

Articles

"A Threat to Working Women Everywhere?"

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August 17, 1998

A story caught my eye the other day, an item in both *The New York Times* and *The Wall Street Journal* about a high-powered woman lawyer who lost custody of her two daughters because of her long work hours. Apparently, the dad had been a stay-at-home father who, he claims, did all the nurturing, homework helping, and peanut-butter-and-jelly making.

Though the mother, a partner in Miami's Steele, Hector & Davis, and her lawyers decry the ruling as a threat to working women everywhere, I cautiously disagree. In a twisted way, rulings like this actually have the potential to help women.

Granted, we don't know all the facts in this case. And the mother, Alice Hector, contends her ex-husband's claims at being the happy homemaker are a bit trumped-up. Still, presuming the dad really is a better "mom" than the girls' mother, what's wrong with a little recognition that fathers are — or at least should be — as devoted to parenting as mothers are?

Our society, and certainly our profession, has been slow to accept the notion of dads playing active parenting roles. If some people had their way, American families would consist solely of stay-at-home moms tending to kids and house while dad brings home the bacon. And, while some families operate best that way, many families, either by necessity or by choice, have two working parents.

Even in that structure, however, moms tend to still be the primary caregivers. Sure, dads are less absent than they were in the past, but most women will argue that they still do 80 to 90 percent of the parenting. The last thing I want to see is working mothers penalized for their choice. Far from it. As a working mother myself, I don't relish the idea of someone judging me because I hold down a demanding job at a large law firm. To those people, any time I spend away from my son is time he'll spend with a therapist coming to terms with his "neglected" childhood.

But if my husband decided to quit his job and devote himself full time to our son, and, God forbid, should we ever split up, I would expect a court to recognize that he, not I, is our son's chief caregiver.

Laundry and Brownies

The whole issue reminds us, however, that mothers, no matter what we do, are damned. Those of us who work sometimes feel as if we aren't doing a good enough job at either the home or the office. And those who don't work outside the home are often made to feel like their contribution to society amounts to little more than laundry and brownies.

Even when women are dedicated to their jobs, there's still the perception that they're all on the verge of quitting. I got a call a few weeks ago from a prospective client I hadn't talked to in a while, and he was quite shocked to get me on the phone.

"I heard you had a baby and retired," he said. After I assured him that, no, I was still a full-time lawyer, we got down to business. But the incident left a bad taste in my mouth. How many other phone calls had I missed from people assuming that, because I had become a mom I had stopped being a lawyer? How many clients sought other counsel because they presumed that I had either stopped working or wasn't going to be as responsive as I was pre-baby?

And, on a broader scope, how many women have been denied jobs because their would-be employers figured their training dollars would go down the drain when the employee started a family?

Even worse, how many times have those employers' assumptions been right? Many women simply find it too hard to keep a demanding job, nurture their children and maintain their sanity, all at the same time. Wouldn't it be nice if dads, not to mention our employers, collectively decided, for the good of our nation's families, to make parenting a national priority?

Of course, this is crazy talk.

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Unfortunately, the one job women were given from the inception of mankind is the perpetuation of the species. If we don't do it, nobody will. So isn't it time we stopped being penalized for it?

Originally appeared in **TEXAS LAWYER**

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