

# Making It Work for Working Moms (and Dads): How law firms can support new parents

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There are few events in life more pivotal and significant than becoming a parent, especially for the first time. Yet even in today's era of post-COVID-19 extravagant employee wellness initiatives that focus on mental health, many employers fail to recognize the importance of providing their workforce with the one benefit that will enhance both employee retention and job satisfaction: a robust parental leave policy.

In the United States as a whole, there is no minimum paid parental leave; employers that are subject to the Family and Medical Leave Act must hold a new parent's job for 12 weeks, during which time the parent may or may not be paid. As a result, it falls on employers to decide whether to offer parental leave and whether such leave is paid or unpaid. For most new mothers, the absence of a robust employer-paid parental leave policy leaves them between a rock and a hard place, forced to choose between taking time to physically recover from birth and bond with their newborn, and disregarding their own and their baby's needs by returning to work as soon as possible to limit financial repercussions for their family.

As a possible reaction to these insufficient options in modern times, women are leaving the workforce in record numbers. According to the [2023 State of Motherhood Survey](#), which surveyed nearly 10,000 women in the U.S., the number of stay-at-home mothers nearly doubled from 2022 to 2023 alone, increasing from 15% to a whopping 25%. Women are also leaving law firms, specifically, at increasing rates— although those decisions are based on far more than insufficient parental leave policies. In a [2022 survey of 199 women lawyers who left law firms](#), 85% of respondents cited a lack of work-life balance as the most important factor in their decision to leave their job, followed by a lack of flexibility at 70%, and 24% of respondents cited a need to stay home with children. These results indicate that, by and large, women attorneys do not feel that they need to stop working to raise their children, but they do need balance and flexibility.

Now that we have identified the problem, we can turn to the billion-dollar question: How can employers, and particularly law firms, respond to these issues in a modern way to support their workforce and encourage long-term retention? We break the necessities into three

general buckets: (1) adequate paid parental leave; (2) a supportive structure for reintegration; and (3) genuine long-term balance between professional and personal commitments.

## Adequate (or better) parental leave

Today, employers with sufficient resources simply have no excuse to skimp on paid parental leave. The U.S. is one of only eight countries in the world with no guaranteed paid parental leave and falls abysmally short of the global standard for length of parental leave, whether paid or unpaid. Even the 12 weeks guaranteed under FMLA (which does not apply to every employer) are in many cases insufficient for a new mother to fully recover physically and, perhaps more importantly, establish a secure attachment with her newborn that will allow her to feel confident returning to work.

If a family has faced the additional challenge of a newborn needing to spend time in a NICU, this problem is compounded; very few leave policies provide for any adjustments based on the length of a NICU stay, despite [studies](#) showing that paid parental leave improves health outcomes for preterm infants.

Lack of sufficient paid leave perpetuates the problem of relatively few women rising into senior leadership roles. On the other hand, when given enough paid time off, employees are more likely to return reengaged, feeling valued and having a network that they can utilize in navigating their new normal. The time spent on parental leave is a fraction of an entire legal career and upon return, employees jump right back into serving clients and billing hours.

Even with all of the well-documented benefits of paid leave, outdated stigmas remain associated with parental leave, such as the idea that women who prioritize time with their children are not as serious about their careers as their male counterparts. To lessen this misperception, it is critical that men be offered—and actually take—parental leave too. Extending leave policies to male parents has the added practical benefit of allowing parents to stagger their leaves, if they choose, to delay the introduction of other caregivers or day care, both of which can be incredibly expensive and contribute to the stress of returning to work.

While offering leave is great, for most people, unpaid leave equates to no leave at all. It forces parents to return to work before they are physically or emotionally ready (especially the mothers who gave birth). This leads to employee resentment and many women ultimately deciding to prematurely leave the professional workforce.

### Supportive reintegration

Even with generous parental leave policies in place, returning to work after a period spent solely caring for a baby can be stressful. To ease this adjustment and better support parents through those particularly challenging first few months, employers should consider instituting a ramp-up period.

A ramp-up period allows new parents to ease back into the working space without being penalized for initially working less and allows them to rebuild their workload organically to prevent burnout. Companies may consider, for example, allowing newly returned employees to work at a 70% or 80% rate for the first month or two; organizations that want to go above and beyond could compensate those employees at 100% of their normal salary during that time.

### Long-term flexibility

Last, a flexible work schedule is a crucial factor for today's working parents. The pandemic taught us that, most of the time, attorneys can work anywhere Wi-Fi exists (everywhere!). While the idea of a hybrid work environment was unusual prior to the pandemic, many women have realized that the five-day in-office

workweek was established for the sole benefit of men who had wives at home taking care of their children. For the wives in the equation, many of whom are now the employees we're discussing here, this bargain has little benefit today. Many fathers also reap the benefits of hybrid and flexible work schedules, and their children are benefiting in big ways: Studies consistently show that children with more involved fathers have better emotional, social and academic outcomes.

Of course, attorneys must still work hard to meet client demands and billable hour requirements, but flexible arrangements can help them achieve this in the long term by preventing burnout and feelings of guilt that can take away from productivity. Allowing for a hybrid work environment is a huge win for working parents and goes a long way toward allowing them to maximize billable time while also spending meaningful time with their children.

There is no one-size-fits-all approach to supporting new (and not so new) working parents; rather, employers should consider these options holistically. When deciding what benefits to offer and how generous those benefits should be, employers should keep in mind that better benefits will attract and retain top talent. Today's parents are prioritizing time with their children like never before, and employers should embrace those priorities with supportive short and long-term parental leave, reintegration and policies.

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