

## “I’m Speaking”

By **Ebony S. Morris**



It was the comment heard in the ears of every woman watching the 2020 Vice Presidential Debate. Each time Senator Kamala Harris (“Senator Harris”) spoke, Vice President Mike Pence (“VP Pence”) constantly took the liberty to interrupt her responses, as well as make it abundantly clear that he considered her to be lesser than and undeserving of being on the same stage with him through his dismissiveness. Despite his condescending demeanor, Senator Harris eloquently reminded VP Pence that she was speaking and had the floor. Even after the first reminder, VP Pence continuously interrupted Senator Harris during the debate, and the senator reminded VP Pence that she was “still speaking.” During those interruptions, I wondered how often Senator Harris encountered this bullying behavior during her legal career as woman attorney, specifically as an African American and Asian woman attorney. How often did she have to remind opposing counsel calmly that she was “speaking” and that she deserved to be at the same table? This moment resonated with me as a young woman attorney, as well as other women attorneys watching the debate, and reminded me of my experiences dealing with similar behavior.

For example, I recall an experience that occurred in my third year of practice. I was assigned to attend a plaintiff’s deposition, and opposing counsel was an older, white, male attorney who initially assumed that I was the court reporter (despite me holding a binder with a cover page clearly indicating I was an attorney). During the deposition, he did not hesitate to interrupt my questioning and lodge inappropriate speaking objections on the record (which are prohibited by Louisiana’s Code of Civil Procedure). Thankfully, I knew the appropriate responses to the objections. However, it was one of many experiences that stuck with me. I, as well as other women attorneys, have experienced similar bullying tactics from opposing counsel in depositions, client meetings, courtrooms, and in the workplace. We have been forced to remind opposing counsel constantly, and sometimes clients and employers, that we are not only speaking, but that we deserve to have a seat at the table.

Although brief, Senator Harris’ comment was a relatable moment to all women and only a small taste of the experiences of women in the legal profession.

Notwithstanding the strides that women have made toward achieving equality in the legal industry and the large percentage of women in law schools, women remain an underrepresented group in this profession. There are more than 400,000 women who make up thirty-eight percent of the legal profession. Even more dismal are the statistics surrounding the number of women attorneys of color in the legal profession. Of the thirty-eight percent, roughly five percent are women of color. An even smaller percentage of women lawyers are partners in law firms, and an even smaller number are equity partners. In 2020, those numbers are discouraging to women law students, and truthfully, the numbers are embarrassing to the legal profession. Despite these numbers, women are leaving the legal profession in droves—double the rate of men—either due to bullying from colleagues and opposing counsel, gender and racial discrimination in terms of equal pay and development opportunities, burnout from working twice as hard as their male counterparts, or growing tired of having to remind our counterparts constantly that we deserve to be a part of this profession.

Although brief, Senator Harris’ comment was a relatable moment to all women and only a small taste of the experiences of women in the legal profession. Her moment begs the question of how long will women in the legal profession be required to remind our counterparts constantly that we are “still speaking” and that we belong in this profession?

---

**Ebony S. Morris** is an associate attorney in the New Orleans, Louisiana, office of **Garrison Yount Forte & Mulcahy LLC**. Her practice areas include premises liability, mass tort litigation, automobile liability, and product liability. She was recently selected for inclusion in the 2020 Louisiana Super Lawyers “Rising Stars” List, an independent rating service that selects no more than 2.5 percent of attorneys in the state as Rising Stars and no more than five percent of attorneys in the state as Super Lawyers). Ebony is a member of the DRI Diversity and Inclusion and Young Lawyers Committees.