

# My flexibility story

Practitioner Kate Denning says providing true flexibility to lawyers will be critical to the future viability of the profession.

**Denning Insurance Law principal Kate Denning says “flexibility is the new black”.**

“Very few lawyers that I know of work full-time business hours – in a traditional law firm – in an office environment,” she said.

Despite this positive adoption of flexible work practices, Kate considers that there remain impediments for advancement through to partnership in traditional law firms while working flexibly.

“Male lawyers usually have no flexibility in their roles and those that do can be perceived as weaker than their colleagues in some firms,” she said. “This really has to change. Flexibility shouldn’t be just for working mothers. Happier lawyers get along better with clients and are easier for firms to retain.”

Flexibility will be required to ensure lawyers are able to service the needs of their clients and their firms while also caring for elderly parents, playing representative sport, undertaking further studies, becoming a primary carer for children, or “whatever reason may require you to work outside a traditional, in-the-office, 8am-to-6pm workday”.

Before opening her own practice, Kate worked part-time for several years, because her children were young.

“Despite working part time, I still missed lots of experiences with my children because my part-time hours/days were ‘fixed’; there remained little flexibility within those hours. I didn’t see the children receive awards at school assembly. I didn’t go on school excursions with them. That’s been difficult, but in the end I was the one who didn’t request more flexibility in the way my part-time arrangement worked.



“Earlier in my career, I experimented with the number of days I worked. When I worked four days a week, I found that I would end up with the file load of a full-time employee. So, after I had my second child, I worked three days a week, until I started my own practice.”

Now, however, she works full-time. “As a business owner, I’m often working 50-plus hours per week, to establish the practice,” she said. “If I’m working from home and a call comes into the business, a message is taken and I return the call from my mobile that day. If I need to do work on the weekend, I do it. If I want to go on a school excursion with one of my children, I can do that too.”

Kate has a serviced office in the Brisbane CBD, where she works most days, and a home office. While moving between spaces with equipment and files can be a challenge, Kate hopes to gradually decrease her reliance on paper. She says that establishing a practice in 2015 has required an understanding of the fact her future employees will require flexibility in terms of where and when they work.

“Ultimately, my goal is to take on more staff and for flexibility to be a key feature of the practice; a firm in which flexibility is standard, to attract the best talent – at least that’s the dream.”

Kate said she had seen many colleagues suffer from stress and mental illness in the profession.

Clients can benefit too, with a flexible work arrangement allowing a lawyer to work on a matter overnight and send advice to the client in the morning, taking some other time off in lieu. A lawyer working business hours might not send that same advice to the client until the afternoon.

Within 12 months of returning from maternity leave with each of her children, Kate achieved promotion while working part-time – to associate, senior solicitor and then special counsel.

“I think that where the difficulty can lie is for those lawyers who try and ascend to partnership level while working part-time or flexibly,” she said. “There are still assumptions made about the career aspirations of lawyers who want to work part-time or flexibly. That time in our careers, when we’re trying to get to partnership level, can also coincide with child-bearing. Law firms need to realise that for women (many of whom may be the breadwinner in their household), having children doesn’t make your career aspirations go away.

“The criteria for promotion to partnership in traditional law firms can favour full-time employees, with inadequate pro-rata adjustments made to allow part-time workers to satisfy financial targets. Law firms may see the value in having senior lawyers working part-time who supervise junior lawyers, but then doubt the value those lawyers could bring to the partnership.

“The result is that women, who are still the primary caregivers in most families and occupy the majority of these part-time roles, will not be fully represented at leadership levels in law firms.”

This story appears on behalf of the flexibility working group, an initiative of the Queensland Law Society and Women Lawyers Association of Queensland. The group needs your story – good or bad. Please contact [flexibility@qls.com.au](mailto:flexibility@qls.com.au) and share your experiences with flexibility in the legal profession.