As an incentive to respond, we are offering twenty \$50.00 Amazon gift cards to be drawn from those respondents who provide their e-mail addresses, if they choose to, when prompted at the end of the survey. E-mail addresses will not be associated with responses. We have engaged Shane Gleason, an associate professor of public policy and law at Trinity College, to assist with the design and analysis of the survey. Professor Gleason has published extensively on gender issues and the law. He will be the principal investigator/data analyst of



the survey results and the principal author of the published report. The expectation is that the results will be published in the first issue of *Connecticut Bar Journal* of 2025.

Finally, it is anticipated that the results of survey will provide the basis of a symposium in October 2025, to be presented with the support and participation of the CBF, the CBA, our three Connecticut law schools, the state and federal judiciaries, and leaders of the bar generally.

After several months of research, discussion, revision and review, the 2024 Survey was sent to your e-mail inbox in September.

ber. We hope you will validate the significance of this effort by your participation. ■

Judge Peck served as a State of Connecticut Superior Court Judge from 1996-2022 and is the founder and former chair of Connecticut Bar Foundation Fellows' project now known as the History of Connecticut Women in the Legal Profession.

NOTES

- 1 Shirley Raissi Bysiewicz, Anne Isbister Ballog, Anne Cleary Dranginis, *Women Lawyers in Connecticut: A Survey*, 69 Conn. Bar J. 123, Number 2 (1975). See also Chapter 7, "Women in Connecticut Law," 69 Conn. Bar J. 360, Number 2 (1975).
- 2 Elga R. Wasserman and Barbara S. Miller, *The Changing Status of Women Attorneys in Connecticut*, 56 Conn. Bar J. 344, 348, Number 4 (1982).
- 3 *Connecticut Task Force on Gender, Justice and the Courts: Report to the Chief Justice*, September 1991. [The full report is available at the Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106, and through interlibrary loan.]
- 4 *Id.*, See Executive Summary.
- 5 See "Gender Issues in the Legal Profession," 69 Conn. Bar J. 161; Appendix I, The Survey Questionnaire," 69 Conn. Bar J. 228, Number 3 (1995).
- 6 Aldina Vazao, "Now There's Proof: Less money, less power, inflexible schedules and sexual harassment, too—a report on gender bias in the profession shows that it still treats women lawyers unfairly," *Connecticut Law Tribune*, Vol. 21, No. 7 (February 13, 1995).
- 7 69 Conn. Bar J. 169.
- 8 *Id.*, 162, 227.

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