



WOMEN LAWYERS ON GUARD

Conversations With Men™

Four dark blue silhouettes of men in suits are arranged in a row at the bottom of the page. Above them are several overlapping speech bubbles in shades of blue and purple, with the largest one containing the title.

A PILOT INITIATIVE

ADDRESSING SEXUAL HARASSMENT
IN THE LEGAL PROFESSION

Women Lawyers On Guard Inc. (WLG), a 501(c)(3) tax-exempt organization, is a national network of lawyers and non-lawyers of all genders addressing sexual harassment, women's reproductive rights, workplace and gender equity, and other salient issues affecting women, lawyers and families.

Women Lawyers On Guard Action Network, Inc. (WLGAN), a 501(c)(4) tax-exempt organization, actively advocates in support of its mission, particularly on issues affecting women, lawyers and families.

Thank you first and foremost to the men who participated in Conversations With Men (CWM) sessions and those who volunteered to continue meeting. Their enthusiasm and willingness to listen, learn, and devote the time and effort to address sexual harassment is heartening and encouraging, and we are extremely grateful.

Copyright © 2023 by Women Lawyers On Guard Inc.

TABLE OF CONTENTS

Acknowledgments	2
Report Highlights At A Glance	4
Executive Summary	6
Take Action	10
Recommendations	11
<i>Conversations With Men™ (CWM): The Full Report</i>	12
Introduction	13
CWM: The Pilot Initiative	14
MALE ALLYSHIP: Creative Solutions to the Problem of Sexual Harassment	17
CWM: The Missing Pieces	19
CWM: The Roadmap	21
CWM: The Promise	22
CWM: From Initiative to Pilot to Viable Model	24
Resources	28
Endnotes	29

All cited Women Lawyers On Guard (WLG) reports and resources are located on the WLG website. These links can be found on the inside back cover under the LINKS heading.

This graphic indicates excerpts from facilitated CWM sessions.



ACKNOWLEDGMENTS

CWM PARTICIPANTS: We thank them for their enthusiastic participation and for teaching us a great deal. We have preserved their anonymity, but some of their observations appear in quotes throughout this report.

CWM ADVISORY COUNCIL

Hira Ali: Author of *Her Allies*, Founder of Advancing Your Potential, and recognized thought leader in the diversity and inclusion space

Rawle Andrews, Jr.: Executive Director of the American Psychiatric Association Foundation: President, Bar Association of DC

Sheryl Axelrod: President & CEO, The Axelrod Firm, PC, and multiple award-winning champion and expert in the diversity, equity, and inclusion space

Sarah Beaulieu: Author of *Breaking the Silence Habit: A Practical Guide to Uncomfortable Conversations in the #MeToo Workplace*

Ally Coll: Co-Founder, The Purple Campaign

Chai Feldblum: Former Commissioner, EEOC

W. Brad Johnson: Professor of Psychology, U.S. Naval Academy, a faculty associate at Johns Hopkins University. and co-author of *Good Guys: How Men Can Be Better Allies for Women in the Workplace*

Roberta D. Liebenberg: Senior Partner, Fine Kaplan and Black

Myles Lynk: Professor Emeritus, Sandra Day O'Connor College of Law at Arizona State University

Emily Martin: General Counsel, National Women's Law Center

Natalie Runyon: Director, Enterprise Content, Talent, Culture and Inclusion Strategist, Market Insights, Thomson Reuters

James Sandman: Distinguished Lecturer and Senior Consultant to the Future of the Profession Initiative at the University of Pennsylvania Carey Law School

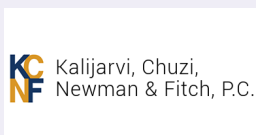
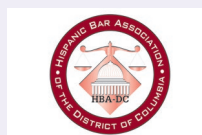
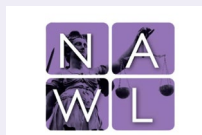
David Smith: Associate Professor in the Johns Hopkins Carey Business School and co-author of *Good Guys: How Men Can Be Better Allies for Women in the Workplace*

WLG CWM TASK FORCE

Cory Amron, Corrine Parver, Elaine Metlin, Paulette Chapman, Norma Hutcheson, Kara Kopp, Pilar Velasquez McLaughlin and Katherine Peterson

SPECIAL THANKS to ALPS Insurance for their support of this initiative.

CWM ROUNDTABLE OF ADVISORY ORGANIZATIONS



CWM EXPERT TASK FORCE

Ken Adams: Partner, Adams Holcomb LLP (ret'd)

Sarah Beaulieu: Author of "Breaking the Silence Habit: A Practical Guide to Uncomfortable Conversations in the #MeToo Workplace."

Ally Coll: Co-Founder, The Purple Campaign

Chai Feldblum: Former Commissioner, EEOC

Roberta D. Liebenberg: Senior Partner, Fine Kaplan and Black

Nate Saint-Victor: General Counsel and Chief Compliance Officer at Engine No.1

James Sandman: Distinguished Lecturer and Senior Consultant to the Future of the Profession Initiative at the University of Pennsylvania Carey Law School

Steven Velkei: Founder, Velkei Law

CWM REPORT HIGHLIGHTS AT A GLANCE

Women Lawyers On Guard's (WLG) CWM initiative followed up *Still Broken: Sexual Harassment and Misconduct in the Legal Profession*, a report of WLG's nationwide survey of sexual harassment in the legal profession. The results of *Still Broken* demonstrate that, after 35+ years, existing policies and training are not enough to eradicate sexual harassment and additional tools are needed.

Gender Equality Effectiveness in Organizational Change

By Gender Participation



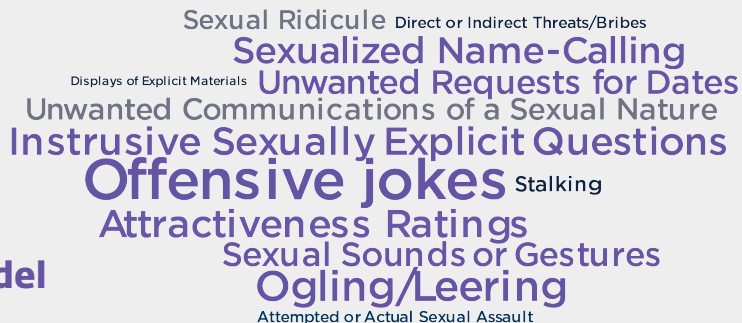
Where are the Men?

CWM was created to find answers to this question. In the process of designing and implementing CWM's pilot initiative, WLG found promising new pathways to motivate men's active participation more effectively in addressing sexual harassment.

WHY MEN'S PARTICIPATION IS NEEDED:

- Men make up approximately 2/3 of the legal profession
- Men may be more effective in silencing offenders
- Men can be role models for appropriate, respectful behavior
- Sexual harassment affects the whole organization, not just women, and needs a united front to tackle it.

**CWM From
Concept to Model**



THE PROBLEM OF SEXUAL HARASSMENT:

Read WLG's *Still Broken* report.

CWM GOAL: Motivate men through guided conversations and concrete steps to become active and effective allies in eradicating sexual harassment.

MALE ALLYSHIP: Men using power, influence, knowledge and resources in the workplace to actively support those people who identify as women.

CWM ROADMAP: Professional facilitation, discussion and listening, perspective-gathering, active ally recommendations.

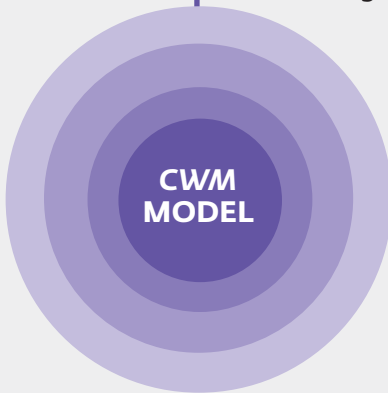
CWM SCALING: Employment and law school setting sessions, retreats, toolkits, CLE, train facilitators, sessions with women.



CWM PILOT: Enroll five groups of diverse male lawyers and judges to participate in two professionally facilitated sessions plus follow on sessions.

CWM IDENTIFIES AND PROVIDES THE MISSING PIECES: Empathy, knowledge, awareness of impact on victims and lack of consequences to perpetrators, and how men can help.

CWM EFFECTIVENESS: Perceptions changed, actions taken, ongoing discussions, and groups of male lawyers spontaneously decided to continue meeting and working.



EXECUTIVE SUMMARY



“Consequences are vital. How often is the offender a partner that brings in millions of dollars, and they just get slapped on the wrist? The victim or the person who reports is removed, demoted, or pushed out.”

The plentiful initiatives addressing sexual harassment and misconduct in legal employment settings are missing a critical component. Whether you look at outside experts or people working within their organizations, the ones doing the work are almost all women. **Where are the men?**



This graphic indicates excerpts from facilitated CWM sessions.

Research shows that when men are allies for gender equity, progress for women advances ninety-six percent as compared to thirty percent without them. The legal profession is still almost 2/3 male — that’s a lot of potential for allyship.

Why Men are a Critical Component

Men as allies increase the success of this work because:

- Men often have more power to institute change.
- They can model respectful behavior.
- They can effectively silence offenders.
- With male active allies, organizations present a more united front to tackle harassment.

SO, WHY ARE MEN RELUCTANT TO JUMP IN AND SUPPORT WOMEN IN ERADICATING HARASSMENT?

Some men are reluctant to help for well-intentioned reasons.

- They may feel they do not have agency to pitch in as it is perceived as a women’s issue.
- They believe they will make an embarrassing mistake and NOT add value.
- They do not want to be seen as “mansplaining.”
- They do not want to take up the women’s leadership oxygen in the room.

AS WELL, WHY ARE ORGANIZATIONS RELUCTANT TO INVEST IN SEXUAL HARASSMENT INITIATIVES FOCUSED ON MEN?

Because they mistakenly believe:

- The initiatives do not help women, and/or
- The optics of financing male-focused programs will not be beneficial to women or the organization.

WLG's CWM Initiative Unites Organizations to Help Eradicate Harassment

CWM'S GOALS

- Motivate male lawyers to take an active role in addressing sexual harassment in their workplaces and in the profession.
- Shift the issue of sexual harassment from “women’s work” to an organizational and leadership issue.
- Recognize that eliminating sexual harassment and misconduct strengthens and benefits the entire organization from financial, productivity and reputational imperatives.

Conversations With Men is not a substitute for the current work being done by and for women and workplaces; rather, CWM provides an essential and innovative approach to rooting out sexual harassment.

Since Title VII was passed over 35 years ago, the corporate world, and the legal profession in particular, have deployed policies and training to try to address sexual harassment. WLG's report of its nationwide survey of sexual harassment in the legal profession, [*Still Broken: Sexual Harassment and Misconduct in the Legal Profession*](#), showed that existing policies and training are not enough and that other tools are needed. The costs to the profession, to employers and to those who have been harassed, are enormous, deep and lasting.

“[L]aw firms say they have a “no jerks” policy, but this policy doesn’t apply when that partner brings in a lot of money.”



Building an Additional, United Model for the Future

WLG created CWM as a different way to tackle this ongoing problem. CWM is made up of small, diverse groups of male lawyers/judges/professors who were nominated and then agreed to participate.

BENEFITS OF CWM

- Imbues the men with empathy and an understanding of the problem.
- Gives them tools to become active allies.
- Encourages dialogue.
- Complements existing initiatives and unites organizational efforts.

KEYS TO THE INITIATIVE'S SUCCESS

- Discussion and listening, not lecture.
- Eye-opening perspective-gathering.
- Professional facilitation.

Many of the participants asked for and participated in monthly, follow-on sessions to continue this important work. Their enthusiasm and commitment demonstrate CWM's great promise as a different, additional and inclusive way to tackle sexual harassment.

WLG will be working on scaling this initiative in the months and years to come.

[Click HERE](#) (or see back cover for link) to see two-minute video describing WLG's CWM initiative.

TAKE ACTION

HERE'S HOW YOU CAN BE PART OF THE CHANGE.



READ: Read WLG's report: *Still Broken: Sexual Harassment and Misconduct in the Legal Profession*. **ACCESS HERE:**

<https://womenlawyersonguard.org/still-broken/>



VISIT: *Conversations With Men* **WEBPAGE:**

<https://womenlawyersonguard.org/conversationswithmen/>



DONATE TO WLG: a 501 (c)(3) tax-exempt non-profit.

By donating to WLG you will be supporting new pathways to create more ethical, safe and productive work environments for everyone. **DONATE HERE and select the purple button:**

<https://womenlawyersonguard.org/donate/>



JOIN OUR WLG NETWORK. Our network is free and open to lawyers and non-lawyers of all genders. **JOIN TODAY:**

<https://womenlawyersonguard.org/join/>



INQUIRE HOW TO BRING CWM TO YOUR COMMUNITY—

workplaces, bar associations, law schools, retreats and to people of all genders.

EMAIL TO LEARN MORE:

camron@womenlawyersonguard.org



BOOKMARK CWM'S WEBPAGE. Get the latest updates and resources, including our Active Ally Actions and ToolKits. **CLICK HERE TO BOOKMARK:**

<https://womenlawyersonguard.org/conversationswithmen/>

RECOMMENDATIONS

The CWM Pilot Project produced encouraging results in demonstrating how to motivate male lawyer allies to take active actions to address sexual harassment. Women Lawyers On Guard recommends the following:

- Sponsor sessions for lawyers of all genders at all types of legal employment settings, as well as bar associations and other professional meetings, to discuss the findings of *Still Broken*.
- Replicate CWM in these settings with no fewer than three sessions of small, professionally facilitated groups of men, challenging the participants to undertake Active Ally Actions between the second and third sessions. Encourage the participants to find an "Active Ally Buddy" to work with as they move forward, and/or continue periodic group support and feedback sessions.
- Continue group meetings to work on Active Ally Actions and effectively support the men in their work.
- Reward allyship work in compensation systems.
- Also consider discussion sessions with women.
- Bring in additional consultants, especially for in-person bystander intervention training.
- Tackle sexual harassment through three crucial factors: independent, unbiased investigation, transparency, and accountability. Recognize that office gossip ensures that nearly everyone knows when incidents occur, and that keeping consequences secret perpetuates the belief that reporting is futile. Transparency and accountability should match the severity of the incident.
- Each workplace is different. Some need culture shifts; others only "tweaking." In every case, tracking results is essential and should be considered in advance to fit the culture, structure and issues in each workplace.
- Recognize that these are continuing — not final — steps in eradicating sexual harassment in the workplace.


RESOURCES

See page 28 for resources organized in four topic areas:

- Sexual Harassment in the Legal Profession,
- Sexual Harassment in General,
- Conversations vs. Trainings — What works/What doesn't work, and
- Male Allyship

CONVERSATIONS WITH MEN™

THE FULL REPORT



"The list [of behaviors] is missing the silence of men. That is the great problem here. The men don't call that person out...You don't have to prove everything beyond a reasonable doubt to intercede — before something is really bad."

INTRODUCTION

The plentiful initiatives addressing sexual harassment and misconduct in legal employment settings are missing a critical component. Whether you look at outside experts or people working within their organizations, the ones doing the work are almost all women. **Where are the men?**



LEGEND: This graphic indicates excerpts from facilitated CWM sessions.

Some men are reluctant to help for well-intentioned reasons. They may feel they don't have the agency to pitch in or believe they will make an embarrassing mistake. They don't want to be seen as "mansplaining," or centering themselves, or taking up the leadership oxygen in the room. Organizations may mistakenly believe that spending resources on an initiative focused on men does not help women, or they don't believe that the optics of such a program would be beneficial.

Yet it's the very absence of men that can hinder the success of this work. Men often have more power in their organizations. They can model respectful behavior, more effectively silence offenders, or become active allies in the fight against harassment. Research shows that when men are allies for gender equity, progress for women advances — from thirty percent without them, to ninety-six percent with them.¹

Since Title VII was passed over 35 years ago, the corporate world, and the legal profession in particular, have deployed policies and training to try to address sexual harassment. Women Lawyers On Guard's (WLG) report of its nationwide survey of sexual harassment, [*Still Broken: Sexual Harassment and Misconduct in the Legal Profession*](#), showed that existing policies and training are not enough and that other tools are needed. The costs to the profession, to employers and to those who have been harassed, are enormous, deep and lasting.



"The reason [men don't speak up] feels similar to women not reporting: the repercussions as a troublemaker or reporter, and the ambiguity of calling someone out on something and being wrong."

The goal of CWM is to motivate men to take an active role in addressing sexual harassment in their workplace and the profession. While it's not a substitute for current work by and for women and workplaces, we believe it is an essential addition.

CWM: THE PILOT INITIATIVE

Why focus specifically on sexual harassment in the legal profession and not gender discrimination?

WLG chose to tackle sexual harassment, and not the broader issue of gender discrimination, for four reasons:

- First, WLG strives not to duplicate the work of others — many organizations are working on the issue of gender discrimination writ large.
- Second, the legal profession has been attempting to eradicate sexual harassment in its industry for 30-plus years. When the #MeToo movement exploded in 2017, there was a shared realization that much more needed to be done. As a society, there is widespread agreement that people should not be sexually harassed.
- Third, there is greater unanimity on the definition of and behaviors that constitute sexual harassment and misconduct; therefore, it is somewhat easier (although not easy) to define and target.
- Lastly, there are very few groups working with men to eradicate sexual harassment in the legal profession.²

WLG interviewed many lawyers prior to undertaking the CWM initiative. At least half thought that sexual harassment in the legal profession had been eradicated because they weren't experiencing or observing it. They thought lawyers ought to know the law and policies and abide by them. These perceptions are highly inaccurate, as shown in [Still Broken](#), and as the participants in CWM quickly came to realize.

“For people it doesn't happen to, it is harder to notice.”



Still Broken Report

When WLG published the comprehensive report of its nationwide experiential survey of sexual harassment and misconduct in the legal profession, [Still Broken: Sexual Harassment and Misconduct in the Legal Profession](#), the results convinced us that we badly needed a new way to combat sexual harassment.

The survey's purpose was to go beyond the numbers and dig deeply into the experiences of people who have been harassed. The results were disturbing and sobering. While [Still Broken](#) reflects that over time, most legal employment cultures have improved somewhat, there is little to no progress in many areas. The same barriers to reporting harassment remain stubbornly in place, and the harassed still experience negative repercussions to a much greater degree than the harassers. Incredibly, **eighty-six percent of current incidents of harassment and misconduct are not reported at all**, and **consequences are meted out to the harassers in only fifty percent of the reported incidents**.



“Consequences are vital. How often is the offender a partner that brings in millions of dollars, and they just get slapped on the wrist? The victim or the person who reports is removed, demoted, or pushed out.”

An innovative way to address the problem is essential.

The results of WLG's nationwide survey are clear: **the systems addressing sexual harassment in the legal profession are “Still Broken.” Sexual harassment is not a “women’s issue,” it affects firms, corporations, the judiciary, the government, academia, and all legal employment settings** — economically, psychologically, and sociologically. It affects all relationships in the workplace, including the harassed, the harasser, the bystander and every person who hears about the incidents. **It is a leadership issue** from the top down — and also from the bottom up. **To effect change, we must find additional ways to address this pervasive issue.**

“Creating a positive space for people to take action is important — positivity comes from having a culture where a person feels safe and knows action will be taken.”



The legal profession: society's leaders

Lawyers have been leaders of social change in the United States since the formation of the country. Their influence extends to all aspects of society, either by their representation of clients or direct participation.



"I think part [of the problem] is the power structure."

Sexual harassment is an abuse of power in the workplace. The legal profession, as an arbiter of truth and trust, must look inward and address its own checkered history even as it counsels others to address theirs.

Over the last 20 years, women have graduated from law school in numbers equal to men, yet inequity exists for women lawyers with respect to power, career advancement, and compensation. **While it is not the only factor holding women back, sexual harassment is a visible and obvious one.**

The existence of rules, policies and laws addressing sexual harassment does not mean that lawyers follow them. *And rules, policies and laws do not provide a roadmap to the positive behaviors that could avoid sexual harassment and misconduct.*

Policies tell us what not to do — not what could be done.

"It's like the person who reported created the problem. But they didn't, the harasser created the problem...and that reputation sticks with the victim."



MALE ALLYSHIP: CREATIVE SOLUTIONS TO THE PROBLEM OF SEXUAL HARASSMENT

What is male allyship?

There are many definitions of male allyship.³ Here is one elucidation:

To address [gender inequality] at work, and to have conversations about this topic, men need to use their influence, knowledge, and resources to support those who identify as women. Allyship is important in making sure that everyone is not only invited to the table but is also heard, acknowledged, and recognized for their contributions.⁴



“Treating people with respect and in a non-harassing way leads to better work product.”

Why spend resources on initiatives focused primarily on men?

Current initiatives addressing sexual harassment and misconduct in legal employment settings lack a critical component. Whether you look at outside experts or people working within their organizations, the ones doing the work are almost all women. Men’s voices and active allyship are largely missing from work addressing sexual harassment, even from discussions about this behavior. Eradicating sexual harassment has become “women’s work.”

Research shows that when men are allies for gender equity, progress advances dramatically, from **thirty percent without men to ninety-six percent with male participation**.⁵

CWM aims to (1) **engage men as active allies**, not just passive advocates or cheerleaders, but active team players in eradicating sexual harassment in the workplace; and (2) **shift sexual harassment from being a “women’s issue”** (i.e., only women working on it, and it’s up to the women to solve) **to being an organizational and leadership issue**, recognizing that eliminating sexual harassment strengthens and benefits the entire organization.

“A lot of this boils down to leadership at the top. HR is beholden to the partners; it is in their interest not to have it escalate.”



Some men may be reluctant to help for well-intentioned reasons. They may feel they don't have the agency to pitch in or believe they will make an embarrassing mistake. They don't want to be seen as "mansplaining," or centering themselves, or taking up the leadership oxygen in the room. Yet it's the very absence of men that can hinder the success of this work. Often men have more power in their organizations. And men often can advocate for diversity, equality, and inclusion (DEI) without penalty.⁶

They can also model respectful behavior, sometimes silence offenders more effectively, and possibly help develop additional solutions to the problem.

Since Title VII was passed over 35 years ago, the corporate world, and the legal profession in particular, have deployed policies and training to try to stop sexual harassment. *Still Broken*, Women Lawyers On Guard's report of its nationwide survey of sexual harassment, showed that existing policies and training are not enough and that additional tools are needed. **The legal profession is still almost 2/3 male – that's a lot of potential for allyship.**⁷



"I learned how inadequate my efforts have been."

Who benefits from male allyship and how?

Eradicating sexual harassment in the workplace will increase productivity, reduce turnover, and improve the organization's bottom line.⁸ Improving the workplace culture will mend an institution's reputation and attract more and better candidates.⁹ Ridding a company of secretive, gossiped-about egregious behavior and becoming more transparent about addressing sexual harassment improves workplace communication and leadership.¹⁰ And finally, as *Still Broken* contends,¹¹ it will improve the mental and physical health of the workplace.

"How do we make the workplace safer and a community for all?"



While some persons may be concerned that resources, including funds earmarked for DEI (diversity, equity and inclusion) initiatives, should not be spent on activities focused on men, this reasoning is short-sighted. After 35 years of asking women to solve this problem, with some but not enough progress, the conclusion is inescapable: men must also step up to the plate.

By focusing some initiatives on men, all genders and institutions will benefit.



"Men need to speak up on this issue instead of 'pawning it off' on women."

CWM: THE MISSING PIECES

How does CWM address the problem?

Although some sexual harassment trainings are effective, many on-line, rules-oriented, dispassionate lectures fail to accomplish the following objectives: create empathy for the problem; put oneself in another's "shoes"; understand the consequences for the harassed, the harasser, and the institution; motivate men to work to eliminate sexual harassment; and most importantly, provide help and advice to men on **what they can do** to address sexual harassment, **instead of focusing on what they should "not do."**

"As men, it's hard to imagine what it's like to be the recipient of these behaviors."



Several studies have even found that some sexual harassment training actually encourages or teaches those with the propensity to harass or control, how to do so.¹²

CWM is designed to address these shortcomings.¹³ It focuses on discussions with diverse, small groups of male attorneys structured to imbue empathy about the problem, develop a new perspective through their own work within and outside the sessions, and motivate them to take on active actions to address sexual harassment. **The secrets to the effectiveness of this initiative?** Professional facilitation; discussion, not lecture; listening; directed assignments between sessions to learn others' perspectives; concrete actions to take in the workplace; and support, encouragement and feedback while taking these actions. Additionally, the Zoom meeting format (initially adopted due to Covid) can enable diverse groups of men from around the country and in every employment setting to interact in honest discussions.

Why did the men participate?

They had several strong reasons. They were asked to participate by important women in their lives. Women have helped them in their lives or legal practices and they wanted to give back. Some men have seen this behavior and have not known what to do about it. Some have not seen this behavior and were surprised that it was still happening. They were conflicted on how to help and lead, concerned about what they had to contribute, and worried that they would be perceived as centering themselves or mansplaining. **The swiftness and enthusiasm with which these men agreed to participate leads us to believe that there is a pent-up need for male allies to find effective and acceptable ways to address sexual harassment.**

How did CWM change perception, thinking and action?

The first session for each group was structured around one or two videos and directed topic prompts. It did not assume any level of familiarity with the subject or the legal concepts. The groups were asked to read *Still Broken* before the first session.

After the first session, the participants had one month to talk with one or more women they knew about the subject of sexual harassment. The second session was devoted to discussing these reactions, and possible actions that they might take to address sexual harassment in their workplaces. Many men spontaneously asked to continue meeting monthly to work on these actions.

There was a great deal of disbelief expressed by each group during their first sessions after reading *Still Broken*. Most thought that this type of behavior was no longer happening (although some reported that they had seen this behavior — recently). But after talking to the women between the sessions,¹⁴ they were, to use their words: shocked (particularly by the pervasiveness), enlightened, sad, angry, ashamed, appreciative that the women spoke with them; appreciative that we were facilitating these discussions, honored that they were included, and motivated to do something about this problem.



“It was eye-opening hearing so many instances even from women partners who would have an associate come onto them or proposition them.”

Some apologized for inadvertently being part of this behavior, either by being passive about it or not invalidating it when it occurred. They were surprised that the women really couldn't find support even within systems that were supposed to deal with the situation.

Many were blown away by their realization that they had been blind to women's experiences of sexual harassment.

“It was a slap of reality; how prevalent it is. We need to take any allegation seriously because making an allegation is a serious step women would not want to take [lightly].”



CWM: THE ROADMAP

Keys to Success: Active Ally Actions and Toolkits.

The KEY to motivating men to take action is, through facilitated discussion, to help them empathize with people who have been harassed, and then to provide them with a roadmap for making change. WLG has devised a practical set of “Active Ally Actions”¹⁵ and is currently developing additional Toolkits. These Toolkits will contain the “Active Ally Actions,” bystander intervention tools, helpful resources and much more.

The Active Ally Actions suggest tasks or actions that progress from self-reflection/internal, to personal, to workplace, and to professional spheres — i.e., from private to more public facing. The participants can select which actions they want to take depending on their particular circumstances and comfort level. Each Active Ally Action will make a difference, and not all of them must be taken to have an effect.

“Use your leverage and encourage others to use their leverage.”



Pilot Group Recommendations.

The following Pilot group recommendations build on the initial CWM model for maximum success.

- Choose a facilitator with appropriate expertise and knowledge about the issue of sexual harassment (or partner with appropriate experts), and ensure that the discussions are effectively structured.
- Measure knowledge of and engagement with the subject before the first and after the last sessions with simple questions. Require the participants to read one or more resources before the first session and connect with at least one woman on this subject in between sessions (with appropriate prompts/question(s)).
- In the first CWM discussion, create a structure for individual or group accountability through a reporting process to increase engagement and chart progress. Have each participant choose an “Active Ally Buddy” to discuss successes, challenges, and ideas.
- Provide participants with opportunities for feedback and recommendations for taking action, overcoming challenges, and motivating continued progress. For example, organize follow-on sessions to ensure and measure progress. Communicate that taking action — in ways that are appropriate — is the most important goal of these sessions..

CWM: THE PROMISE

Spontaneous Follow-On Groups

The initial structure of CWM was to hold two sessions for each small group¹⁶ separated by a month, in which the participant was required to ask a female friend, relative or colleague about their perception of sexual harassment. This assignment was key to the success of this initiative.

The two sessions of each group of this pilot were so successful that a significant number of participants spontaneously asked to continue meeting monthly to enable them to dig deeper into the subject, take their own actions in their workplaces, and receive assistance and feedback from the group. WLG's facilitator continues to meet with the group to achieve these goals.



"Talking is good, but leaders who are men in the profession need to be as focused on doing things as on talking."

Measures of Promise

Because of the small sample of participants in this pilot initiative, WLG does not analyze the results as if it were a statistical sample. However, our anticipatory measures of promise include: the participants' perceptions and thinking about sexual harassment were changed; they took some personal action about sexual harassment; they took some personal action in their workplace; they caused their workplace to institute different actions; and they took some action outside their workplace, or in the profession at large.

"Once you have spoken up once and survived it, it is easier. There are consequences to silence. One is you diminish yourself as a human being."



Three measures of promise have already been met: the participants' perceptions and thinking were advanced about sexual harassment; they took action in their personal lives to advance their knowledge, and they are beginning to take action in their workplaces.



“Men need to take a larger role, even a leading role to some degree to prevent these things from happening.”

Between the first and second sessions, the participants were asked to speak with a woman family member, friend or colleague about their perception of sexual harassment, and to listen to what the woman was saying. Every single participant returned to the second session stunned by what they had heard — particularly the pervasiveness. They used words like “enlightened,” “sad,” “angry,” “ashamed,” and they were appreciative that the women spoke with them. To a person, each woman with whom they spoke had some experience with sexual harassment, including attempts to avoid being harassed. The men were astounded.

The action of talking with their female friends, relatives or colleagues and returning to talk about these discussions was a huge step in changing their perception of sexual harassment and motivating them to take action. CWM caused these men to begin this work.

Given that the pilot initiative is a relatively small sample, WLG is eager to scale this initiative and move into a larger arena.

“Treating people with respect and in a non-harassing way leads to better work product.”



CWM: FROM INITIATIVE TO PILOT TO A VIABLE MODEL

How WLG Created the CWM Initiative

EXPLORATORY RESEARCH

Before WLG embarks on any initiative, it undertakes exploratory research to attempt to determine the scope of the issue, those who are working on it, and any additional solutions that are not currently being addressed. In this case, WLG researched methods to address sexual harassment, the issue of male allyship, and entities that were working on such initiatives generally and in the legal profession. WLG concluded that male allyship was a promising avenue to pursue and that an initiative structured like CWM, directed specifically to the legal profession, did not exist.

EXPERT TASK FORCE

WLG constituted a planning task force of experts to discuss various concepts of CWM. Through the use of directed questions, the Expert Task Force gave guidance on structural issues, and validated concepts. The members of the Expert Task Force are listed in Acknowledgments, page 3.

WHY A MALE FACILITATOR?

One of the salient questions that we asked the Expert Task Force to debate was whether the small group discussions should be facilitated by a man or a woman or both. While there was no unanimity on this issue, WLG decided to utilize a male facilitator so that there would be no barrier to honest discussion in the groups.



“All the women I spoke to wanted men to speak up more. All felt that men did not speak up enough because they were worried about being judged by other men.”

CONSULTANT – DR. ARIN REEVES – CEO NEXTIONS

WLG could not find a male who had expertise in both sexual harassment and also facilitation of small groups in the manner contemplated in this initiative (and within our budget). Thus, the required professional tasks were divided: one to an expert in sexual harassment and the other to a facilitator. The expert consultant we engaged was Dr. Arin Reeves of Nextions, who developed the structure of the first sessions for the groups, provided videos for the participants to watch, and created the facilitator’s guide to the discussions.

FACILITATOR – PROFESSOR NEIL MCGARAGHAN

WLG engaged Professor Neil McGaraghan, a clinical professor of mediation and facilitation at Harvard Law School, to run all the CWM sessions.¹⁷ This ensured that having different facilitators for each group was not a variable in the results. Professor McGaraghan was able to engage the men in productive discussion, and became a valuable partner in this initiative, including enthusiastically agreeing to continue the follow-on sessions with the participants.

ADVISORY COUNCIL AND ROUNDTABLE OF ADVISORY ORGANIZATIONS

Recognizing that support from prominent individuals and organizations that are working on gender diversity and sexual harassment would be crucial in the acceptance of this initiative, WLG invited a select group of people to join the CWM Advisory Council and a select group of organizations to join the Roundtable of Advisory Organizations. These individuals and organizations see promise in CWM as a way to address sexual harassment and permitted us to list their names or logos in support of the project, see pages 2-3.

What does the CWM Pilot initiative entail?

NOMINATIONS (RATHER THAN VOLUNTEERS)

Dr. Reeves encouraged us to fill the pilot sessions with men who had been “nominated” by people in our network, rather than asking men to volunteer. The nomination concept had the added benefit of informing a wider group about this initiative, getting their buy-in, and conferring a measure of honor on the men who participated.

Ninety-plus percent of those who were nominated agreed wholeheartedly and with great enthusiasm to participate in this initiative. Others couldn’t attend due to schedules, but appreciated being asked. Months before the last group was scheduled to meet, all the open spots were filled.

“Even the environment/culture in a different office of a firm could be different.”



DIVERSITY OF PARTICIPANTS

WLG deliberately constituted the groups of men to be diverse in as many aspects as possible, including: ethnicity, race, sexual orientation, disability, ages, geographic region, urban and rural settings, seniority in their positions, and all employment settings (corporations, law firms, associations, the judiciary, law school, and local, state and federal government).

GROUP SIZE AND TIME COMMITMENT

The structure of the CWM sessions, five small groups with a maximum of 10 men in each group, was dictated by budget, the capacity of the facilitator to engage with all the groups for two sessions each, and to ensure that each person could effectively participate in the discussions.¹⁸ It was determined that two sessions for each group were the minimum number required in order to establish trust, honesty, commitment and a sense of a community in the discussions. (And again, this number was dictated by WLG's budget. Additionally, the duration of each of the two sessions (1.5 hours) was determined based on an expectation of the amount of time people might devote to such an experimental initiative (for which they were not getting CLE credit).



"I have heard of people saying they don't want to work with a young female associate because they 'don't want to be in a situation where they are accused of something'."

THE SESSIONS

The first session for each group was structured around one or two videos and directed topic prompts. Freewheeling discussion was encouraged. The discussions were meant to elicit give and take, not to be a rigid teaching or training exercise. In the first session, participants discussed their perceptions of and experiences with sexual harassment as well as the findings of *Still Broken* about sexual harassment in the legal profession. It did not assume any level of familiarity with the subject or the legal concepts.

After the first session, the participants had one month to complete an "assignment." They were asked to talk with one or more women in their personal sphere about the subject of sexual harassment (not whether they had been sexually harassed, but rather just their thoughts.). To a person, they returned to the second session with a new appreciation of women's "lived" experience on a personal and empathetic level, including the pervasiveness, psychological burden and threats and fears of sexual harassment. Most of these men had not seen or experienced any of this in their lives or jobs, but all the women had done so.

"I saw the destructive effects it had on the workplace and the environment. Women felt they had to tolerate it."



The second session was devoted to discussing these reactions, and possible actions that they might take to address sexual harassment in their workplaces. Many men spontaneously asked to continue meeting monthly to work on these actions, and those sessions are ongoing.

After we reviewed the results of the sessions and the progress made in the follow-on sessions, we determined that *three sessions (with work on Active Ally Actions between the second and third sessions and continuing beyond with periodic meetings)* would be a more effective format and crucial to the goal of creating a trusted working community, and motivating participants' action.

How WLG plans to scale CWM

WLG is building upon initial research — in the field of psychology, gender diversity, equality, sexual harassment, communications, and human relations with additional perspectives from consultants and facilitators actively engaged with the CWM pilot.

Based on what was learned from the Pilot group and this knowledge and experience, we are developing the next iteration of CWM and new Toolkits. CWM shows great promise and has the potential to be a successful, creative and innovative model to change the status quo in eradicating sexual harassment in the legal workplace. We envision that the refined CWM model can be scaled in a number of ways, including:

- Create CWM groups at employer, bar association or other organized sessions and/or retreats.
- Create CWM groups at law schools.
- Train facilitators and HR heads to run sessions.
- Obtain CLE credit for participating in CWM.
- Design complementary sessions with women lawyers to get their perspective and suggestions for ways to make positive changes to their organizations.

Have questions?

Contact camron@womenlawyersonguard.org; Subject: CWM Question

RESOURCES

SEXUAL HARASSMENT IN THE LEGAL PROFESSION

- Women Lawyers On Guard Inc., [Still Broken: Sexual Harassment and Misconduct in the Legal Profession](https://womenlawyersonguard.org/still-broken/), A National Study, 2020. <https://womenlawyersonguard.org/still-broken/>
- Lauren Stiller Rikleen, Massachusetts Bar Association, [Survey of Workplace Conduct and Behaviors in Law Firms](https://wbawbf.org/sites/WBAR-PR1/files/WBA%20Survey%20of%20Workplace%20Conduct%20and%20Behaviors%20in%20Law%20Firms%20FINAL.pdf), 2018. <https://wbawbf.org/sites/WBAR-PR1/files/WBA%20Survey%20of%20Workplace%20Conduct%20and%20Behaviors%20in%20Law%20Firms%20FINAL.pdf>
- Kieran Pender, International Bar Association, [Us Too? Bullying and Sexual Harassment in the Legal Profession](https://www.ibanet.org/bullying-and-sexual-harassment), 2019. <https://www.ibanet.org/bullying-and-sexual-harassment>

SEXUAL HARASSMENT IN GENERAL

- Chai R. Feldblum and Victoria A. Lipnic, U.S. Equal Employment Opportunity Commission, [Select Task Force on the Study of Harassment in the Workplace](https://www.eeoc.gov/select-task-force-study-harassment-workplace), June 2016. <https://www.eeoc.gov/select-task-force-study-harassment-workplace>
- [The Purple Campaign](https://www.purplecampaign.org/) (corporate engagement, legislation and lobbying). <https://www.purplecampaign.org/>
- Jody Heymann, Aleta Sprague, Amy Raub, "Why Ending Sexual Harassment is Integral to Ending Gender Discrimination" in [Equality Within Our Lifetimes: How Laws and Policies Can Close-or Widen-Gender Gaps in Economies Worldwide](https://www.worldpolicycenter.org/events-launches/equality-within-our-lifetimes-how-laws-and-policies-can-close-or-widen-gender-gaps-in-economies-worldwide), University of California Press, 2023, pp 83-108. <https://www.worldpolicycenter.org/events-launches/equality-within-our-lifetimes-how-laws-and-policies-can-close-or-widen-gender-gaps-in-economies-worldwide>

CONVERSATIONS VS "TRAINING"— WHAT WORKS/WHAT DOESN'T

- Sarah Beaulieu, [Breaking the Silence Habit: A Practical Guide to Uncomfortable Conversations in the #MeToo Workplace](https://www.amazon.com/Breaking-Silence-Habit-Uncomfortable-Conversations/dp/1523087404), Berrett-Koehler Publishers, 2020. <https://www.amazon.com/Breaking-Silence-Habit-Uncomfortable-Conversations/dp/1523087404>
- Kathy Gurchiek, "Sexual Harassment Prevention Training Should Involve Real Conversations," *SHRM*, May 30, 2018. <https://www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/sexual-harassment-prevention-training-should-involve-real-conversations.aspx>
- Claire Cain Miller, "Sexual Harassment Training Doesn't Work. But Some Things Do." *New York Times*, Dec. 11, 2017, <https://www.nytimes.com/2017/12/11/upshot/sexual-harassment-workplace-prevention-effective.html>
- Maya Rhodan, "Does Sexual Harassment Training Work? Here's What the Research Shows," *Time*, Nov. 11, 2017. <https://time.com/5032074/does-sexual-harassment-training-work-heres-what-the-research-shows/>

MALE ALLYSHIP

- David G. Smith and W. Brad Johnson, [Good Guys: How Men Can Be Better Allies for Women in the Workplace](https://www.workplaceallies.com/books/goodguys), Harvard Business Review Press, 2020. <https://www.workplaceallies.com/books/goodguys>
- [Good Guys](https://www.workplaceallies.com/), an initiative of the National Conference of Women's Bar Associations.
- Hira Ali, [Her Allies: A Practical Toolkit to Help Men Lead through Advocacy](https://neemtreepress.com/book/her-allies-a-practical-toolkit-to-help-men-lead-through-advocacy/), Neem Tree Press, 2021. <https://neemtreepress.com/book/her-allies-a-practical-toolkit-to-help-men-lead-through-advocacy/>

ENDNOTES

- 1 Krentz, Wierzba, Abouzahr, Garcia-Alonso, Taplett, Boston Consulting Group, [Five Ways Men Can Improve Gender Diversity at Work](https://www.bcg.com/publications/2017/people-organization-behavior-culture-five-ways-men-improve-gender-diversity-work), Oct. 2017. <https://www.bcg.com/publications/2017/people-organization-behavior-culture-five-ways-men-improve-gender-diversity-work>
- 2 The following organizations focus generally on gender equity issues rather than specifically on sexual harassment: David G. Smith and W. Brad Johnson, [Good Guys: How Men Can Be Better Allies for Women in the Workplace](https://www.workplaceallies.com/books/goodguys), Harvard Business Review Press, 2020 <https://www.workplaceallies.com/books/goodguys> (research focused on non-legal professions); [Good Guys](https://www.ncwba.org/programs/good-guys-toolkit/), National Conference of Women's Bar Associations, <https://www.ncwba.org/programs/good-guys-toolkit/> (program encourages male lawyers to act as allies to women in the workplace); [Men Advocating Real Change](https://www.catalyst.org/marc/), Catalyst, <https://www.catalyst.org/marc/> (utilizes research to promote inclusive workplaces); [Men in the Mix](https://www.americanbar.org/groups/diversity/women/initiatives_awards/men-in-the-mix/), Commission on Women in the Profession. https://www.americanbar.org/groups/diversity/women/initiatives_awards/men-in-the-mix/
- 3 "For me a male ally is a man who actively supports establishing and maintaining gender equality. It is someone who believes all genders should be able to access the same opportunities, make contributions and develop themselves with the same ease." Michelle Redfern, [Man to Man: What Does it Really Take to be a Male Ally](https://www.leadingnow.biz/blog/man-to-man-what-does-it-really-take-to-be-a-male-ally/), <https://www.leadingnow.biz/blog/man-to-man-what-does-it-really-take-to-be-a-male-ally/>

"A male ally is any man that is willing to advocate and speak up in support of gender equality." *Id.*

"A male ally accepts, without any skepticism, women do not get a fair shot at opportunities in the workforce! And strives to do 'more' to help women have an equal chance. *Id.*

"A male ally is someone who recognizes and celebrates the ... qualities women can bring to any organization, understands how those qualities are not valued equally, and publicly works for fairness, equity and an inclusive workspace where all people are valued equally." *Id.*

"It's about listening so we can try to understand, learning what it is we don't know, how we can make a difference, and then doing something about it." [The Role of Male Allies in Progressing Towards Gender Parity](https://www.grantthornton.global/en/insights/articles/the-role-of-male-allies-in-progressing-towards-gender-parity/), Grant Thornton, <https://www.grantthornton.global/en/insights/articles/the-role-of-male-allies-in-progressing-towards-gender-parity/>

Male allies for gender equality are advocates who work in partnership with women to uproot and transform harmful gender relations and stereotypes. [ParlTools Website](https://parltools.org/en/male-allies-gender-equality/). <https://parltools.org/en/male-allies-gender-equality/>
- 4 Carly Hauck, [Nine Tips for Being a Male Ally at Work](https://greatergood.berkeley.edu/article/item/nine_tips_for_being_a_male_ally_at_work), Greater Good Magazine (May 19, 2021), https://greatergood.berkeley.edu/article/item/nine_tips_for_being_a_male_ally_at_work.
- 5 See, e.g., Krentz, Wierzba, Abouzahr, Garcia-Alonso, Taplett, Boston Consulting Group, [Five Ways Men Can Improve Gender Diversity at Work](https://www.bcg.com/publications/2017/people-organization-behavior-culture-five-ways-men-improve-gender-diversity-work), Oct. 2017, <https://www.bcg.com/publications/2017/people-organization-behavior-culture-five-ways-men-improve-gender-diversity-work>; Also see, e.g., [The Role of Male Allies in Progressing Towards Gender Parity](https://www.grantthornton.global/en/insights/articles/the-role-of-male-allies-in-progressing-towards-gender-parity/#:~:text=The%20impact%20of%20male%20allies&text=Researchers%20at%20the%20University%20of,while%20reducing%20feelings%20of%20isolation), Grant Thornton, May, 2022, <https://www.grantthornton.global/en/insights/articles/the-role-of-male-allies-in-progressing-towards-gender-parity/#:~:text=The%20impact%20of%20male%20allies&text=Researchers%20at%20the%20University%20of,while%20reducing%20feelings%20of%20isolation>; [Male Allies at Work: Gender Equality Supportive Men Reduce Negative Underrepresentation Effects Among Women](https://journals.sagepub.com/doi/10.1177/19485506211033748), Sage Journals, <https://journals.sagepub.com/doi/10.1177/19485506211033748>

- 6 David G. Smith and W. Brad Johnson, *Good Guys: How Men Can Be Better Allies for Women in the Workplace*, Harvard Business Review Press, 2020, <https://www.workplaceallies.com/books/goodguys>
- 7 *ABA Survey Finds 1.3 M Lawyers in the U.S.* American Bar Association, Jun. 20, 2022, <https://www.americanbar.org/news/abanews/aba-news-archives/2022/06/aba-lawyers-survey/>
- 8 Chai R. Feldblum and Victoria A. Lipnic, U.S. Equal Employment Opportunity Commission, *Select Task Force on the Study of Harassment in the Workplace*, June 2016., <https://www.eeoc.gov/select-task-force-study-harassment-workplace>
- 9 Serena Does, Seval Gundemir, & Margaret Shig, *How Sexual Harassment Affects a Company's Image*, Harvard Business Review Jun. 11, 2018, <https://hbr.org/2018/06/research-how-sexual-harassment-affects-a-companys-public-image>
- 10 *Sexual Harassment: a guide to confidentiality and transparency*, Champions of Change Coalition, 2021, https://championsofchangecoalition.org/wp-content/uploads/2021/05/Disrupting-the-System_3.-Sexual-Harassment-a-guide-to-confidentially-and-transparency.pdf
- 11 Women Lawyers On Guard Inc., *Still Broken: Sexual Harassment and Misconduct in the Legal Profession*, A National Study, 2020. <https://womenlawyersonguard.org/still-broken>
- 12 Claire Cain Miller, "Sexual Harassment Training Doesn't Work. But Some Things Do.," New York Times, Dec. 11, 2017, <https://www.nytimes.com/2017/12/11/upshot/sexual-harassment-workplace-prevention-effective.html>
- 13 See **CWM: FROM INITIATIVE TO PILOT TO A VIABLE MODEL**, pages 24.-27
- 14 See **CWM: FROM INITIATIVE TO PILOT TO A VIABLE MODEL**, pages 24.-27
- 15 Once these resources are available, they will be posted to the Women Lawyers on Guard Website: <https://womenlawyersonguard.org>
- 16 See **CWM: FROM INITIATIVE TO PILOT TO A VIABLE MODEL**, pages 24.-27
- 17 See Why a Male Facilitator, page 24 for an explanation of why a male facilitator was chosen.
- 18 WLG recommends that at least three sessions are conducted in replicated programs.

WLG Board Members: Cory Amron, Deborah Barron, Lorelie Masters, Courtney Toomath-West, Pilar Velasquez McLaughlin, Norma Hutcheson, Michelle Kallen, Nicole Revenaugh, Stephanie Schlatter, Ashley Steinberg, Karen Suber, Joy Thompson

WLGAN Board Members: Cory Amron, Corrine Parver, Elaine Metlin, Lorelie Masters, Paulette Chapman, Courtney Toomath-West, Deborah Barron

CWM Design and Art Direction: Debbie Witt

Research Assistant: Katherine Peterson

LINKS

These are the links for the WLG resources that appear throughout the report:

CWM Webpage: <https://womenlawyersonguard.org/conversationswithmen/>

CWM 20-minute video: https://youtu.be/23vo6-if_xO

Still Broken: <https://womenlawyersonguard.org/still-broken/>

WLG Donate: <https://womenlawyersonguard.org/donate/> (purple button)

Join WLG: <https://womenlawyersonguard.org/join/> (no fees, no barrage of email, we JUST need your support)

WLG Contact: camron@womenlawyersonguard.org



WOMEN LAWYERS ON GUARD INC.

P.O. Box 100551

Arlington, VA 22210

www.womenlawyersonguard.org

***Staying silent
is not an option.***

