

Marcia Madsen

Looks Back on Early Trailblazing Days

By Kathleen Troy

Marcia Madsen has achieved a rare feat in Washington, D.C., legal practice. She's a top practitioner and thought leader at Mayer Brown LLP, winning a long string of accolades and awards for her accomplishments and service in the law, including being named to the *National Law Journal's* Washington's Most Influential Women Lawyers and the *Washington Business Journal's* Women Who Mean Business. She's also led several professional organizations and, at key decision points, has testified before Congress on procurement law and policy.

Not surprisingly, her distinguished reputation in the government contracting community means she's frequently entrusted by companies with high-stakes cases and litigation. Madsen's story is remarkable because she not only survived but also prospered over her four-decade career in the vortex of law practice while parenting a growing family.

"I'm the first generation in my family to earn a college degree," says Madsen, largely crediting her early academic success to her mother's tenacity in nurturing her education. Madsen admiringly adds that her mother completed her own degree, with honors, at age 70.

A national debate competitor in high school, Madsen gravitated toward history and political science. This not only gave her "a very solid foundation" for her legal career but also earned her a four-year honors scholarship at the University of Utah. She was one of the first women to garner selective legislative internships through the university's Hinckley Institute, initially with the speaker of the Utah House, then with a member of the U.S. Senate in Washington, D.C. The Senate internship became a job and influenced Madsen's decision to go to law school. She earned her JD and then an LLM (in tax) at night while working full time.

Madsen didn't set out to be a procurement lawyer. She'd been with a Justice Department agency while in law school, and after grad-

uating, she received an offer to be a corporate lobbyist. "I had some hard thinking to do about the direction of my career," she recalls. She ultimately pivoted to tax practice with a Washington law firm.

Her introduction to procurement law came later when firm clients needed tax advice involving government-financed projects. Madsen found herself "in a crash course in government contracts," a field rife with pitfalls for the unschooled. She hasn't looked back since. "I'm not sure I would have been as comfortable in private practice if I hadn't explored those other opportunities first," she says.

What Madsen found in government contracts practice was a dynamic legal, regulatory, and policy environment; a varied palette of legal issues; and exposure to a diverse swath of the U.S. economy. Madsen believes "government procurement practice is misperceived, mainly by outsiders, as a single-specialty practice." In reality, "there are many complex issues in government procurement because it cuts across almost every industry," Madsen says. "Laws and regulations affect different industries differently, and there are political and policy dimensions, too."

She's energized by working within the spectrum of industries and legal specialties in the government contracts space, including aerospace and defense, health care,



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engineering, information technology, cybersecurity, and intellectual property. And she frequently represents clients in litigation.

It's also an ideal return to Madsen's legislative and policy roots. "Legal and policy alternatives deserve to be fully aired and discussed because of the competing interests involved," she says.

MORE VISIBILITY & FLEXIBILITY

A lot has changed during Madsen's many years of practice. She recalls that when she began practicing in the 1980s, women law firm partners and in-house general counsel were "pretty scarce."

"I benefited from the example of a few very strong women who tackled working in what was viewed as a field dominated by men," she

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says. "It's very positive to see women and minorities [today] as partners in all fields of practice and in senior in-house positions."

She also applauds the "greater flexibility" in law firm partnership processes. Madsen remembers she "didn't have much company" as a new law firm partner, and even less as a mother of three young sons. "It isn't unusual anymore for women to make partner while pregnant, on maternity leave, or while working part-time or remotely," she says.

Practicing law while raising a family was, and still is, "very hard," Madsen says, and she attributes her ability to handle both to rigorous time management and a very supportive husband.

Another change she has witnessed over the years is a general increase in legal and business complexity, and thus the need for broad-based, multidisciplinary legal services. To address the needs of clients with national and global interests, firms must bring together cross-disciplinary and cross-geographical resources, as well as a deep understanding of clients' businesses and industries. "There's a real emphasis, even in a somewhat specialized practice, that you will have a broader perspective on other areas of the law," Madsen says.

Some practice changes have been less welcome, notably the side effects of ever-present technology. "It's helped lawyers be more productive and efficient than ever," she observes. "We don't send people off in cabs to deliver court filings anymore." But convenience has come at a cost. Madsen cautions that "today's law practice still requires mental discipline and time to reflect, and constantly looking at a screen can be a distraction that has to be managed."

In terms of how today's law firms can support early-career attorneys, Madsen thinks lawyer development programs, including formal mentoring, "certainly help," but she counsels against relying exclusively on them. Lawyers should focus on "proactively" seeking out growth experiences, she says. To excel in private practice, Madsen advises lawyers to not only "work hard and try to be the best at what they do, but also to actively reach out to others who can help them achieve their practice goals."

"Some of the best advice I ever got was to get out of the office more often," she says. She ran with the suggestion and explored professional

association activities, which serendipitously also became a source of deep friendships.


Madsen says even junior lawyers can gain valuable skills by actively participating in professional associations, where they can organize programs on emerging issues and write for journals and other publications. Career growth "is not just top down. It's a two-way street," says Madsen, a former chair of the prestigious ABA Public Contract Law Section, where she remains active.

How do successful lawyers like Madsen gain recognition as thought leaders in their respective practices? "Over time it's become ingrained [in me] to stay on top of new developments through frequent learning, study, and reflection; to figure out how changes fit with the current structure of the law and practice; and to look for opportunities to analyze, write, and speak about how policy choices impact different groups and industries," Madsen says. It's also important "to be intellectually open to a range of views and ideas."

With more than full plates at work and at home, how does Madsen find time for speaking and writing? She clearly possesses indefatigable

energy, steely discipline, and a lean-in philosophy, but she has no easy formulas for a successful balancing act. Madsen says she doesn't "carve out specific times of the day to think and write; it's really more opportunistic." She regularly "captures 'aha' moments in brief notes," leaving the actual work of drafting to "early morning or late at night."

When asked what she looks forward to most post-pandemic, Madsen responds without hesitation: "seeing my family outside of D.C." She hasn't seen one of her sons and a sister in many months. "I have family scattered all across the country and was accustomed to hopping on a plane and spending a few days" with family on short notice.

"The other thing I'm really looking forward to," she confides, "is having a leisurely dinner with my husband in a nice restaurant." 

Kathleen Troy, an attorney and founder of strategic general counseling, practices in the Washington, D.C., area.