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**Executive Director**  
Linda Tomassi, 503.595.7831  
linda@oregonwomenlawyers.org

**AdvanceSheet Editor**  
Elise Gautier, 503.292.2893  
elise.gautier@comcast.net

www.oregonwomenlawyers.org

## OWLS Honors Judge Darleen Ortega and Secretary of State Kate Brown

By Rose Alappat



Photo by Jodee Jackson

Judge Darleen Ortega (left) and Alec Esquivel

Four hundred fifty people gathered on March 11 at the Governor Hotel in Portland to celebrate the OWLS community and honor two people who have supported and inspired women and minorities in the legal profession. The Roberts-Deiz Awards Dinner sold out especially quickly this year, perhaps in recognition of the influence and achievements of this year's award recipients.

The Justice Betty Roberts Award was presented to Oregon Secretary of State Kate Brown; the Judge Mercedes Deiz Award was presented to Oregon Court of Appeals Judge Darleen Ortega.

The evening began with the OWLS Foundation's annual silent auction, which was, in fact, anything but silent as OWLS members and friends socialized over drinks and spa packages. The celebration transitioned to dinner and a live auction in support of the Foundation, which included spirited bidding for two auction items. For the first item, a spa package, the top bidder was Sarah J. Crooks, a partner at Perkins Coie

and the 2010 recipient of the Justice Betty Roberts Award. The second auction item, a trip to Ashland, went to Julia Markley, also a partner at Perkins Coie.

During dessert, OWLS President Concetta Schwesinger thanked the dinner sponsors, including title sponsor Miller Nash, and recognized the distinguished judges, political leaders, and guests in attendance. A thoughtful slide show presented views on women in the legal profession and highlighted the accomplishments of Justice Betty Roberts and Judge Mercedes Deiz.

The Justice Betty Roberts Award was then presented to Oregon Secretary of State Kate Brown. The award recognizes an individual



Photo by Jodee Jackson

Martha Pellegrino (left) and Kate Brown

who has made an outstanding contribution to promoting women in the legal profession and the community. Presenter Martha Pellegrino, director of government relations for the city of Portland, highlighted Secretary Brown's public activism, as well as her private kindness.

Continued on page 4

### Save the Date!

OWLS' Fall CLE takes place on October 21, 2011

Keynote Speaker: Professor Anita Hill

## President's Message



Concetta Schwesinger

**M**y year as president is up, so this is my last *AdvanceSheet* message. What a year it's been!

While talking a couple of years ago to my then-12-year-old daughter, I said that I might need to join one of the committees at her junior high so I could have more of a say on school issues. Her immediate and vehement "No, you're not!" took me by surprise. So did her explanation: "Mom, you can never just be on a committee. Before long, you'll be president and running the whole thing." This would, of course, be a major embarrassment for a junior high student. She makes a good point—look where I am with OWLS today! All joking aside, the reason I become so involved, and the reason I decided to become OWLS president, is that I strongly believe we need more skilled, diverse leaders, both today and in the future.

Luckily, we can all learn to be better leaders, as most leadership skills are not innate. Here are some suggestions for becoming better leaders:

**Figure out and accept who you are and what makes you tick.** My two daughters have repeatedly said that they are not me and don't intend to follow my career path. Good for them! Each of us is motivated by different things; I am motivated by my strong desire to ensure that there are more opportunities for my daughters than there were for me. Figure out what uniquely motivates you and plan your life and career accordingly.

**Be involved in your community.** I have met such amazing people in my work in OWLS, as well as my work as a Girl

Scout troop leader. By being involved, you meet people, learn to network, and find meaning and motivation in your career and in your life.

**Mentor others.** OWLS has provided many amazing mentors through the years, including our "founding mothers." It doesn't really take much to mentor, just a cup of coffee and a listening ear. What I love about mentoring is that successful mentoring is almost always mutual. I have had three law school mentees, all of whom have given me a lot of good advice and support through the years. When each of us mentors, informally or formally, we help train and support "the next generation" of professionals.

**Have courage.** Friends who have owned several profitable businesses once told me that their secret to success is understanding the things that scare them and then going forward regardless of the fear. While I don't think this necessarily means we should all skydive, I do think that too many of our personal decisions are fear-based. We need to be able to take baby steps in the right direction, even if it's sometimes scary.

OWLS is a tremendous organization. I can't say enough about the leadership skills I've gained and the amazing colleagues and friends I've met through OWLS. This past year as president has been the most fun and awe-inspiring endeavor I've undertaken in a long time. While I will miss being an active member of our OWLS board, I know the board is in great shape and our hard work at fulfilling the OWLS mission will continue. Thank you for all of your support this past year!

Concetta Schwesinger  
President, Oregon Women Lawyers

## Judge Wilson Celebrates 20 Years on the Bench

**M**ultnomah County Circuit Court Judge Janice Wilson celebrated her 20th year on the bench earlier this year, a milestone on many levels.

Judge Wilson was appointed in 1991 by Governor Barbara Roberts, and was the first openly gay or lesbian person appointed to the bench in Oregon. For those not around to



Judge Janice Wilson

remember, the 1991 election season was rife with anti-gay propaganda, leading to a divisive ballot measure that was defeated with 56% of the vote. Judge Wilson's appointment in this political climate was indeed groundbreaking.

"It was a big deal to those of us who were young lawyers unsure of our place in the legal community or what parts of ourselves we would have to hide to achieve our professional goals," said Judge Katherine Tennyson.

OWLS Treasurer Megan Livermore said, "It is because of women like her that I don't have to hide part of my life to practice law and am privileged to be in a place where I can speak up for others."

Judge Wilson was honored in 1999 for her tireless promotion of minorities in the legal community as the recipient of OWLS' seventh annual Judge Mercedes Deiz Award.

OWLS admires another pioneer among our membership, and thanks Judge Wilson for her willingness to stand up and stand out two decades ago. She provided an easier path for those intent on transforming the practice of law to be more inclusive.

## Queen's Bench and Women's Law Caucus Host Mixer

On March 16, Queen's Bench and the Women's Law Caucus at Lewis & Clark held their annual reception at Lewis & Clark Law School. The guest speaker was Martha Pellegrino, director of government relations for the city of Portland. Pellegrino spoke on "How to Work a Room." Before and after her talk, attendees had an opportunity to put her words to work and practice their networking skills. Thanks to Martha and to everyone who helped put this event together.

*Our mission is to transform the practice of law and ensure justice and equality by advancing women and minorities in the legal profession.*

# The Oregon Women Lawyers Workplace Leader Award

## Nomination Deadline Is June 1, 2011

OWLS' mission is to transform the practice of law and ensure justice and equality by advancing women and minorities in the legal profession. We believe that law as traditionally practiced has included barriers to the advancement of women and minorities, and has not always been a friend to those seeking a healthy, balanced life. We seek to encourage and celebrate change that will eliminate those barriers and imbalances, and we expect that the profession will be stronger as a result.

While most legal employers agree in concept that such changes are needed, many disagree on how to achieve these goals. How can legal employers help women avoid losing so much momentum in their careers while their children are small that they give up on becoming leaders in the profession? How can part-time employment work, for both employer and employee? How can legal employers promote effective mentoring relationships? What can they do to attract and retain qualified women and minority lawyers and equip them for leadership?

How can they value contributions to the organization that are not captured by the usual quantification tools, such as billable hours?

### The Workplace Leader Award

The OWLS Workplace Leader Award recognizes a legal employer making innovative and effective efforts to promote one or more of the following values:

- a healthy balance between work and life
- acquiring and maintaining a diverse workforce with diverse leadership
- maximizing opportunities for women and minorities to succeed in the workplace and advance to positions of influence and leadership.

We are not looking for an employer to exemplify all of these virtues. Rather, the award will recognize a specific program, policy, or project that is successfully addressing one or more of the concerns outlined above. We particularly want to encourage applications from in-house legal departments, government employers, and employers who are making

strides in recruiting and retaining ethnic minority lawyers and equipping them for leadership.

In 2010, the award was presented to Disability Rights Oregon, for focusing on teamwork and avoiding hierarchy, and responding to what each staff member needs to be productive.

The 2011 award recipient will be honored at OWLS' Fall CLE reception in Portland on October 21.

### Nomination Information

Nominations should include: information that will help the award committee evaluate the employer's specific program, policy, or project; the markers of success for that program, policy, or project; and names of people who can be contacted for further information, their email addresses, and their phone numbers.

Nominations must be received (preferably by email) by 5 p.m. June 1, 2011. They should be emailed to Dana Forman at [danaformanlaw@gmail.com](mailto:danaformanlaw@gmail.com) or sent by USPS mail to Dana Forman, c/o OWLS, PO Box 40393, Portland, OR 97240.



Beth Farry  
(left) and  
Haley Bjerk  
at the  
OWLSNet  
event

## Another Successful OWLSNet Event

By Gina Hagedorn

OWLSNet held its annual lawyers, bankers, and accountants networking event on February 3 at the Red Star Tavern in Portland. The event was once again very well attended, with women gathering to reconnect with old acquaintances and make new ones.

Although the focus of the event was networking, a representative from each of OWLS, the Oregon Society of CPAs, and the Oregon Bankers Association spoke briefly about their respective organizations. The event was made possible by the sponsorship of Tonkon Torp.

**Gina Hagedorn** is an associate at Perkins Coie in Portland.

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*Special thanks to our volunteer photographer, Jodee Jackson, and to outgoing Roberts-Deiz committee co-chair Angela Franco Lucero.*



*At the OWLS Foundation auction, from left: Nargess Shadbeh, Cecilia de Jesus, Marcelina Martinez, Melissa Chureau, Suzanne LaCampagne*

## OWLS Foundation Hosts Successful Auction

As part of the OWLS Roberts-Deiz Awards Dinner, the Oregon Women Lawyers Foundation once again hosted its annual auction on March 11, raising approximately \$15,000. The success of the auction is attributed to a wonderful auction committee and the more than 150 donors who contributed items, including artwork, entertainment tickets, weekend trips, and many baskets of special gifts. This year's auction committee was co-chaired by Jill Brittle and Karen Nashiwa.

The live auction, which took place during dinner, generated a lot of laughs and competitive bidding due to the splendid performance of the auctioneer, Jill Marie Wiles. The live auction featured two fabulous packages: a weekend getaway to Ashland, and a Queen for a Day spa package, which collectively raised \$3,500.

Top donors and bidders included Sarah Crooks, Julia Markley, McKinley Irvin, the Law Office of Carolyn Miller, Perkins Coie, Rogue Women Lawyers, Hornecker Cowling Hassen & Heysell, Tonkon Torp, Bullivant Houser Bailey, Davis Wright Tremaine, Tracy McGovern, Nancy Moriarty, Susan Glen, Kathleen Rastetter, OWLS chapters throughout the state, and many local restaurants and vendors. The Foundation would like to sincerely thank all donors and bidders for supporting the OWLS Foundation and its mission to promote access to justice for women and minorities.

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## OWLS Roberts-Deiz Dinner

*continued from page 1*

Secretary Brown has shown incredible leadership through her work to address violence against women and inequalities in health care. She has also been a vocal advocate for the rights of gays and lesbians. At the same time, Secretary Brown has shown private, thoughtful support for friends and colleagues as they struggle through challenges or achieve their goals.

After accepting her award to a standing ovation, Secretary Brown acknowledged the support of her family and friends, and expressed her gratitude for the Justice Betty Roberts Award and the opportunity to advocate for women and minorities in the community.

The Judge Mercedes Deiz Award was then presented to the Honorable Darleen Ortega. The award recognizes an individual who has made an outstanding contribution to promoting minorities in the legal profession and the community. Presenter Alec Esquivel, a judicial clerk for Judge Ortega, described her dedication to creating a welcoming environment for Oregon's minority law students and lawyers.

Judge Ortega is an active leader in several organizations that promote diversity, including OLIO (Opportunities for Law in Oregon), which provides a summer orientation program for incoming minority law students. Judge Ortega's influence is equally felt through her individual efforts to create a space for minority law students and attorneys to share their experiences and express their concerns—through one-on-one lunches, coffees, and regular discussion groups at all three of Oregon's law schools.

After accepting her award to the second standing ovation of the night, Judge Ortega described the vision of inclusiveness that drives her work on behalf of Oregon's diverse attorneys. She concluded her acceptance by urging those present to think critically about their assumptions of what makes a great lawyer, and to recognize that continued progress toward diversity will require thoughtful dialogue and change from all parties. Judge Ortega's remarks are printed on pages 12 and 13.

*Rose Alappat is an associate in the business group at Perkins Coie in Portland.*

# Meet OWLS' New President, Heather Weigler

By Mavel Morales

Heather Weigler begins her term as OWLS president on May 1. For the past year she has served as OWLS vice president and president-elect and, until recently, as chair of the OWLS judicial work group, which she now co-chairs with Cashauna Hill. Heather has also served on the leadership committee, taken the leading role in organizing the Political Leadership Lecture Series, written articles for the *AdvanceSheet*, and helped organize Road to the Bench programs.

Heather's dedication to OWLS began in 2006, when she moved to Oregon to clerk for Judge Ellen Rosenblum. Judge Rosenblum encouraged her to join the Salem OWLS chapter, the Mary Leonard Law Society (MLLS). Heather signed up to join other MLLS members serving lunch at the Union Gospel Mission and, soon thereafter, was appointed to represent MLLS on the OWLS board of directors.

Born in Reno, Nevada, Heather grew up in Las Vegas, where she spent many summer days in the arcade above the Caesar's Palace poker room, playing video games while her parents worked in the gaming industry. She went to Barnard College, in New York City, where she met her connection to Portland, her husband, Jake Weigler, a native Portlander.

After college, Heather worked for a year as a paralegal and then enrolled at the University of Texas School of Law. There she learned about domestic violence advocacy from Sarah M. Buel, a nationally known expert on domestic violence. As part of her course, Heather drafted an amicus brief that helped convince the Texas Board of Pardons and Paroles to grant parole in 2002 to a domestic violence survivor convicted of failing to protect her child from murder by an abusive husband. The survivor had been convicted of "murder by omission" and had received the same sentence as the murderer. The highlight of her law school years, Heather says, was the day she learned of the survivor's parole.

Although she enjoyed her work as a domestic violence advocate, Heather found it emotionally taxing, so she decided to focus on appellate work. After graduating from law school in 2002, she clerked for a judge on the Fifth Circuit Court of Appeals and then joined a medium-sized law firm with a good reputation for appellate work. Working in the private sector, she says, not only enabled her to

make significant progress toward paying off her student loans but also helped prepare her for her current position as an assistant attorney general by exposing her to the complexities of civil litigation from a defense perspective.

Heather now works in the Charitable Activities Section of the Oregon Department of Justice, which allows her to explore complicated legal questions while protecting Oregonians from unscrupulous charities. It's a job she likes very much.

A key priority for Heather is to increase OWLS' membership and activities outside the Portland area. She would also like to "continue to expand our efforts to encourage and equip women and minorities to seek judicial positions across the state." Another priority is to help OWLS members become law firm partners, bar leaders, and elected officials. Lawyers, Heather says, "have a special obligation to seek justice and equality, and we can't hope to be a just and equal society until we have a legal profession that reflects our diverse society."

Heather also hopes to help OWLS present programming this year that em-

phasizes why diversity matters and how it can become a true value—not just a buzzword—in the legal profession. The OWLS Fall CLE committee, which Heather is co-chairing with Judge Jill Tanner, has invited Professor Anita Hill to address that theme at the 2011 OWLS Fall CLE, which will be held on October 21 in Portland.

Heather is grateful to have the support and wisdom of OWLS and its members as she embarks on her latest adventure—becoming a mom. She and Jake welcomed their first child, a daughter named Ruby, into the world on March 27.

OWLS thanks Heather for her commitment to OWLS, her sense of humor, and her stewardship.

*Mavel Morales is an attorney at the Oregon Law Center in Hillsboro.*



Heather Weigler

"A client asked if I would take a deposition at the McNeil Island penitentiary. It would entail an eerie 20-minute boat ride through the fog, walking the gauntlet past a line of inmates, and spending the day next to a guy who had murdered his wife with a baseball bat. To me the answer was easy.

"Of course."

—Catherine Teach



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# Kulongoski Appoints Record Number of Women Judges

By Holly Pettit

Oregon governors appoint state circuit and appellate court judges when a position becomes open before a judicial term ends. The great majority of judicial positions are filled originally by appointment, and almost all of those judges are later elected. Consequently, Oregon governors play a major role in determining whether the gender and ethnic composition of the bench reflects Oregon as a whole.

Although the percentages of women and ethnic minority judges on the bench still lag behind their percentages in Oregon's population, tremendous progress toward parity was achieved during the governorship of Ted Kulongoski, from January 2003 to January 2011.

Gov. Kulongoski appointed 30 women to the bench, including several who were the first woman on the county's circuit court. Women comprised 56% of Gov. Kulongoski's total judicial appointments and 71% of his appellate appointments.

Ten (18.5%) of Gov. Kulongoski's judicial appointments were ethnic minorities. Of the 54 judges he appointed, 23 are OWLS members.

Governor Barbara Roberts appointed 20 women to the bench during her term, from January 1991 to January 1995; they comprised 38% of her judicial appointments. During Governor Kitzhaber's first stretch as governor, from January 1995 to January 2003, 18 (30%) of his judicial appointments were women.

Women made up 50.4% of Oregon's population in 2009, and ethnic minorities comprised 20.4%. In January 2011, 33.6% of OSB active members were women and 6.5% were ethnic minorities.

The representation of women and minorities on the bench has lagged even further behind their representation in the OSB. In 2008, 24.7% of Oregon state court judges were women, and only 0.5% were ethnic minorities.

"Governor Kulongoski emphasized diversity in his judicial appointments to an unprecedented degree," said Oregon Court of Appeals Judge Ellen Rosenblum. "Thanks to him, my colleagues on the appellate courts include Latina, Asian-American, gay and lesbian judges—all superb additions to the judiciary in Oregon."

In March, OWLS' judicial work group co-chairs Cashuana Hill and Heather Weigler met with Gov. Kitzhaber's general counsel, Liani Reeves, who said that the governor is committed to continuing to create a diverse bench that will reflect the population it serves.

The governor's team and OWLS will seek opportunities to work together in identifying qualified women and minority candidates. As Heather said, Gov. Kulongoski's "judicial appointments reflected a true commitment to diversity on the bench that OWLS hopes will continue in future administrations."

*Holly Pettit practices law in the Law Office of Robert J. McGaughey in Portland.*



*Judge Eva Temple, one of 30 women judges appointed by Gov. Ted Kulongoski*

## McKINLEY IRVIN

We are pleased to announce that **Kathryn Smith Root** has joined our firm as Partner in Charge of our Portland office.

**Kathy Root** is a 26-year veteran family law attorney, founding member of Oregon Women Lawyers, and Advisory Board member for OWLS Foundation.

**Kathy's** experience and dedication embody the high standard of family law representation and unique personal service that McKinley Irvin is known for.

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## OC-NBA Invigorated



*At the event, from left: Judge Ancer L. Haggerty, OC-NBA Treasurer Mo Smith, OC-NBA Vice President Naomi Levelle-Haslitt*

Stoel Rives hosted a kick-off event for the newly invigorated Oregon Chapter of the National Bar Association (OC-NBA) on February 1 in Portland. The Honorable Ancer L. Haggerty, senior district judge of the US District Court for the District of Oregon, addressed the crowded room in a newly remodeled reception area.

Dozens of judges, lawyers, and law students attended the event in support of the local African American bar. For more information or to join the OC-NBA, contact Naomi Levelle-Haslitt at [naomi.levelle-haslitt@millernash.com](mailto:naomi.levelle-haslitt@millernash.com).



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# Pay Equity Still Elusive for Female Partners

By Yael Livny

**T**he lack of pay equity for women at law firms is once again a live topic. Last year saw the release of three studies on law firm compensation and gender by the Minority Corporate Counsel Association (MCCA), the National Association of Women Lawyers (NAWL) and NAWL Foundation, and a group of Temple University and University of Texas professors (Angel et al.). The numbers are unsettling. Roughly half of all law school graduates are female, yet women make up less than one-fifth of equity partners at law firms. These partners earn about \$66,000 less per year than their male counterparts. And while it might gnaw at us to run comparisons and gripe about stratospheric salaries, the fact remains: women are being disadvantaged.

The career path for women at firms is a stark, ever-narrowing funnel: we make up 46% of associates, 36% of counsel positions, 27% of non-equity positions, and 16% of equity partner positions. Where and why does the trajectory go wrong? The studies agree that there are two main problem areas: the identity of firm decision-makers (who) and the dynamics of decision making (how).

With regard to the first problem (the “who”), decisions about promotion and compensation are usually made by management or compensation committees in which women tend to be vastly underrepresented. As the NAWL study observes, “[t]he median number of total members on these highest governing committees is 10 and, in the typical firm, women represent only one or two of those members.”

Women therefore must grapple with the forces of “in-group favoritism,” a term from the social sciences describing our innate preference and desire to associate with those who are most like us. Thus, a group of men holding the power over advancement and compensation may quite unconsciously demonstrate loyalty, bias, and/or esteem toward other men, and make decisions accordingly, at the expense of the women waiting in line. To change the status quo, law firms may first need to ensure that their power centers are populated by women (and, for that matter, other minorities and underrepresented groups).

A second major problem concerns the rules and systems in place for setting partner compensation. Law firms typically

select one of three main compensation models: lockstep, “eat what you kill,” and the multi-factor approach. All three models are problematic for women. Under the lockstep system—a system that is almost extinct—partners earn a share of profits based on seniority. This system appears to be gender-blind; in practice, however, lockstep tends to hurt women who disproportionately take time off to raise children—either by pure choice or because mothers are still under immense societal pressure to take on the primary parenting role. In a pure lock-step system, the cost for women taking leave is high: losing seniority.

Women fare even worse under the “eat what you kill” approach, which rewards partners based on the clients they bring in (origination) and the number of hours they bill. As with lockstep, women who take time off to raise kids are disadvantaged in terms of sheer billable hours. With respect to origination, female lawyers report that they do not get equal access to rainmaking opportunities at their firms. Thus, they may not get invited to client pitches or, even if they are invited

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*The career path for women at firms is a stark, ever-narrowing funnel: we make up 46% of associates, 36% of counsel positions, 27% of non-equity positions, and 16% of equity partner positions.*

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to their fair share of pitches, they might not be given proper credit for the clients who are won over to the firm.

Distressingly, many women report intimidation, even bullying, by male colleagues over how origination credit is distributed. As one woman told the MCCA: “I have had experiences where men tried to undermine my involvement, take credit for my work, claim credit for relationships when the client literally did not know who they were, and in the past, I have literally been told I was stupid to think the client was basing its decision to use my services on me.”

Most firms report that they use the

*Continued on page 8*

## Pay Equity Still Elusive for Female Partners

continued from page 7

third compensation model: a system that rewards partners for an array of different activities, including participation in firm management and administration, associate training, general marketing, and civic involvement. Interestingly, the consensus is that even these firms are, in practice, “eat what you kill” because the compensation factors weighted most heavily are client origination and personal productivity. Women therefore are again hobbled if they take time off for caregiving. Further, in an interesting extension of the caregiver profile thrust upon women outside of the firm, female partners report feeling compelled to take on a disproportionate amount of non-billable firm work—the civic engagement projects, the administrative roles, the associate mentoring duties—while their male colleagues seem more comfortable declining those assignments in favor of billing more hours and pounding the pavement for clients.

Another aspect that affects compensation for women at firms is the equity vs. non-equity partnership divide. The vast majority of large law firms are now mixed-tier partnerships, where equity partners earn a share of the profits, and non-equity partners earn a fixed income and have no voice in governance. The gender distribution is striking. “In the typical mixed-tier firm, approximately 6% of all equity partners are fixed-income equity partners, and an astonishing 73% of these are women.”

All studies report that recent years have seen a sharp increase in the amount of non-equity partner positions as well as the de-equitization of partners in response to the recession. These title changes translate into less profit share for women. Moreover, even if an “enlightened” client specifically requests to work with a female partner on a matter,

they may not realize that the partner assigned to the case is non-equity.

One continuous thread in each of the three studies is the issue of motherhood and leave as a factor in attrition. The impact of taking time off for children on women’s compensation cannot be overstated. “A family leave of one year reduced women’s chances of making partner by one-third and reduced women partners’ earnings by 28 percent.”

Moreover, at least one study suggests that part-time firm lawyers—who are, predominately, women with children—have been much more vulnerable to termination during the recent economic downturn. “If women lawyers observe that working part-time renders them more vulnerable to layoff, then it is reasonable to expect that these women will make different life choices—perhaps deferring childbearing, or opting to continue to work full-time after the birth of one or more children, or perhaps worst of all, exiting large law firm practice before these issues become pressing.”

But here it is crucial to point out that women experience pay disparity regardless of having children. Thus, “[m]ale graduates are more likely than female graduates to be partners even when men and women have comparable career plans, law school GPAs, marital status, parental status, work histories, and legal specialization.” This observation is key, for it underscores that women do not self select pay disparity. Motherhood is not to blame. Rather, a system that pays women less for the same work, that undervalues our talent, effectiveness and value, is to blame.

And how should the system change? As the studies suggest, the path to pay equity begins with increased diversity, especially in management and compensation committees. Firms should commit to

increase awareness of in-group favoritism and eliminate bias. Next, firm management and committees are urged to re-evaluate the weight and range of factors that set compensation. When we change the identity and ground rules of decision making in compensation, we might be a step closer to achieving equity.

**Yael Livny** is an associate in the labor and employment practice group in Ball Janik’s Portland office.

### Endnotes

1. *New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women*, by the Minority Corporate Counsel Association (MCCA), in collaboration with the ABA and the Project for Attorney Retention (available at [www.pardc.org/Publications/SameGlassCeiling.pdf](http://www.pardc.org/Publications/SameGlassCeiling.pdf) or [www.attorneyretention.org/Publications/](http://www.attorneyretention.org/Publications/)); *Report of the Fifth Annual National Survey on Retention and Promotion of Women in Law Firms*, by the National Association of Women Lawyers (NAWL) and the NAWL Foundation (available at [http://nawl.timberlakepublishing.com/files/NAWL%202010%20Final\(2\).pdf](http://nawl.timberlakepublishing.com/files/NAWL%202010%20Final(2).pdf)); *Statistical Evidence on the Gender Gap in Law Firm Partner Compensation*, by Temple University and University of Texas professors Marina Angel, Rajiv Banker, Eun Young Whang, and Joseph Lopez (available at [www.newyorkemploymentattorneyblog.com/Gender\\_Gap\\_in\\_Law\\_Firm\\_Compensation\\_Temple\\_University.pdf](http://www.newyorkemploymentattorneyblog.com/Gender_Gap_in_Law_Firm_Compensation_Temple_University.pdf)).
2. NAWL, ps. 2, 9.
3. NAWL, ps. 2, 9.
4. MCCA, ps. 12–13; NAWL, p. 18.
5. NAWL, p. 18.
6. MCCA, p. 15.
7. Angel et al., p. 35.
8. MCCA, ps. 41–43.
9. MCCA, p. 35.
10. MCCA, p. 20.
11. MCCA, p. 24.
12. MCCA, p. 31.
13. NAWL, p. 14.
14. Angel et al., p. 4–5.
15. NAWL, p. 14.
16. Angel et al., p. 32.
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20. NAWL, p. 51–52.



Josh Kadish  
jdk@wysekadish.com



David I. Bean  
dib@wysekadish.com



Kyoko K. Wyse  
kkw@wysekadish.com

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# Meet Sylvia Stevens, OSB Executive Director

By Teresa Statler

Sylvia Stevens became the new executive director of the Oregon State Bar (OSB) in August 2010. I recently enjoyed an opportunity to interview her for the *AdvanceSheet*.

A graduate of Beaverton's Sunset High School, Sylvia attended college at Oregon State University. Her career goal at that time was to enter the fashion business. After graduation, she married and followed her then-husband to various Army postings in North Carolina, Arizona, and Kansas, returning to Oregon when he was sent to Vietnam.

Sylvia began thinking about going to graduate school when she was working as an administrative assistant in the urban planning department at Kansas State University. After she and her husband returned to Oregon, she entered Lewis & Clark Law School's night program, graduating in 1981. Like many aspiring lawyers, she entered law school with the idea that she could effect social change.

While in law school, Sylvia clerked for what is now Sussman Shank LLP. After graduation, she became an associate at the firm, handling various types of commercial cases while also developing a small domestic relations practice. With the firm's encouragement, she became active in bar activities and committees. She is proud to have been there when OWLS was formed in 1989.

Also in 1989, Sylvia was elected to the OSB Board of Governors (BOG). She says that she enjoyed her time on the BOG, so much so that when an opening for an assistant general counsel at the OSB appeared, she applied for the position and got it. She began work at the OSB in September 1992, and has been there ever since, moving to the general counsel position in 2006, and finally to executive director last summer.

As the OSB's executive director, Sylvia is responsible for everything that happens at the bar. She oversees the OSB's policy work and budget, as well as its administration and outreach to members. She considers herself the OSB's "public face." With the OSB president, Sylvia travels around Oregon meeting OSB members and learning about the challenge of practicing law in the various parts of the state. She notes that although nearly one-third of OSB members practice in Multnomah County, the BOG and the OSB administration work hard to recognize the concerns and needs of all members.

Sylvia's objectives include assisting the BOG in following up on ideas generated by the Senior Lawyers Task Force to address the needs of lawyers approaching retirement, and by the Urban/Rural Task Force. She is excited about getting the new mandatory mentoring program for new OSB admittees up and running. Sylvia is also committed to continuing the work of enhancing diversity and inclusion within the OSB.

Sylvia thinks that the rapid changes we are seeing in the legal profession are and will continue to be a challenge for all of us. Specifically, she thinks that globalization—including the outsourcing of legal work to attorneys abroad—as well as fast-paced technological innovations and demographic changes are trends we cannot ignore. With so much information available to clients through the Internet, the future challenge for lawyers will be to show how they "add value" to the services they provide. In addition, she notes that law firm structure is changing, with nonlawyer ownership of law firms (common in Europe, for example) possibly coming to the United States.

In her spare time, Sylvia likes to travel and to read. She is looking forward to a fall trip to Ireland with her husband. She found Turkey, which she visited several years ago, to be a favorite place. Sylvia is in a book group and likes both fiction and nonfiction.

When asked for advice for new attorneys, Sylvia offered these words of wisdom: "Have realistic expectations. Life is a series of stages, so stick with it!" She also stressed the importance of always keeping your word and being open and transparent, so that others will come to trust you now and in the future.

OWLS congratulates Sylvia on her new position and wishes her the best.

**Teresa Statler**, a sole practitioner in Portland, practices immigration law.



Sylvia Stevens



Lisa A. Amato

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# OWLS Leadership Forum: “Overzealous Advocacy”

By Katie Riggs

Good lawyers are always zealous lawyers. The word *zealous*, however, has too often been used by lawyers to justify aggressive and rude behavior. On March 22, the OWLS Leadership Forum held a seminar addressing the dangers of being too zealous, the ethical obligations lawyers have to their clients, and how to deal with opposing counsel. The panelists were Judge Nan Waller and Judge Kathryn Villa-Smith, of the Multnomah County Circuit Court.

The panelists explained that lawyers have an obligation to be zealous, but the word *zealous* is no longer found in the code of ethics. They pointed to the increased expectation of instant responses, use of email and texting, and decreased opportunities to interact in person as all contributing to an environment in which lawyers are sending their first, and often unprofessional, reactions to opposing counsel. Judge Waller said, “We want lawyers to be zealous, but not zealots.” She explained that *zealous* means to be diligent, passionate, and enthusiastic; a zealot, however, is an extremist who is excessively zealous. She suggested

that lawyers follow the golden rule—treat others as you would like to be treated—when deciding what behavior is appropriate.

Judge Villa-Smith pointed out that even the best lawyers can lose sight of their ethical obligations when they become overzealous. She suggested that lawyers be sure to maintain a professional distance from the case, not get personally involved, and ask themselves before acting, “Are we helping our clients or hurting our clients?” Judge Villa-Smith explained that she told her clients to follow two simple rules: (1) do not engage (do not start a fight) and (2) be kind (do not turn it into a war).

Both panelists emphasized that the reputation a lawyer acquires through her behavior can have a significant impact on her effectiveness as an advocate. Judges notice everything in the courtroom, and rude behavior by lawyers can have a negative effect on a jury’s perception of a case. It was also noted that being soft spoken with a good understanding of the law can be a very effective way to advocate.



Judge Waller (left) and Judge Villa-Smith

Judge Waller suggested that lawyers walk away from clients who expect them to “draw blood” because, in the end, those clients will never be satisfied. She quoted Abraham Lincoln: “Discourage litigation. Persuade your neighbors to compromise whenever you can. As a peacemaker the lawyer has superior opportunity of being a good man. There will still be business enough.”

OWLS thanks the speakers and also Miller Nash, for hosting this event at its Portland office.

*Katie Riggs is an associate at Schneider Law Offices in Portland. Her practice focuses on Social Security disability law.*

## Thank You, Outgoing Board Members


OWLS extends heartfelt thanks to outgoing board members Concetta Schwesinger, Linda Meng, and Judge Katherine Tennyson for their years of service in support of OWLS’ mission.

Outgoing President Concetta Schwesinger served as treasurer and vice president during her tenure on the board of directors, and also as co-chair of CLE committees. She recently served on the leadership, membership, finance, and public relations committees. Concetta was recognized this year by the *Daily Journal of Commerce* as a finalist for its first Leadership in Law award. She encouraged board colleagues to embrace leadership opportunities and become more comfortable with self-promotion. Concetta’s enthusiastic promotion of OWLS in the legal community increased the organization’s visibility throughout Oregon.


Outgoing board member Linda Meng served as chair of the OWLS awards committee, which tracks local and national awards, makes recommendations to the board regarding nominees, and coordinates nomination packets. Linda also

served on the OWLS finance committee, and she is active on the Convocation on Equality’s anniversary steering committee. Linda recently received the OSB Affirmative Action Award for her service on behalf of diversity in the bar. OWLS will miss Linda’s thoughtful contributions to policy discussions, and we look forward to working with her further on the tenth anniversary of the Convocation on Equality.

Outgoing board member Judge Katherine Tennyson served as co-chair of the OWLS judicial work group (JWG) and on the membership committee. Her leadership with the JWG brought Road to the Bench panels to OWLS chapters around the state and increased outreach to women and minority lawyers in Oregon regarding judicial careers. She was appointed to the Board of Trustees of the National Council of Juvenile and Family Court Judges in 2009 and is currently the vice chair of the Family Violence Department Advisory Committee. Judge Tennyson will remain active with the JWG under new leadership, as OWLS works with other organizations to promote diversity on the bench.



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# Nell Bonaparte: An OWLS Founding Mother

By Terri Kraemer

As part of our series about OWLS' founding mothers, we are pleased to profile in this issue OWLS founding mother Nell Bonaparte.

Nell arrived in Portland in 1988 and was soon introduced to Katherine O'Neil. She learned that Katherine and a group of other women had a vision for a women's bar association in Oregon. Nell was struck by the fact that no such organization existed here; in Washington, DC, from which she had just moved, the women's bar association was founded in 1917—yes, 1917!

Nell came to Portland in a roundabout way. She was born and raised in a small town in Bucks County, Pennsylvania, where her father practiced law and her mother worked as a magazine editor. They moved to Berkeley, California, in 1967, and Nell attended the University of California at Santa Cruz. In college she studied biology and environmental science, earning a double major. She interned as a science writer but was inspired by the environmental movement to work on helping preserve the environment. So off to law school she went.

Nell attended the University of Virginia School of Law, graduating in 1981. Her law school class was one-third women. Interestingly, until 1972 the university did

not admit women to its undergraduate programs. Nell made law review in her first year and was later offered some great job opportunities in San Francisco and Washington, DC. She ended up in DC, at Hogan & Hartson. It was a great place to learn and work, she said, but at that time it was not inclined to accommodate flexible work arrangements. So after their first child was born, Nell and her husband, Bob Bonaparte, with whom she had attended law school, moved to Portland, where Bob had grown up.

Nell and Bob practice law together, with Arden Shenker, at Shenker & Bonaparte in Portland. Nell and Bob have four children—one in high school, two in college, and one a recent college graduate. Nell keeps in close touch with a group of eight law school girlfriends—they get together every year, from every corner of the country, and are committed to staying connected.

Nell enjoys hiking, especially in Forest Park and Hoyt Arboretum. Last year she climbed down and back up the Grand Canyon with friends. She also loves to travel.

Nell co-coaches mock trial at Catlin Gabel School and serves on the board of the Children's Book Bank, a new nonprofit organization that provides free books to preschool children from low-income

families in the Portland metro area.

This is Nell's advice for today's young lawyers:

"Make every effort to find and cultivate several mentors whom you admire in the



Nell Bonaparte

legal community for their professionalism and ethics. When I was a young associate at Hogan & Hartson, I had two wonderful mentors: Francis L. Casey Jr., a seasoned trial lawyer who gave me a lot of responsibility, and Jack Keeney, then a senior litigation associate with whom I worked full-time for three months on a pro-bono case involving school desegregation. Jack recently left Hogan to head Legal Aid in Washington, DC, and Frank Casey is with the angels."

*Terri Kraemer, an OWLS past-president, chairs the AdvanceSheet Committee and is a director at Deloitte and Touche.*

## Road to the Bench in Bend



From left: Judges Wells Ashby, Alta Brady, Annette Hillman

a conference room full of lawyers, and Judges Wells Ashby, Alta Brady, and Annette Hillman shared their experiences and advice.

Judge Ashby is a newly elected Deschutes County Circuit Court judge, winning a contested election. He stressed that "you should be involved in your community" and love being in the courtroom. You "cannot be too organized, too soon" and once you've made your decision to run, announce early, and identify key supporters.

Judge Brady has been on the Deschutes County bench for 17 years and was the first woman on that bench. Once she decided to seek the position, she "called every single lawyer in Deschutes County—about 130" at the time, announcing her candidacy and offering to have coffee and be "quizzed." She loves her job, but noted that the bench is isolating. Talk to judges before deciding on a judicial career, she stressed.

Judge Annette Hillman is the newly appointed judge in Jefferson and Crook Counties, and the first woman to hold a seat in that district. She advised being prepared, not ignoring the process, and using mock interviews and the OWLS RTB handbook.

OWLS' judicial work group held another Road to the Bench (RTB) panel, moderated by the group's co-chair, Cashauna Hill, in collaboration with Cascade Women Lawyers, on April 5. The Bend office of Schwabe, Williamson & Wyatt hosted



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## Remarks Made Upon Receiving the Judge Mercedes Deiz Award at the Roberts-Deiz Dinner March 11, 2011

**T**hank you so much! I can't think of an honor that would mean more to me than this one.

I am so honored to be in the company of the prior recipients of this award, and Mercedes Deiz herself. I also want to congratulate my co-awardee, Kate Brown. I can't imagine anyone I'd rather share this night with.

Thank you to all my friends and loved ones who are here—who support me in and hold me to my best intentions, who inspire me with your questions and your example, who weather my frustrated tirades at the slow pace of change and buoy me up when I get discouraged.

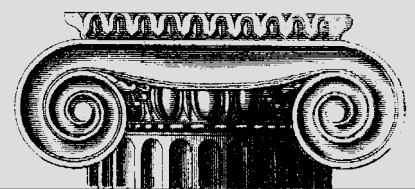
Thanks especially to Alec, and to my other current and former staff members, who are my sounding boards and who make it possible for me to shoulder the load I push myself to carry.

To the many of you who honored me with letters in support of this recognition—I am humbled and grateful. And most of all, I am so, so happy to know that the time we have spent together has benefitted you and helped you to feel heard and welcomed and empowered. Yes! That's the vision that inspires me and fills me with the energy to do what needs to be done!

And that's the vision I would like to impart tonight if I can. It's become popular to tout diversity as a value, which is wonderful—but my own experiences and the experiences of the students and lawyers with whom I interact every week convince me that we as a community don't yet know how to mean it when we say we value diversity. One of my goals is to help us mean it—I want us to value diversity deep in our bones, to hunger for it, to continually invite the challenges that come with opening up the legal community to people who may question our most cherished assumptions. When we say we value diversity, I want that to mean that we embrace those very challenges.

I began holding what I call "debriefing sessions" with first-year, mostly ethnic minority and LGBT law students, three years ago. These are very open conversations; I don't come with an agenda, other than to listen, to provide support, and to provide a safe context for students to "debrief"

## THE JUDGES' FORUM



By The Honorable Darleen Ortega  
Oregon Court of Appeals

their law school experience with each other, to struggle aloud with the questions they may be afraid to ask in class, to challenge anything and everything about what they are being taught and how they are expected to learn.

I began holding these weekly sessions for a couple of reasons. First, I wanted the students to know they were not alone. I understood from my own law school experience and from many of my professional experiences that law school, and law practice, can be very alienating, particularly if you don't easily fit in or if the way things are done seems counter-intuitive to you. I wanted students who needed it to have at least one arena in which they are truly invited to express their very own actual reactions to what they were being taught.

But I had another reason for starting the debriefing sessions. Over more than two decades of experience with the legal profession, I have watched over and over again as minority law students and lawyers struggle to find their place in the profession. I have watched people I know to be bright and extraordinarily capable struggle to achieve grades that reflect their true potential; I have watched them struggle to pass the bar exam; I have watched them enter law firms and spend months begging for work assignments; I have listened to their reports of being criticized and dismissed and misunderstood.

Part of the reason I started the debriefing sessions was to broaden my own exposure to the stories of minority law students. Perhaps I could gather enough data to find out why minorities so far have not been able to achieve influence in the legal profession that is more reflective of their relative numbers in the population, and more reflective of what they truly have to offer.

Unfortunately, in a world, and a profession, that loves pithy answers, the hours I have spent with minority law students and lawyers have not yielded any silver-bullet solutions. I have not found any shortcuts.

What I have learned instead is that there are no shortcuts; there is no substitute for really listening to the experiences and perspectives of those who are outsiders



*Hon. Darleen Ortega*

to the dominant legal culture. The kind of listening I am talking about is not yet part of our legal paradigm. What happens instead—and I say this with confidence because I observe it over and over again, and I have experienced it myself—is that we invite in the few people from under-represented cultures who meet criteria which already may have wrongly disqualified other worthy minority candidates, and we require those lucky few to fit into what already exists.

At best, we may think to instruct them on how they need to alter themselves in order to conform to expectations that may be embedded rather than expressed. But we are not yet imaginative enough to recognize the talents they bring that are not already part of our definition of a successful lawyer or judge. We are not very good at honoring their questions about why we do things the way we do by really entertaining the possibility that our existing assumptions are not the best that could be arrived at. When they don't come prepared to succeed on our terms, we don't seriously question that there might be something wrong with our terms. We don't honestly wonder whether we are missing contributions that they are uniquely qualified to bring but that we have not yet thought to value.

When the inevitable communication breakdown occurs, it often does not occur to us to wonder how we might have failed to communicate our expectations, or whether our expectations are even fair. Instead, we feel completely justified in simply informing these newcomers—who we invited because they were different—that they have failed to meet our expectations.

We can do this because we are part of the existing power structure. We define what is important, what is possible, what competence looks like. Nothing requires us to revisit any of it. I include myself in this because I am now part of the power structure too. As to those who come behind me, I can very easily insulate myself from any serious challenge to my

point of view. In fact, that insulation will inevitably happen without effort on my part to prevent it.

But here's what happens if we don't make that effort. And here I want to switch perspectives and speak from the vantage point of the outsider. All of us have had the outsider experience—but those of us who enter law from groups that are underrepresented know the outsider experience particularly well. And here's what we experience:

Nearly every day, we bite grooves into our tongues because we know that people are not ready to hear the reactions that pop into our heads. We know what it is to state an opinion and have people regard us as though we have lost our minds. When that happens, as it so frequently does, it is up to us to rehabilitate our lost credibility if we can.

We know what it is to inadvertently cause offense by asking a question before we realize that we have challenged something that people perceive to be beyond question. We know what it is to be told that our idea is not only unworkable, but naive and misguided. We know what it is to leave a meeting frustrated that there is no way to say what we mean to say and be heard—and yet knowing that no one even suspects our frustration. We know what it is to struggle to express our ideas in a language that doesn't do them justice, because our own language won't be heard.

When we are criticized, it is up to us to sift through comments that we may find deeply offensive or unfair for advice that we ignore at our peril. When we are advised to change our appearance, or our manner of speaking, or our strategy, it is up to us to struggle over how much of that advice we can take without destroying too much of who we are. We don't get extra credit for weathering these difficulties or engaging in these efforts. Rather, we make these efforts because we must.

As long as these experiences are such a regular part of daily life for members of underrepresented groups, our legal culture will not be a place that can be said to truly welcome diversity. As long as we impose upon those least able to bear it a disproportionate share of the burden of bridging our differences, we hinder them from bringing us their best. We cannot expect them to do their best work when they are demoralized and alienated. We do not receive the benefits of their different perspectives if we are not open to challenges to our own.

This situation will change—is changing—only to the degree that insiders—all of us who have acclimated to the dominant culture—are willing to recognize and give up the privileges of dominance and share in the work of bridging our differences. It will change to the degree that those of us who don't have to change choose to open ourselves to the possibility of challenge to our perspective.

That's why, when I speak and write about mentoring, I always emphasize that mentoring must be mutual. The best mentors listen as much or more than they speak. They don't offer advice without learning about the perspective of the person they seek to advise. They enter every conversation expecting to learn as much or more than they teach. They are willing to confront the limits of their awareness, and to listen to problems they don't know how to solve. They commit themselves to helping the outsider find a way to succeed inside, and lead the way to valuing the outsider's unique contributions.

My dream of a community that truly embraces diversity comes true a little bit every year for a long weekend when a group of attorneys and judges, in conjunction with the Oregon State Bar's Affirmative Action Program, puts on a conference we call OLIO—Opportunities for Law in Oregon. It's a law school orientation program for ethnic minority students. This wonderful program—founded by Stella Manabe, a prior recipient of this award and one of my heroes—seeks to help these students prepare for a law school experience which history tells us many of them will find especially baffling and alienating. The content is practical and includes advice on things like time management and networking and introductions to legal writing, exam taking, and professional ethics.

But more important than all of that is what happens over the course of the conference. All these students, who come from quite diverse backgrounds, spend three days interacting with judges and attorneys about things they know nothing about. They arrive tentative, intimidated, even a little lost. And in the course of three days, you can watch them relax. They laugh; they (along with the attorneys and judges) embarrass themselves and survive; they begin to show their personalities and tell their stories. You can see them opening up; you can see the joy on their faces. They feel welcomed. They feel invited to be just who they are. It's a beautiful thing.

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*I dream of a community  
where difference  
is welcomed.*

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I participate in planning this event every year because it inspires me. I know that whatever happens to these students when they leave—and experience tells me they will encounter hardship and disappointment and alienation and perhaps even failure—I know they now have a sense memory of what it is like to feel welcomed into a legal context and invited to contribute whatever is unique to them. I want them to remember that. I want them to know in their bones what that feels like.

And that's my dream for a legal community that truly embraces diversity. I dream of a community where difference is welcomed; where we expect to be constantly changing and are grateful for every opportunity to learn where our perspective is lacking; where at every meeting we look around for who is missing at the table; where the burdens of bridging our differences are shared among both outsiders and insiders. Let's inspire each other to create that community.

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# Artists Among Us

By Julia Waco

We often read about OWLS members and their accomplishments in the legal community. This article offers a glimpse of some of our colleagues' other creative pursuits. Summarized here are some of the responses to a query posted on the OWLS listserve.

**Hadas Cassorla** is a comedy improvisational actor and singer at ComedySportz in Portland and Capitol City Theater in Salem, an activity she's been enjoying for about two years. After attending one show, she was hooked. What Hadas loves most about improv is "thinking on your feet—and it is an opportunity to have fun and play." Hadas was a theater major in college and has enjoyed playing various characters. She advises anyone interested in improv to take a class: "classes are helpful not just for future improv performers but . . . to hone public presentation and interpersonal communication skills."

Hadas is sole practitioner at Cassorla Law, providing legal counseling on employment litigation and business transactions. She is also a contracting attorney, providing litigation, general research, and writing support to other attorneys.

**Eric Meyer**, a guitarist, is passionate about the music of the Beatles and Bruce Springsteen. He started taking guitar lessons when he was 15 years old because he wanted to play Beatles songs. Eric's first music teacher refused to teach him rock and roll, but eventually he found another teacher, who taught him in the context of the music he loved (Beatles songs). "I started to practice in earnest and continued studying the instrument for years."

When asked what he enjoys most about play the guitar, Eric said, "Playing music is an activity that draws on every part of you—it is intellectual, physical, emotional and spiritual. It puts you in touch with



Breezy Day, by Julia Waco

writing, Bernadette responded, "The beauty, the play, the direct line to deep emotion, truth. We don't access truth and justice much in the practice of law. It's possible in art."

Bernadette is a lawyer in the Office of the Multnomah County Attorney.

**Agnes Sowle** for many years carved and painted gourds, striving for the look of ancient Native American pottery. She is now making small embellished art quilts, and beaded projects. She started in this new creative direction about two years ago. "I began craving more color and abstract design and began experimenting with fabric, beads and found objects." She has donated her creations to non-profits, including the Oregon Women Lawyers Foundation.

When asked what she enjoys most about her creative work, Agnes explained: "All of the art I have done has been extremely precise and detailed. What might drive others to distraction is for me, meditative. I lose myself for hours one bead at a time while I listen to music or audiobooks."

Agnes's gourds can be seen at <http://home.comcast.net/~asowle/wsb/html/view.cgi-home.html-.html>. Her beading and art quilts can be seen on her blog, Art and Sowle, at <http://artandsowle.blogspot.com/>. She has been accepted to show her work in several shows this summer and fall and is currently building an inventory for those shows.

Agnes practiced municipal law for 14 years, retiring from her position as the Multnomah County attorney in October. She looks forward to devoting her time to art and travel.

**Julia Waco** has been an artist since early childhood, though she developed



Tribal Masks, by Agnes Sowle

the best parts of yourself." Eric finds refuge in playing the guitar, as it allows him to be in the moment and eliminate mental clutter.

Eric is a civil trial lawyer, currently with Zipse, Elkins & Mitchell, in-house attorneys for Farmers Insurance Company.

**Bernadette Nunley** plays classical guitar and is also a poet. She began playing music in the fourth grade. In college she discovered that her mother had an old classical guitar gathering dust in a corner, so Bernadette took classical guitar lessons. "I thought I was going to be Ani DiFranco or the Indigo Girls, but instead, I learned to play Bach." Her guitar lay in its case for nine years, until last April, when she began playing again after attending an OAAP/OWLS Women's Wellness Retreat.

Bernadette has written poetry since she was a child. She focused on it in college and published a few poems when she lived in Kentucky. Moving and law school changed things: "With law school, my brain sharpened, but I stopped seeing images. So the poems stopped. Like music, the images are slowly returning." When asked what inspires her about music and

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her skills as a painter in high school. She also has a puppet collection that delights her three-year-old daughter Marla. Julia and Marla have their art easels set up side by side in her art studio, where they paint and rock-out together to the music of Madonna.

Julia describes her style as "representational whimsy" and finds much inspiration in her daughter and her favorite artist, Chagall. Julia explains that "painting for me is like flying. My heart soars and I enter another world."

Julia donates her paintings to many fundraisers and charitable institutions, including the Oregon Women Lawyers Foundation, Seattle Children's Hospital, Ronald McDonald House, and Shriners Hospitals for Children in Portland. She recently completed a commissioned piece for Shriners to join her other paintings in the new radiology wing of the hospital.

Julia's artwork can be found at the Attic Gallery in Portland and online at <http://juliashand.blogspot.com>. She also paints dog portraits, which can be viewed online at <http://fureverart.blogspot.com/>.

**Julia Waco** is general counsel at Barker Martin in Portland, representing homeowner and condominium associations.

## US Attorney, OWLS Host Civil Rights Event

By Kathleen Rastetter

On January 27, OWLS co-sponsored an after-work social event with the United States Attorney's Office for Oregon and other bar associations at Brasserie Montmartre in Portland. The event was held to welcome Tom Perez to Portland. Mr. Perez leads the Civil Rights Division at the United States Department of Justice and is based in Washington, DC. Although he was unable to get to Portland due to snow in DC, the event was well attended. US Attorney for Oregon Dwight Holton spoke about the important civil rights work being done by both offices.

Tom Perez heads an office of 700 people, 450 of whom are lawyers, who work on matters including enforcement of the federal anti-hate-crime statute passed in 2009 in memory of Matthew Shepard and James Byrd Jr. Both offices also focus on anti-bullying issues. Mr. Holton quoted Mr. Perez as saying, "Today's bully is tomorrow's civil rights defendant."

Both offices work on preventing civil rights violations, work that will, Holton notes, better protect potential victims.

Leslie Westphal (left) and Judge Karin Immergut at the event



Mr. Perez likens jailing a civil rights defendant to trying to cure cancer by putting the patient in the hospital: it cures the symptoms, not the cause. To that end, the US Attorney's Office conducts anti-bullying education throughout Oregon to raise public awareness of the issue.

Mr. Holton said that the US Attorney's Office has a tremendous power of the "bully pulpit," and he asked those in attendance to let him know what the office can do to make things better, noting that unity prevents bullying and hate. He closed his remarks by promising to bring Tom Perez to Portland in the near future. OWLS looks forward to meeting Mr. Perez and learning more about the work both offices do to enforce civil rights.

**Kathleen Rastetter** is a senior county counsel for Clackamas County.

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## Queen's Bench Speakers Offer Tips

By Christine Coers-Mitchell

This year's theme for Queen's Bench, the OWLS chapter in Portland, is "Growth." Queen's Bench opened its 2011 monthly luncheons with two speakers who offered valuable insights for women practicing law: Judge Adrienne Nelson and Carol Bernick. Emily Harris, from OPB, followed up with a fascinating talk about her personal development as a journalist.

On January 11, Judge Nelson spoke about growth and professional development. She stressed the importance of self-awareness and what she called "the three R's": reflection, reality, and renewal.

Reflection involves getting to know yourself—understanding your strengths and weaknesses. Reality is having that heart-to-heart with yourself about where you are in attaining your goals and why or why not. Once you have taken some time to reflect on who and where you are in your development, Judge Nelson suggests renewing yourself—taking some time to replenish yourself physically, emotionally, and spiritually. Judge Nelson explained that by engaging in the three R's regularly, you may be able to approach professional growth with more patience and success.

To create a personal development plan, Judge Nelson suggested the following ten steps:

1. Take charge of your own life.
2. Identify the stage you are at in your professional development.
3. Identify the motivators driving your professional development.
4. Verbalize your professional development goals.
5. Select appropriate professional development opportunities.

6. Engage in mind, body, and spirit stretching.
7. Inventory your life.
8. Write a personal mission statement.
9. Develop an action plan.
10. Plan for support, review, and evaluation.

On February 8, Carol Bernick, partner in charge at Davis Wright Tremaine, shared her thoughts on growing from associate to partner. Ms. Bernick first noted that statistics on women practicing in firms continue to show that far fewer women than men become equity partners. While about half of associates are women, only 16% of equity partners are women. And women lawyers continue to earn less than their male colleagues. [For more on this topic, please see the article on page 7.]



Carol Bernick

Ms. Bernick offered the following tips on moving from associate to partner, if that is your goal:

1. Decide whether or not you want to become a partner. It's not everyone's goal.
2. Understand that becoming a partner is a marathon, not a sprint.
3. Don't be misled by the myths of how to become a partner, such as just being a great lawyer, being smart, or just doing what is asked of you.
4. Make developing business part of your daily practice.

5. Keep track of your client development, just like you track billable hours.

6. Treat partners like clients—be proactive.



Judge Adrienne Nelson

7. Recognize opportunities that come your way and act on them.
8. Find a partner who can be a sponsor, someone different than a mentor.

On March 8, Emily Harris, the on-air host of the OPB radio show *Think Out Loud*, spoke about experiences that have helped her grow as a journalist. Covering the assassination of Serbia's prime minister, for example, helped her learn to focus—to identify what really needs to be done and do it, rather than being overwhelmed by the circumstances.

Ms. Harris said although she has reported from Iraq in dangerous situations, her most difficult job is her current one. Reporting on people in your own community, she said, requires thorough and thoughtful research. Getting the "whole story" becomes all the more important when you plan to continue to interact with the community you are covering.

Queen's Bench thanks Judge Nelson, Carol Bernick, and Emily Harris for their time and insights. For information about speakers at future lunches, held on the second Tuesday of the month, please see the events page on the OWLS website, [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org).

**Christine Coers-Mitchell**, vice president of Queen's Bench, practices debtor creditor law, primarily representing small businesses.