

California attorney general Kamala Harris speaks at a leadership brunch.

Loyola Law School would like to remind its female students to button up.

“I really don't need to mention that cleavage and stiletto heels are not appropriate office wear (outside of ridiculous lawyer TV shows), do I? Yet I'm getting complaints from supervisors,” the school's externship director [told students in a recent memo](#). “The legal community is small in L.A. and judges [and] lawyers who have unprofessional experiences with externs TALK freely amongst themselves about the experiences. It can be embarrassing.”

The memo comes from a long legal tradition of professors, judges, and fellow attorneys schooling female lawyers on just how to dress. Prior to the 1980s, it would have been scandalous for a lady lawyer to approach the bench wearing pants. Pantsuits are acceptable now, but the expansion of wardrobe possibilities for female attorneys has not made their choices any less political. Last summer, a Tennessee judge administered a [dress code for female attorneys](#) appearing in his courtroom, citing gender equity: “The unanimous opinion [in the Tennessee legal community] was that the women attorneys were not being held to the same standard as the men. It was requested that the judges require all attorneys to dress professionally,” he wrote. “I have advised some women attorneys that a jacket with sleeves below the elbow is appropriate or a professional dress equivalent.”

In 2010, the Chicago Bar Association held a “[What Not to Wear Fashion Show](#)” that convened a group of judges, law professors, and law students to nitpick (mostly) female courtroom fashions as amateur models sashayed down the runway. And at a [Seventh Circuit Bar Association meeting in 2009](#), a panel of judges and lawyers convened to gripe about all of the sexy ladies in their midst. Judge A. Benjamin Goldgar of the United States Bankruptcy Court for the Northern District of Illinois explained that female lawyers dressing too sexily is “a huge problem” and that “you don't dress in court as if it's Saturday night and you're going out to a party.” (Lest you think that his expectation was sexist, Goldgar added “that he was also unhappy with lawyers who sported loud ties, some with designs like smiley faces.”)

In 2010, Ann Farmer wrote a piece for the [American Bar Association's Perspectives magazine](#) on the confusing, and sometimes contradictory, standards facing female lawyers. She found that even before the pantsuit shocked the profession, female lawyers struggled to adhere to a careful balance of masculine and feminine touches; a typical uniform was skirt suits that fell below the kneecap, with floppy, feminized bow ties affixed around the neck. Women in other male-dominated fields, like business, technology, or journalism, are rarely so scrutinized; some are even [celebrated](#) for their embrace of brightly colored dresses and stiletto heels. Why are the clothes female attorneys wear still contested territory?

It's partly because the law moves slowly, and older male judges still reign behind [most benches](#). It's also because “women lawyers today are faced with many more fashion choices than male lawyers and, therefore, have more opportunities to screw up,” Farmer writes; while men have a fairly standard uniform, women are forced to change outfits depending on the tastes of the

presiding judge. While Farmer says that few judges state a preference for women to wear skirts outright, some “get the message out through law clerks, who will sometimes intercede before a hearing begins.” Even less staid judges have conflicting personal tastes. As Chief Judge Carla Craig of the U.S. Bankruptcy Court for the Eastern District of New York told Farmer: “The color pink, no. Hoop earrings—I have seen those. And they looked great, actually.”* And while men have plenty of older colleagues setting an example for them, many law firms still lack female partners who can show the rookies how it’s done. (Only [4 percent](#) of the top 200 law firms in the U.S. have female managing partners.) Despite the Loyola memo’s dismissive note, “ridiculous lawyer TV shows” *have* actually provided a model of dress for some female attorneys. When fictional Assistant District Attorney Grace Van Owen debuted a silk, V-neck blouse on [L.A. Law](#), female lawyers took note. “We called it our *L.A. Law* blouse,” U.S. District Judge Barbara Lynn told Farmer.

Judges who school female attorneys on how to dress are annoying, and the limitless choices of the female wardrobe are confusing. But having the opportunity to dress differently can also have its benefits. Lynn told Farmer that while a bold fashion choice was a risky move, it “could draw attention to you and away from your opponent” in a positive way. A recent [Harvard Business School study](#) found that while dressing distinctly might compromise a person’s access to “shared group identity and automatic group trust,” it can also make her appear confident and influential. In 2009, a federal judge complained that he’d seen an attorney argue her case looking like she’d stopped in “on her way home from the gym.” Then again, that woman [won her case](#).

“One rule of court is: The higher the court, the more formal the dress,” Farmer writes. There are some regional variations: Standards of dress tend to be more relaxed in West Coast courts, seersucker is more acceptable in the South, and Delaware courts require attorneys to dress in shades of black and white. Until the 1970s, the Supreme Court required attorneys to wear “morning dress”—an outfit of “striped trousers, gray ascot, waistcoat, and a cutaway morning coat,” and the Office of the Solicitor General kept up the tradition after the court abolished it. When Elena Kagan [became solicitor general](#), she bucked tradition, choosing to wear a pantsuit instead of a feminized version of morning dress. Now, when Kagan shows up at the court, she’s wearing the robe.