

Female Powerbrokers Q&A: Paul Hastings' Palmina Fava

Law360, New York (March 04, 2014, 1:24 PM ET) -- Palmina M. Fava is a partner in Paul Hastings LLP's New York office and co-chair of the firm's global compliance and disputes practice. Fava conducts internal corporate investigations around the world; designs and implements comprehensive corporate compliance programs, including employee and third-party training; handles proactive reviews of a client's high-risk areas; performs due diligence of agents, joint venture partners, and targets in mergers and acquisitions or other investment transactions; and represents corporations and individuals in government investigations, particularly concerning the Foreign Corrupt Practices Act, international anti-corruption restrictions, fraud, kickbacks, accounting irregularities, and off-label pharmaceutical marketing.

She regularly represents companies in such matters before the United States Department of Justice, the U.S. Securities and Exchange Commission, other federal and state agencies, and international regulatory bodies. Fava also has served as lead litigation and trial counsel in federal and state courts on matters involving breaches of fiduciary duty, breaches of contract, fraud, negligence, misappropriation of trade secrets, and trade dress infringement.

Q: How did you break into what many consider to be an old boys' network?

A: I worked hard, I made sure I knew the facts of a case better than anyone else on the team, and I was not shy about seeking opportunities. Some of the male partners saw me as aggressive and tough, and, to their credit, they were looking for associates with tenacity and confidence to handle litigation matters with little supervision. But I rarely felt that I was breaking into an old boys' network because I had great role models of successful female lawyers — from law school, within my firm, judges and regulators I appeared before, and even opposing and co-counsel. I also had nurturing male role models who took the time to help me gain the substantive experience and client exposure I needed to develop a practice successfully.

But most importantly, my parents raised my sisters and me to be assertive and to aim high. Growing up with a large, extended family of aunts, uncles and cousins prepared me for all types of situations and personalities and taught me that sometimes you have to speak up to be heard and sometimes you have to walk silently to make your mark. Understanding each relationship and the differences each experience needs is an important aspect of gaining access to the "network." There are pockets of the old boys' network mentality that I see very infrequently, and I'm encouraged by all of the "new girls' networks" we have created.

Q: What are the challenges of being a woman at a senior level within a law firm?

A: The biggest challenge is mentoring diverse associates to stay at a law firm to make partner. There are many competing opportunities for women, and law firms, historically, have not been the most nimble entities, adaptable to the change needed to retain women who may need more flexibility for a feasible work-life balance. Mentoring is absolutely necessary to ensure that more women contribute at a senior level within a firm, and I am particularly proud of the innovative work Paul Hastings has done on this front.

Q: Describe a time you encountered sexism in your career and tell us how you handled it.

A: People who know me might expect me to refer to the time when one of my partners tried to lift me off my feet and drop me to the floor, but “sexism” never entered my mind at that time; my only thought was to make sure that the partner never realized how much I weighed, having returned from maternity leave only a few weeks earlier — so we tussled in the hallway for several minutes, both of us driven by different goals. I stayed on my feet, didn’t give him a hernia or a heart attack, and wore flat shoes for months afterwards so I was prepared for a rematch. But I also knew sexism had nothing to do with my partner’s actions, and it’s important to recognize when biases may exist and when they don’t.

In seriousness, the most obvious example of sexism in my career occurred during an associate evaluation session when the constructive criticism offered by male partners was perceived differently than the same constructive criticism given by women partners. All of the women partners who criticized an associate’s performance were considered “tough” to work with and “demanding,” while no such assessments were made of the men. Interestingly, the male partners didn’t even realize this was happening, until I raised it prior to the following evaluation session, giving examples of the criticisms offered the prior year and the perceptions of the female vs. male partners who shared those comments.

Q: What advice would you give to an aspiring female attorney?

A: Work hard, find mentors you trust, be flexible, collaborate with others, and learn from every opportunity presented or created. Be an advocate for yourself, seek opportunities, and take pride in your success — both privately and publicly (although with decorum and humility). Don’t expect to be treated differently because you’re a woman, and don’t tolerate it if you are. Remember that men and women are different and are perceived differently so don’t try to be like “the boys” — or other women, for that matter. Be true to yourself and your own voice, and don’t let anyone tell you how to walk in your own shoes.

Q: What advice would you give to a law firm looking to increase the number of women in its partner ranks?

A: Be flexible, analyze the factors that have contributed to a lower number of women partners, and be prepared to make changes. I have worked with some amazing women attorneys, and if the only way for me to keep them at the firm were to offer them a part-time schedule, I’d do it in a heartbeat. Be leery of assumptions that may be rooted in sexism about flex-time arrangements.

Q: Outside your firm, name an attorney you admire and tell us why.

A: I am fortunate to have worked (and to continue to work) with extraordinary attorneys, men and women. Of them, I admire my husband, Richard Pastilha, who gave up his law practice to be a stay-at-home father; Professor Maria Marcus of Fordham Law School, who, after a successful career as an appellate lawyer, dedicated herself to teaching law students to be effective advocates and to find their

own voices; and Dorian Daley, the general counsel of Oracle, who regularly proves to me that preparation can never be underestimated and who analyzes complex situations with legal, business, and interpersonal savvy — all of which are indispensable in providing effective legal advice.

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