

## Japan Still Sees Fewer Female Law Firm Partners

By Anna Zhang

THE LAST DECADE HAS SEEN AN increase in the number of female lawyers in Japan, but few ever rise to senior positions or make partner.

At Japan's Big Four law firms, only 50 out of the 441 partners are women—about 11 percent. In contrast, 21 percent of the partners at the 254 U.S. firms that responded to The National Law Journal's Women In Law Scorecard survey this year are women.

Among the Japanese firms, Nishimura & Asahi has the best record: 18 out of the 118 partners, or 15 percent, are women. Mori Hamada & Matsumoto ranks second, with female partners accounting for about 12 percent of its 103 partners. At Nagashima Ohno & Tsunematsu, 11 percent of the partners are women, and at Anderson Mori & Tomotsune, the number is 7 percent.\*

According to the Japan Federation of Bar Associations, there were 6,904 female lawyers in Japan as of June 1, or 18.3 percent of the country's 37,670 lawyer population. In Tokyo, the country's prime legal market, the ratio is slightly higher, at 19.5 percent. In comparison, the American Bar Association reported that as of April this year, 36 percent of its members were female.

But from a historical perspective, the number of female lawyers in Japan has been growing



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steadily for the past 25 years. The percentage of female lawyers rose from 5.8 percent in 1991 to 10.1 percent in 2001, and to 18.2 percent in 2015. The number of female prosecutors also increased, from 3.8 percent in 1991 to 22.4 percent last year.

“Fifteen years ago, there were virtually no female legal managers at client meetings, but now there are more women present, as well as more women running the entire department and making the decisions,” said Louise Stoupe, Morrison & Foerster's Tokyo partner who represents Japanese companies in arbitration and litigation in the United States, the United Kingdom and around the Asia Pacific region.

Notably, in the past few years, as Japan Inc. has gradually embraced litigation, the number

of female litigators has grown. Chie Yakura, a Tokyo-based intellectual property litigation partner at MoFo, said the increase is particularly visible in the commercial disputes space.

“In the early 2000’s, female lawyers appearing in court were often very junior and handled mostly family, civil and criminal matters; there weren’t many women doing litigation on behalf of companies in cross-border dispute resolution cases,” she said. “The last 15 years have seen more high profile female commercial litigators.”

Yakura has represented foreign companies such as Dell, UPS and Motorola in Japanese courts and patent office.

Despite the fact that fewer than 10 percent of female lawyers specialize in disputes, more female commercial litigators have emerged over the past decade, as clients start to see their value, Yakura said.

“Now clients are becoming more comfortable being represented by female litigators, and some even desire representation by female litigators,” she said. “Traditionally, people thought men could argue better in public, but increasingly companies see that women give a more sincere impression in court and can present better in that regard for companies that care how they are viewed by the public.”

While women lawyers are now recognized for their professional capability, they still face a huge barrier to career advancement: How to balance work and family life.

“Partners need to work very hard and spend a lot of time in the office, but in Japan, the availability of daycare and babysitters for young children is extremely limited,” said Yakura.

Japanese society still expects women to take care of their children, and people are not accustomed to having non-family members babysit or do housekeeping, she said.

Shiho Ono, who became a partner at the Japanese firm Mori Hamada in March, agrees.

“I’m not sure the long hours will ever change, so it’s important for female lawyers to get support from the firm.”

Mori Hamada has programs in place to help female lawyers, including one that offers monetary assistance for babysitters, Ono said.

On a macro level, Prime Minister Shinzo Abe’s “womenomics” also helped. In 2013, Abe urged companies to have 30 percent of their leadership positions filled by women by 2020. While that goal seems unattainable, the campaign does help raise awareness and change people’s perception of women in Japanese companies.

Having practiced in Tokyo since 2001, Stoupe, a New Zealand native, notes that the rise of women in senior management is also evident in the seating order of Japanese business meetings. “In the past, for a table of 10-20 people, women were seated on the outskirts of the table, representing their lower rank in the department,” Stoupe said. “But increasingly I have seen women moving closer to the middle of the table, where, according to Japanese culture, the decision maker is expected to sit. Recently, I even had a meeting where all members of the client team were women.”

In private legal practice, Mori Hamada’s Ono said she hopes to see more role models as firms like hers promote more female partners to leadership positions. At Mori Hamada, the partner who heads the firm’s Yangon office, Kana Manabe, and the partner who heads up the firm’s legal professional corporation, Eiko Hakoda, are both female.

“There are more women in the firm’s leadership compared to the past,” she said. “But we still have to increase it.”

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*\*Anderson Mori & Tomotsune did not respond to requests for female partner headcounts. Data was calculated based on partners listed on its website.*