

ARTICLES

A Conversation with the First Women to Lead Two of Delaware's Largest Firms

By Valerie Caras – February 20, 2020

When Kathleen Furey McDonough was elected chair of Potter Anderson and Corroon LLP's executive committee in 2018, she became the first woman to lead a major Delaware firm. Doneene K. Damon, elected president of Richards, Layton, and Finger, P.A., in 2019, became the first African American woman in Delaware to serve in that role. Neither thought they would pursue or achieve those milestones when they joined their respective firms. According to Damon, "Even a decade ago, no one would have thought that would have been a possibility." McDonough agrees: "That's right—let alone 34 years ago!"

And yet, here they are, leading two of Delaware's largest firms.

Both natives of Philadelphia, McDonough and Damon came to Delaware—a state where everyone tends to know everyone else—without any personal connections. "There's a half of a degree separating everyone in Delaware," joked Damon, who said that she didn't know anyone in Delaware when she started practicing. "I didn't even have a third cousin twice-removed living here," McDonough quipped. "I hope that the fact that we have been able to succeed in this realm is encouraging to others because we didn't have any particular leg-up."

When McDonough joined Potter in 1985, she was one of only three female attorneys employed by the firm. Similarly, when Damon joined Richards in 1992, only 2 of 31 partners were female. While rising through the ranks of a male-dominated legal world, both recall the successful women they worked with and learned from. McDonough explains that one of her fellow female associates, Mary Copper, eventually became Potter's first female partner. At Richards, "the fact that there were only two female partners, Anne Foster and Cindy Kaiser, was always a topic of conversation among young women lawyers," Damon explained. "We looked to their example. We watched when Lisa Schmidt was elevated to the partnership, because you try to emulate those who have gone before you. We wondered whether there was a path for us."

Embracing Creative Paths to Success

Although McDonough and Damon found their paths to success, they emphasize that not all paths should look alike. They agree that firms must make clear to women there is no one way to succeed.

Damon: "Statistics show that at a certain point in a young woman's career, many of them choose to opt out because they don't necessarily see a path forward. So my perspective is, 'How can I help clearly identify what a path forward for a young woman might look like so she doesn't think about opting out?' It's extremely difficult to manage a professional life with a personal life—but it's doable. We've done it, women before us have done it, and women after us continue to do it."

McDonough: “I agree. In the past, firms were led by lawyers who were male and who primarily took one path to success. They likely had spouses who didn’t work, who raised children, and who took care of all of the family’s personal and social obligations. That path should no longer be the only path to success. What firms have to do across the spectrum of size is identify equally contributory paths for women and show that success doesn’t look one way. In that respect, helping women succeed is 100 percent about retention. And that’s clearly where law firms have failed. We have a situation where more than 50 percent of students coming out of law school are women but only roughly 20 percent of equity partners are women.”

Damon: “Yes, that disconnect is huge. And to think about the sheer numbers of women who choose to opt out because they don’t know the various paths that are available to them.”

McDonough: “If you have someone making her own path, you need to have people who are receptive, saying, ‘That can work.’ Every client will tell you that the best lawyers are the ones who say, ‘You can’t do that because this is what will happen, but I can get you to where you want to be if you take this other route.’ Lawyers who just say ‘No’ aren’t very good lawyers at all. Great lawyers are creative. Great leaders should be as well, saying, ‘I need to keep you. You’re talented, valuable, and you have a future in this firm. Let me help you figure out a way to get there.’”

Damon: “We have to be open-minded and allow for a level of creativity that didn’t exist before.”

Making the Case for Diversity

Both McDonough and Damon concede that, on occasion, they have encountered colleagues who may not agree with making diversity initiatives firm priorities. When asked how to persuade those colleagues to think differently, they say clients play a huge role.

Damon: “For the people who don’t prioritize gender diversity because it’s fair and equitable, their perspective will start to change when you can explain to them from the business imperative perspective why this is important.”

McDonough: “And that’s where clients come in. When I’ve spoken to clients and at conferences on this topic, I’ve said, ‘In-house lawyers in the room: Don’t let up.’ When our corporate clients advance requirements like the [Intel rule](#), mandating a certain level of diversity from firms that work on that corporation’s matters, firms must respond.”

Damon: “Clients are very much in tune to the benefits of diversity of perspective. For example, we represent large banks who make us report to them on a quarterly basis metrics such as who is working on their matters, how many women, how many minorities, etc. Banks might call and ask questions like ‘Why have there been fewer

women working on our matters during the last quarter? What is the rationale? This is important to us. We recognize the significance in having diversity in perspective and that genders bring different viewpoints.’ When clients hold you accountable, the people who don’t necessarily get it for the right reasons, they get it because the clients make it a priority.”

McDonough: “The law firm equity partner track can be among the most challenging legal careers. And there are not insignificant numbers of women who say that they want to practice law but believe that they can balance their lives better if they can take an in-house position. In-house law departments have significant numbers of female lawyers.”

Damon: “And that’s why it’s a client imperative, because the women in these positions are helping to make it a client imperative.”

McDonough: “Exactly. Women are going in-house and saying, ‘Stop running women out of law firms.’”

Damon: “While clients play a huge role, a number of my male partners’ perspectives have changed since their daughters have entered the workforce. They didn’t see gender diversity in the workplace as being an issue with their wives, who may have made a different life choice.”

McDonough: “Or maybe those wives were forced to make that choice—they wanted to have a career but, for whatever reason, opted out.”

Damon: “Yes. And now, those partners are seeing diversity initiatives in a way that they didn’t before. And that’s human nature. Once something starts to affect you directly, you start to see aspects of it that you never could see previously.”

McDonough: “We shake our heads, but we say, ‘Fine. Took you long enough, but we’ll take it. Now you get it.’”

Recruiting and Retaining Women of Color

Damon and McDonough acknowledge that recruiting and retaining women of color continues to be a particularly difficult challenge, especially given that African Americans hold fewer leadership positions than other underrepresented groups. When Damon joined the Richards partnership in 1999, she was the first African American attorney to make partner at a major Delaware law firm.

Damon: “While there aren’t many women leaders, the percentage of African American leaders is even smaller. From my perspective, I have an obligation to get in front of law students, to sit in the room with the Black Law Students Association, and say, ‘Here’s why the practice of law is so phenomenal. Here’s why you should be considering

Delaware.’ And let them see that not only are there successful practitioners in general but there’s an African American woman in one of those spots. Until young people can actually visualize themselves in someone else’s role, it’s difficult for them to see the path from A to Z. I can’t tell you the number of times I’ve sat in a room with young, African American female law students who have said, ‘I’ve never met a black woman partner in a law firm.’ Many of them didn’t even think about law firm partnership as a possibility. How sad is that? So from that perspective, I do feel it as a personal responsibility to get in front of as many women as I can—including African American women—and say, ‘Don’t limit yourself.’”

McDonough: “The more exposure all of us have to diverse individuals across the board, the better that is for the bar. That’s why the [elevation of our newest justice \[Tamika Montgomery-Reeves\] to our state supreme court](#)—and her prior elevation to the Court of Chancery—has so profoundly impacted our profession. These promotions give all of us an opportunity—from the young African American female law student to the white, male, 60-year-old partner—to see that success can look different, and it doesn’t have to look like one thing.”

Damon: “It broadens everyone’s mindset. I’ve made it a priority to get to know as many people in the firm as I can on a personal level. What are your hobbies? What is your family like? The more you can get to know a person, the more your perspectives broaden.”

McDonough: “And for those people in the world for whom being kind to others isn’t enough of an incentive, the fact is the more you get to know the people you work with, the better the chance you have of retaining them.”

Damon: “That’s right. A partner may say, ‘I don’t want to impose on this female associate and ask her to join me on the West Coast for these depositions because I know she has a young child.’ And I can say, ‘Why are you assuming that because she has a young child, she doesn’t want to take this assignment? You may think you’re doing something good for her by not asking her to join you, but what you’re actually doing is depriving her of an opportunity to experience an aspect of her career vital to her professional development. Let her make the choice.’ And I can have those conversations more comfortably when I know the person and have a sense as to her goals.”

Male Allies

McDonough and Damon were quick to praise the men who helped advance their careers, and they acknowledge that equality of opportunity can’t be achieved by underrepresented groups working alone. Relatedly, both McDonough and Damon advise young women to seek mentors with diverse perspectives.

Damon: “My advice to young women seeking to succeed in a law firm is, first, to keep yourself open to opportunities. Don’t close yourself off because you don’t know where opportunities are going to come from. Second, don’t just look for mentors in people who look like you. When I started, my mentors at the firm were older, white males, and they were phenomenal. They took an interest in me, they got to know me, they were focused on my professional development, and I very much credit the two of them with my success at the firm. If I were only looking for women to guide me, I might have had a very different experience.”

McDonough: “Of course there have been men who have been champions of diversity. We couldn’t have succeeded without them. We became partners in our firm not solely on the strength of women who supported us but on men who said, ‘These are great lawyers; we need to make them partners.’ You have to be open to all opportunities. Men don’t always vote for men because they are men, and women don’t vote for women because they are women. That isn’t and shouldn’t be the case. You don’t have to come from a diverse background to be an ally and champion of diversity.”

The Future’s Promise

McDonough: “We’ve come a long way, but we’re not there yet. We should get to the point where we’re not looking at these numbers. It won’t feel like real success until it’s not news that women are leading two of the major Delaware law firms, that firms don’t have to count whether they’re meeting the Intel rule. It’s just the status quo. We’re not there, and we’re looking to the next generation to get us there.”

Damon: “No pressure.”

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