

Using Grit and Growth Mindsets to Advance Women in the Law

Sarah McKenna

This article discusses The Grit Project from the American Bar Association (ABA), which focuses on using two non-cognitive traits, grit and growth mindset, to advance women in the law.

Statistically, the number of women attorneys successfully transitioning from associate to non-equity to equity partner is significantly less than men. In 2013, 47 percent of associates, 29 percent of non-equity partners, and only 17 percent of equity partners in AmLaw200 Law Firms were women. (Report of the Eighth Annual NAWL National Survey on Retention and Promotion of Women in Law Firms, 2013.) In 2017, those figures have barely improved — 47 percent of associates, 30 percent of non-equity partners, and 19 percent of equity partners are women. (Report of the Twelfth Annual NAWL National Survey on Retention and Promotion of Women in Law Firms, 2017.)

Many studies have examined the obstacles facing women trying to break into the equity partnership ranks; however, there had not been much work focused on advancing women in the legal profession. See, e.g., Catherine Hill, Ph.D., *et al.*, *Barriers and Bias: The Status of Women in Leadership*, AAUW, March 2016; Herminia Ibarra, *et al.*, *Women Rising: The Unseen Barriers*, Harvard Business Review, Sept. 2013.

In the first study to look at what women rising in leadership ranks had in common, Dr. Milana Hogan studied 500 women attorneys at AmLaw 200 law firms. Milana Hogan, *Non-Cognitive Traits that Impact Female Success in BigLaw*, Dissertation in Work-Based Learning Leadership, presented to the Faculties of the University of Pennsylvania, 2013. Her research revealed that there are two common characteristics

among these women: grit and growth mindset. *Id.*

Before examining grit and growth, consider the foundation of expertise. The threshold question is whether an individual believes that talent is innate. Dr. Anders Ericsson, a Swedish psychologist and Conradi Eminent Scholar and Professor of Psychology at Florida State University, has concluded: “The differences between expert performers and normal adults are not immutable, that is, due to genetically prescribed talent. Instead, these differences reflect a life long period of deliberate effort to improve performance.” K. Anders Ericsson, *et al.*, *The Role of Deliberate Practice in the Acquisition of Expert Performance*, *Psychological Review*, Vol. 100 No. 3, 1993, 363-406 at 400.

This concept, that expertise is based on effort and not innate talent, is a powerful tool. Similarly, grit and growth mindset, the two traits found in women lawyers in leadership, are not innate skills but instead traits that can be practiced and strengthened to advance women in law. To be fair, these traits are not limited to women, nor are the scenarios in which they can be applied limited to the legal profession. Applying grit to a growth mindset in any endeavor will equate with success.

Mindset

Mindsets are beliefs about yourself and your most basic qualities. For example, “I am brave;” “I am intelligent;” or “I am strong.” The mindset concept comes from the work of psychologist Carol Dweck, the Lewis and Virginia East Professor of Psychology at Stanford University. After decades of researching achievement and success, she determined people generally have one of two mindsets: fixed or growth. See Carol Dweck, *Mindset: The*

New Psychology of Success, (Random House, New York 2006).

Individuals with a fixed mindset approach the world with the belief that people are born with intelligence and talent and nothing can be done to change that, i.e., either you have it or you don't. Individuals with a growth mindset believe in the power of effort. These individuals approach the world believing the brain is a muscle and the more you work it and the more effort you put in to learning, the smarter an individual can become.

In her research, Dweck and her colleague, Lisa Blackwell, studied junior high school math students and female graduate students at Columbia University. See Carol S. Dweck, *et al.*, *Academic Tenacity: Mindset and Skills that Promote Long-Term Learning*, Bill and Melinda Gates Foundation, 2014; Lisa Blackwell, *et al.* (2007), *Implicit theories of intelligence predict achievement across an adolescent transition: A longitudinal study and an intervention*, *Child Development*, 78 at 246-263. In both studies, the subjects were divided into two groups: one control group and one group that received a lesson regarding growth mindset, i.e., teaching the subjects that intelligence can be developed and is not innate.

The junior high school math students that received the 50-minute growth mindset course had increased math scores in just one semester. The study found that female graduate students with the growth mindset were more likely to perform well in math and science classes than those with a fixed mindset. Those individuals approached the challenge with the mindset that if they work hard and put more effort in, they would be successful. The individuals with a fixed mindset who dropped out of math and science classes believed they simply did not have what

it takes.

Dweck created a mindset quiz. You can find the quiz online at www.mindsetonline.com. The questions are designed to assess whether you have a fixed or growth mindset. For example, do you agree or disagree that you have a certain amount of intelligence or talent and you can't change it? If you strongly agree, you have a fixed mindset. If you strongly disagree, you have a growth mindset. Everyone falls on a spectrum between fixed and growth. There are four categories of mindset with correlating test scores: strong growth mindset (61-80); growth mindset with some fixed ideas (41-60); fixed mindset with some growth ideas (21-40); and strong fixed mindset (0-20).

In 2013, Dr. Hogan studied mindset in women in Biglaw. The average score was 44/80 or 2.75 on a 5 point scale. This was categorized as a growth mindset with some fixed ideas; however, it is at the low end of that category and closer to a fixed mindset with some growth ideas. This demonstrates that women in law need to improve the growth mindset, which can be practiced and improved. We should approach the legal profession taking the position that if we put in the effort, we will be successful.

Grit

Grit can be defined as perseverance and passion for long-term goals. Grit has two key components: (1) behavioral persistence in the face of adversity; and (2) sustained, passionate pursuit of goals. Grit must have both components and is more than just working hard. Instead, it is working in a deliberate, focused way to improve performance over a long period of time.

Grit is also not the same as self-discipline. Self-discipline alone often has a short-term goal, e.g., dieting for a particular event versus healthy eating habits to improve quality of life over time. Similarly, passion does not always precede grit. One may have grit with respect to a task without having passion, although passion may eventually develop.

Grit is derived from the research of Angela Duckworth. Angela Duckworth, *Grit: The Power of Passion and Perseverance* (Scribner 2016). After conducting many studies in numerous contexts, e.g., West Point, National Spelling bee, new teachers in difficult schools, individuals working in sales, Duckworth came to the conclusion that success is more than simply intelligence. In each of the contexts she studied, there was a single common trait that led to success: grit. She describes this in her TED Talk as sticking with your future, having stamina, and approaching life as a marathon and not a sprint.

Duckworth also found that talent does not necessarily equate with grit. Additionally, there is a correlation between grit and a growth mindset: teaching growth mindset will increase grit. If you fail at a task and approach it with a growth mindset, you are more likely to put further effort in to change the outcome resulting in increased perseverance and grit.

As with mindset, there is a grit test. You can find the quiz at www.angeladuckworth.com. The questions are designed to assess how gritty an individual is on a "grit scale." For example, if you strongly agree with the statement, "Setbacks don't discourage me. I don't give up easily," then you are very gritty. If you strongly agree with the statement, "I often set a goal but later chose to pursue a different one," then you are less gritty.

Dr. Hogan, in her 2013 study of women in Biglaw, found that women averaged a 3.94 on a 5 point scale for grit. This is substantially higher than the 2.75 score for growth mindset. However, Duckworth's research suggests that individuals can increase their grit score by employing a growth mindset.

Dr. Hogan concluded that women lawyers are very high on the grit scale. She found a strong statistical significance between grit scores and measures of success. For example, women with high grit scores were more likely to have high

evaluation scores, be on the partnership track, have high billable hours, and have a favorable perception of their work product. She also concluded that grit is a non-cognitive trait that women have when entering the practice, and it increases over time.

As a result of this study, we understand many highly successful female lawyers employ growth mindset characteristics when dealing with challenging situations, although there is room for improvement for women lawyers generally. Women lawyers employing growth mindset characteristics tend to see failure not as an end, but as an opportunity for improvement. They also seek to learn as much as they can about failures to see how they can do things differently going forward.

These are characteristics that can be practiced and improved over time. Some strategies for improving growth mindset include: learning how to handle and learn from failure; learning how to receive and give criticism, being realistically optimistic, identifying your passions and assigning meaning and context to tasks. Don't assume you can't do it; try on a growth mindset and apply grit.

The results of Dr. Hogan's study and the work of the ABA Commission on Women in the Profession demonstrate that women lawyers in leadership have both grit and a growth mindset. These are two non-cognitive traits that can be practiced and strengthened over time. Developing and enhancing these non-cognitive traits is a positive, pro-active way to encourage the advancement of women in the law.

Sarah McKenna is an associate at Dinsmore and Shohl's Louisville office in the Litigation Department. She also serves on the LBA Public Service Committee.

