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Gov. Brown on Issues Important to OWLS

By Heather L. Weigler

Although OWLS member Kate Brown didn't expect to become governor this past February, she's already made her mark on Oregon's highest office. Beyond her status as the state's second female governor and the nation's first openly bisexual governor, she has continued her years of work, as a legislator and as secretary of state, making government more accountable and standing up for working families. Among other things, during her first six months in office, Governor Brown spearheaded significant ethics reforms and signed the "motor voter" bill, making Oregon the first state to adopt opt-out voter registration. In other words, she wasted no time rolling up her sleeves and making the job her own.

OWLS had the opportunity to ask Governor Brown a few questions about issues that matter to our members. Her answers are reprinted below.



Q. In your past roles, you have demonstrated a deep commitment to promoting diversity in law and politics and to advancing civil rights. How do you hope to reflect those commitments in your work as Governor?

A. The best reflection of a commitment to diversity is diversity. State government has made surprisingly little progress over the past decade in its efforts to demonstrate the shared values of equity and inclusion in the workforce—particularly in management positions. As Governor, I can best set the example by building an administration that reflects the many faces of Oregon. Since taking office in February, I have been working to assemble a diverse leadership team both within the Governor's Office and among state agency leadership. Additionally, my administration will take a new approach to developing and evaluating legislation and policies, replacing the old model of consolidating responsibility among one or two staff members with one that integrates those principles into the work responsibilities of advisors across all policy areas.

Q. One of the biggest influences a Governor wields over the legal profession is judicial appointments. What do you look for in candidates when making judicial appointments?



Governor Kate Brown

A. My judicial appointments will reflect my values of diversity and equity, broadly construed. For example, geographic diversity on the Court of Appeals and Supreme Court is an important consideration in a state like ours. But most of all, I value highly qualified candidates who bring significant, relevant experience to the role, and who will be thoughtful stewards of the law. I also look for a strong work ethic and passion for justice—the job calls for work horses, not show ponies.

Q. You are a longtime OWLS member and a recipient of the Justice Betty Roberts Award. How has your involvement in OWLS influenced your legal and/or political career?

A. I have always found that staying active with the Oregon State Bar and OWLS provides a wonderful opportunity to explore all of the things you can do with your law practice. There are many different roles available to lawyers, including enormous opportunities in the public policy arena, even if you don't want to run for public office.



To learn more about Governor Brown's values and vision for Oregon, visit www.oregon.gov/gov/pages/index.aspx. To support her 2016 election campaign, visit www.katebrownfororegon.com.

Heather L. Weigler is an assistant attorney general at the Oregon Department of Justice.

President's Message



Elizabeth T. Milesnick

What's sizzling in the city of Chicago in July? Well, everything. But also . . . Oregon Women Lawyers!

On July 31, OWLS Executive Director

Linda Tomassi, OWLS Foundation President-elect Deanna Wray, and I attended the 2015 Women's Bar Leadership Summit, "Forging New Paths—Women, Careers & the Law," presented by the National Conference of Women's Bar Associations (NCWBA) and OWLS' own Diane Rynerson, who is also the executive director of the NCWBA. This terrific conference was attended by women lawyers from 29 states and the U.S. military, who came together to get to know one another, address the latest issues facing women in the law, and share ideas about what works.

The keynote speaker, Dr. Arin Reeves, was both fascinating and inspiring. She is a former lawyer with a PhD in sociology and is also a researcher, author, and advisor in the fields of leadership and inclusion. She discussed some of the research and conclusions set forth in her 2014 book, *One Size Never Fits All: Business Development Strategies Tailored for Women (And Most Men)*, regarding ways in which women can capitalize on their strengths as team-builders and allies to develop new business and advance within their firms. Most notably, Dr. Reeves said that while many women

hesitate to promote *themselves* (with good reason, apparently: self-promotion by women is often poorly received), they are fierce and eloquent advocates for others at their firms. Dr. Reeves's book recommends ways in which women can work in teams to take advantage of this quality and achieve greater career success.

In a portion of the summit called "Best Practices," representatives from different states took turns going to the podium to share ideas for new programs and practices. I discussed OWLS' efforts—stemming from a thread on our magnificent listserv—to identify, promote, and publicize clean and private lactation spaces for women lawyers in courthouses and at the state bar facility. (See www.oregonwomenlawyers.org/resources/lactation-facilities-for-breastfeeding-mothers/.) Ideas from other states included collecting and publicizing data on gender parity, a listserv to reach less-populated areas of the state, salary negotiation workshops, events for lawyer-parents, mentorship programs, an annual dinner to bring members together from around the state, forums to raise awareness about possibilities for women in the judiciary, opportunities to network with women judges, ways to make women aware of leadership opportunities, and presenting awards to individuals who have advanced opportunities for women in the legal profession.

I was surprised and so pleased to hear one great idea after another and realize that OWLS was already doing *almost all of them* in one form or another! I also learned that the population-adjusted size of our membership well outstrips

that in most other states. And that we do more for more members than some organizations in much larger states with much bigger budgets. One woman—from Colorado—even approached me to tell me that her membership views OWLS as the model of what their organization would like to become.

And to top it off, the NCWBA presented OWLS with the 2015 Outstanding Member Program Award, for the Women's Trial Academy developed and led by OWLS members Lisa Kaner and Renée Rothauge of Markowitz Herbold. Last month, a lawyer on the governing board of the Association for Women Attorneys in New Orleans emailed me to find out more about the program so that her organization can present a trial advocacy seminar of its own.

Attending the NCWBA summit left me with many thoughts and ideas, but chief among them is that *I am so proud* of what we are doing as Oregon Women Lawyers. Since our founding mothers' first efforts in 1988, we have continued to grow and thrive thanks to the leadership provided by the OWLS Board of Directors, the statewide chapters, the OWLS Foundation, our amazing staff, our dedicated and hard-working committee chairs and members, mentors, speakers, sponsors, listserv contributors, and all those others who provide resources and support to women and minorities in the Oregon legal profession. Make no mistake: we have built something remarkable together.



Elizabeth Tedesco Milesnick
President, Oregon Women Lawyers

Nominations for Roberts, Deiz Awards Due by Nov. 6

OWLS invites nominations for the 24th Justice Betty Roberts and Judge Mercedes Deiz Awards. The recipients will be honored at our annual awards dinner on Friday, March 11, 2016, at the Portland Art Museum.

The Justice Betty Roberts Award recognizes an individual who has made an outstanding contribution to promoting women within the legal profession and the community. The recipient of this award is a person who has influenced women to pursue legal careers, opened doors for women attorneys, or advanced opportunities for women within the profession.

The Judge Mercedes Deiz Award recognizes an individual who has made an outstanding contribution to promoting minorities within the legal profession and the community. The recipient of this award is a person who has influenced minorities to pursue legal careers, opened doors for minority attorneys, or advanced opportunities for minorities within the profession.

Nominations **must be received 5 p.m. Friday, November 6, 2015**. Nomination forms are available on the OWLS website at www.oregonwomenlawyers.org/roberts-deiz-awards-dinner. Email completed forms and supporting documents to Kristin Sterling, co-chair of the Roberts-Deiz Awards Committee, at khsterling@stoel.com.

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

Upcoming OWLS Events

Portland, Tuesday, Oct. 13

11:45 a.m.–1 p.m.

Queen's Bench Luncheon

Speaker: Rep. Tobias Read

Sentinel Hotel, 614 SW 11th Ave.

The speaker pro tempore of the Oregon House, also the chair of the House Committee on Higher Education, Innovation, and Workforce Development, will share his thoughts on community and serving in the Legislative Assembly. \$20. Register at www.owlsqueensbench.org.

Portland, Friday, Oct. 16

OWLS Working Parents Lunch

11:30 a.m.–1 p.m.

Porto Terra, Portland Hilton Hotel
921 SW Sixth Ave.

Connect with other lawyers who are parenting or contemplating becoming parents; learn about the OWLS Working Parents Committee. No-host lunch.

Portland, Friday, Oct. 16

OWLS Fall CLE and Reception

Make It Work:

From Frenzied to Fulfilled

CLE is 1–5 p.m., Reception at 5 p.m.

Portland Hilton Hotel
921 SW Sixth Ave.

Early-bird tickets for the CLE are \$80, with lower prices for law students and lawyers in various categories. Contact Linda at the OWLS office regarding scholarships. Purchase tickets at www.oregonwomenlawyers.org.

Portland, Monday, Oct. 26, 1–3 p.m.

Implicit Bias CLE and Reception

With ABA President Paulette Brown

Sentinel Hotel, 614 SW 11th Ave.

Other panelists are Professor Erik Girvan, University of Oregon School of Law, and Dante James, director of Portland's Human Rights Bureau. Moderated by Judge Adrienne Nelson. No cost; compliments of OWLS and the MBA.

Portland, Wednesday, Nov. 4, 5 p.m.

Rainmaking Dinner

Courtyard Marriott, 550 SW Oak St.

For lawyers in transition, new lawyers, and lawyers practicing in new areas of law. This unique, intimate, interactive event teaches strategies and tips on how to make it rain from some of Portland's leading rainmakers. All lawyers welcome. Register online today. \$45 early-bird registration (before Oct. 27).

Friday, Nov. 6, 5 p.m.

Nominations Due

for Justice Betty Roberts and Judge Mercedes Deiz Awards

Please see page 2 for details.

Portland, Tuesday, Nov. 10

11:45 a.m.–1 p.m.

Queen's Bench Luncheon

Speaker: Janet Billups

Sentinel Hotel, 614 SW 11th Ave.

OHSU's general counsel will talk about her work and OHSU's unique position as the state's only public health university. Newly admitted members of the Oregon State Bar will be honored. \$20. Register at www.owlsqueensbench.org.

Eugene, Friday, Nov. 13

9 a.m.–4:15 p.m.

Lane County Women Lawyers Fall CLE

Univ. of Oregon School of Law, Rm. 141

MCLE credits: 3 Access to Justice, 2 Ethics, 1 Elder Abuse Reporting. Speakers include Judge Michael McShane and Judge Charles Zennache. Registration is transferable, but not refundable. Register here.

Portland, Tuesday, Dec. 8

11:30 a.m.–1 p.m.

Queen's Bench Holiday Luncheon Honoring Oregon Women Judges

Keynote Speaker:

Judge Susan P. Graber

Sentinel Hotel, 614 SW 11th Ave.

\$30 or \$40. Event will probably sell out.

Register at www.owlsqueensbench.org.

Portland, Feb–April 2016

OWLS Leadership Committee

Public Speaking Skills Series

Feb. 3, March 2, and April 6 at 5:30 p.m. and Feb. 19, March 18, and April 15 at 8 a.m.

Downtown Portland

A series to build public speaking skills that includes practice and feedback.

Application to be made for CLE credit.

Portland, Friday, March 11, 2016

2016 Roberts-Deiz Awards Dinner

Portland Art Museum

To sponsor the dinner, contact Linda Tomassi at OWLS. 2016 Title Sponsor: Keating Jones Hughes PC.

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OWLS' Mentoring Program Teaches Rainmaking Skills

By Holly Johnston

To advance to leadership positions, all private practice lawyers need to understand and embrace rainmaking. Having a client base, or "book" of business, helps lawyers achieve long-term career satisfaction, gain professional independence and job security, and earn more money. Rainmaking can be difficult and even scary for many professionals and, notably, women lawyers, who face some unique challenges.

By demystifying the art of rainmaking and providing mentorship, the OWLS Rainmaking Mentoring Program, promoted by the OWLS Leadership Committee, aims to help women lawyers grow into successful rainmakers. The program unlocks some of the mystery typically associated with rainmaking and guides participants through a discovery process to increase their understanding of rainmaking and help them find their individual keys to rainmaking success.

The fifth annual OWLS Rainmaking Mentoring Program, which concluded in July, consisted of five lunchtime

meetings in Portland co-hosted with OWLS by the law firms Marger Johnson and Markowitz Herbold. We were grateful to have three outstanding mentors lead the program this year: Julie Vacura of Larkins Vacura, Hala Gores of the Law Offices of Hala Gores, and Nena Cook of Ater Wynn. Each is a well-known, successful rainmaker, and each brought a unique perspective to the lively conversations throughout the meetings. OWLS and the program participants extend many thanks to Julie, Hala, and Nena for their hard work and dedication to the program.

As mentor Julie Vacura noted, rainmaking "is essential to the success of women in our profession." It is critical, she explained, "to learn how to market ourselves and to support each other in the process." The three mentors encouraged participants to embrace self-confidence, develop a detailed networking and marketing plan with specific goals, and help support other women in doing the same. Participants developed marketing plans, heard successful and not-so-successful rainmaking stories, and gained a better understanding of how women lawyers can become successful rainmakers.

As discussed in the meetings, a lawyer's rainmaking strategy should be highly personal and should capitalize on the individual lawyer's best qualities. Every lawyer must develop her own style for rainmaking, and her efforts will be most successful if she genuinely enjoys her rainmaking activities and relationships. Engaging in painful, frustrating, or time-consuming relationships and activities does not produce good results for any lawyer hoping to achieve rainmaking success.

Women should not expect to fit into someone else's rainmaking strategy, and they should not acquiesce in conduct they find uncomfortable. To become successful rainmakers, the mentors said, women lawyers should focus on developing high-quality lawyering skills, becoming engaged community partners, and being visible, genuine networkers and marketers. As more women become successful rainmakers, they will inspire



Julie Vacura



Nena Cook



Hala Gores

other women to become successful, too.

Kristin Malone, an associate at Markowitz Herbold and a participant in this year's rainmaking program, noted that it "was a one-of-a-kind experience that relied on discussion and relationship-building instead of lectures." She continued: "Our excellent mentors listened to our goals and understood our concerns, and then offered concrete advice to help us achieve our objectives. I would recommend the program to any attorney looking for ways to take her business development efforts to the next level."

OWLS and the law firms Marger Johnson and Markowitz Herbold will host the OWLS Rainmaking Mentoring Program again in 2016, starting in the spring. Registration information will be provided on the OWLS listserv. If you have questions about the program, please contact OWLS Leadership Committee members Holly Johnston, a partner at Marger Johnson, at holly.johnston@techlaw.com, or Karie Trujillo, marketing director at Markowitz Herbold, at karietrujillo@markowitzherbold.com. They are organizing the 2016 program with the help of OWLS leadership.

Holly Johnston is a partner at Marger Johnson, in Portland.



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MLLS Co-sponsors Salem Diversity Summit

By Tiffany Hamilton

On September 9, about 40 lawyers, judges, and law students convened at the Salem Diversity Summit, held at the law offices of Saalfeld Griggs in Salem. The half-day, access-to-justice CLE was presented by the Mary Leonard Law Society (MLLS) and Saalfeld Griggs. The summit highlighted the advantages of building a diverse team; offered practical tips on cross-cultural communication and fostering diverse perspectives in the workplace; and promoted discussion on how to attract and retain diverse attorneys in Salem.

Christina Lincicome, director of diversity and inclusion for SAIF Corporation, presented "The Business Case for Diversity." Explaining the importance of defining diversity, she asked, "What does diversity mean to your organization?" Whether diversity means differences in race, ethnicity, gender, sexual orientation, religion, age, or generation, having a diverse team is advantageous because diverse perspectives will be contributed to your organization. Christina discussed the importance of listening to and valuing all perspectives, because you

never know who will provide the next great idea or provide a solution to your problem.

Next, a lively, interactive session titled "Communicating Across Cultures" was presented by cross-cultural competency trainer Lillian A. Tsai. Lillian challenged participants to recognize their cultural biases and personal communication styles in order to work more effectively across cultures.

Mariann Hyland, director of diversity and inclusion at the Oregon State Bar, moderated a panel discussion on how to attract and retain diverse attorneys to the Salem legal community. Panelists included Shannon Martinez, incoming managing partner at Saalfeld Griggs; Kim E. Hoyt, shareholder and managing officer at the law firm Garrett Hemann Robertson; Jill Woods, senior recruitment coordinator at the Oregon Department of Justice; and Erious Johnson Jr., assistant attorney general and civil rights director at the Oregon Department of Justice. The



Mariann Hyland



Shannon Martinez

panel addressed issues such as alternative compensation structuring, family leave, and the challenges to and advantages of attracting new attorneys to live and practice in Salem in the shadow of Portland's larger market.

The Salem Diversity Summit was capped off by a networking social hosted by Saalfeld Griggs.

Tiffany Hamilton works at the Oregon Department of Transportation's Office of Civil Rights as a small business programs manager. She is the historian of the Mary Leonard Law Society.

Cascade Chapter Hosts OWLS Board



Cascade Women Lawyers, the OWLS chapter in Deschutes County, hosted the OWLS Board of Directors at a reception on September 18 on the deck of Brix Law in Bend. Shown in the top photo, left to right, are Cascade Women Lawyers officers: President Meriel Darzen, Secretary Nancy Hoffman, and Treasurer Kathryn Olney. In the bottom photo are Liz Fancher, left, and OWLS Vice President Laura Craska Cooper.

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Celebrating the Progress of Women on the Bench in Oregon

By Trudy Allen

On December 8, Queen's Bench, the OWLS chapter in Portland, will celebrate its 25th anniversary of honoring women judges at its holiday luncheon. This year the keynote speaker will be the Honorable Susan Graber of the Ninth Circuit Court of Appeals. Her speech will include a tribute to the progress that women have made in attaining the bench in Oregon, especially in the past 25 years.

At Judge Graber's request, OWLS members have been providing to her our compilations of data about women judges. OWLS has joined with the U.S. District Court of Oregon Historical Society to form a committee, co-chaired by Kendra Matthews and U.S. District Court Judge Anna Brown, to work on the Oregon Women Judges (OWJ) project, which has goals of capturing information about all the women who have attained the bench in Oregon and of developing a searchable database as a historical resource. We have made a lot of progress this year, by making sure that we have identified all the women and by creating the initial database. Several of us have traveled to the State Court Administrator's Office in Salem to comb through the records and obtain relevant data, which we plan to expand by gathering biographical information from each judge. It is an ambitious task, since there have been 130 women in 161 judicial positions, so far!

OWLS has, of course, been tracking various measures of women judges' progress ever since OWLS was formed. In our third issue of the *AdvanceSheet* (Spring 1990), the front-page article reviewed the record to date and featured seven judges whom Governor Goldschmidt had appointed, including Hon. Susan Graber (to the Oregon Court of Appeals in 1988 and the Oregon Supreme Court in 1990), Multnomah County Circuit Court Judge Linda Bergman, Lane County District Court Judge Ann Aiken, and Multnomah County District Court Judges Ellen Rosenblum and Elizabeth Welch. In addition to the fact that three of these early judges have gone on to very high offices (Judge Graber, the 21st female judge in Oregon, to the Ninth Circuit; Judge Aiken, #22, to chief judge of the U.S. District Court for the District of Oregon; and Judge Rosenblum, #23, to the Oregon Court of Appeals and then

to be elected as Oregon's first woman attorney general), what other kinds of progress have women made?

Those numbers—21, 22, and 23—are clues. All three women were initially appointed in 1988. By the time Queen's Bench held its first luncheon honoring women judges, there had been only 26 women on any bench in Oregon. Thus 104 women have been added in the past 25 years.

Moreover, the rate at which women have been added has been increasing. In fact, more women have been added so far in the 2010s than were added in the whole decade of the 1990s. Sometimes the increase has been in fits and starts, with no women attaining the bench in some years (1987, 1989, and 2005) and as many as 10 in one year (2006). Other peak years were 2010 and 2013, both with eight. An initial surge of appointments by Governor Barbara Roberts in 1991–1995 gave women their first boost; she made 20 appointments of women in her one term. By contrast, in the next eight years, Governor Kitzhaber's first and second terms, there were only 19 appointments of women to state courts.



Justice Susan Leeson

Governor Kulongoski made only 11 appointments of women in his first term, but he created a new surge in his second term (2007–2011) with 21 appointments of women.

Governor Kitzhaber increased his previous rate in his third term, when he made 18 appointments of women. ("Appointments of women" include appointments to new courts of some women who were already on a bench. For instance, Governor Roberts first appointed Judge Anna Brown to the District Court (in 1992) and later to the Circuit Court (1994) (both in Multnomah County), so those count as two appointments.)

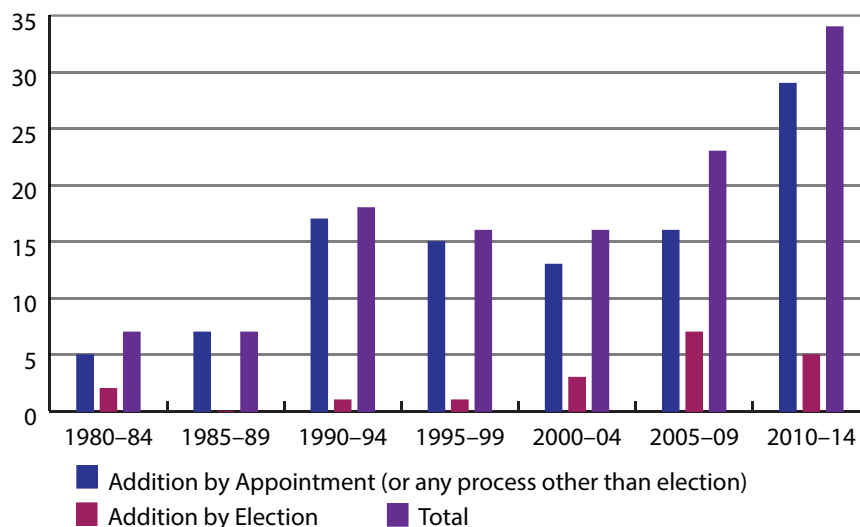
Most of these women first attained the bench by appointment (or by another process other than election, such as confirmation by Congress). The number who attained a seat initially by election is still very small, at 21. The peak year for elections was 2006, with six new women and with Justice Virginia Linder's historic election to the Oregon Supreme Court. She was the first woman to attain this court without first being appointed.

Continued on page 7



Judge Anna Brown

Number of Women Added to the Bench, by Half-Decades



Women on the Bench in Oregon

continued from page 6

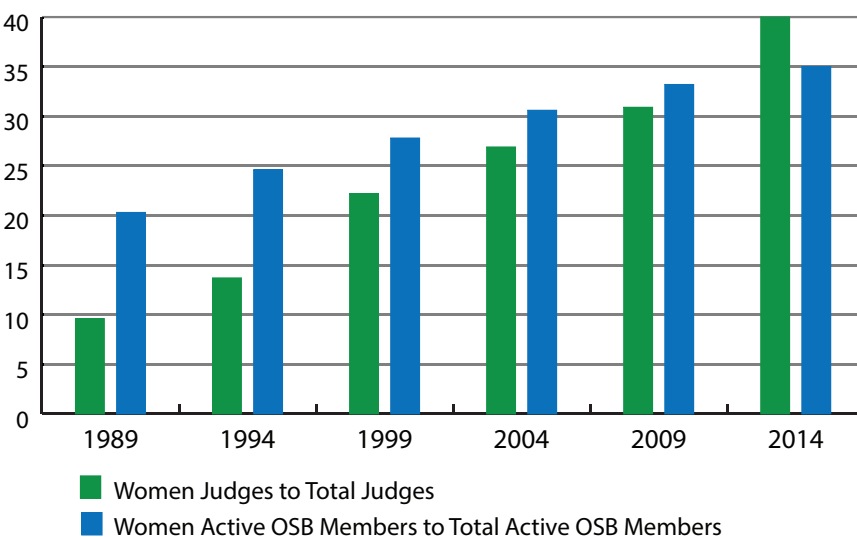
During this 25-year period, of course, there has also been an increase in the number of judgeships. So the most revealing measure of progress for women is the ratio of women judges to the total number of judges. This ratio shows steady—and exciting—progress. From 1989, when the ratio of women judges to the total was 9.6%, to August 2015, when the ratio was 41.6%, the ratio has more than quadrupled. In 2015, not counting the federal positions (where the ratio is only 26.9%), the ratio on the state courts overall is up to 43.4%. And in nine judicial districts (Clackamas, Clatsop, Columbia, Lane, Lincoln, Multnomah, Tillamook, and Districts 7 and 9) the ratio now equals or exceeds 50%. These numbers are truly worth celebrating!

See the bar graph comparing these ratios to the percentages of women who have been active members of the Oregon State Bar. Note that, whereas the ratio of women active OSB members to total active OSB members in 1989 (20.3%) was higher than the women judges ratio, in 2014 the ratio of women judges surpassed the OSB membership ratio (35%) by 5%.

That is significant headway for women judges. Another achievement is the number of jurisdictions in which the chief or presiding judges have been or are women. The chief judges have been Judges Ann Aiken (U.S. District Court), Mary Deits (Oregon Court of Appeals), Polly Higdon (U.S. Bankruptcy Court), and Elizabeth Perris (U.S. Bankruptcy Court). At least 17 women have served as presiding judges in state courts, starting as early as 1990 with Judge Joan Seitz (Douglas County Circuit Court, notably for 13 years) and Judge Ann Aiken (Lane County District Court). In seven counties women are currently serving as presiding judges (Columbia, Deschutes, Josephine, Klamath, Marion, Multnomah, and Tillamook). Plus, Hon. Jill Tanner has been the presiding magistrate of the Oregon Tax Court since July 2002.

Even with all this to celebrate, further progress is needed, of course. Among the gaps that need closing, there are still four judicial districts in Oregon in which there has never been a woman judge: Baker County, Lake County, District 10 (Union and Wallowa Counties), and District 24 (Grant and Harney Counties), all in eastern Oregon. The county that has had the highest number of women judges by far is Multnomah, with 36 to

Percentages of Women in the Judiciary and Women in the OSB



These statistics include all judges and magistrates on the federal bench, plus the U.S. Bankruptcy Court judges, including all those with senior status, and all state circuit and appellate court judges, plus the Oregon Tax Court judge and magistrates.

date. Lane County has had 13, Marion 10, Washington 7, and Clackamas 6. These numbers reflect, in part, the fact that these counties had the earliest starts. Multnomah County had the first three women judges in Oregon (starting with Mary Jane Spurlin in 1926), followed by Lane (1971) and Marion (1972) Counties. The first woman judge in Washington County took her seat in 1988. Clackamas's first wasn't until 1995. The most recent county to have a first woman judge was Polk, in 2013.

Remarkably, a vast majority of Oregon's 130 women judges are still alive. Only 10 have died. Judge Kim Frankel, #8, is the most "senior" judge still living, having assumed the bench in May 1978. Twenty-four who have "retired" are still alive, many still working as "Plan B" judges or on senior status. And one retiree has gone on to become the highest-ranking attorney in the state, as mentioned above: Attorney General Ellen Rosenblum.

The importance of increasing the number of women judges in order to increase diversity on the bench probably goes without saying, but two judges quoted in the Summer 1994 *AdvanceSheet* said it very well: Marion County Circuit Judge Pamela Abernethy (now retired) stated, "A diverse bench which reflects Oregon's population

promotes the perception and the reality of equal and accessible justice for all persons." And former Oregon Supreme Court Justice Susan Leeson explained that "diversity of background and perspective contribute significantly both to understanding cases and to identifying factors that should be considered in their resolution."

Prior to establishing the luncheon tradition of honoring women judges, Queen's Bench held cocktail-hour receptions for several years to honor the women judges. It switched to the holiday luncheons in 1990. Starting in 2003, a woman judge has been the luncheon's keynote speaker each year. This year you won't want to miss Judge Graber's perspective on the progress made by women judges over the last 25 years. Attendance at the luncheon reached an all-time high of over 300 in December 2014, and the spaces fill quickly each year. You can sign up for this year's December 8 luncheon at www.owlsqueensbench.org starting in November. See you there!

Trudy Allen has been the historian of the Oregon Women Lawyers Foundation since 1999. She is the former chair of the Queen's Bench History Committee and a former historian of Oregon Women Lawyers. She retired from the practice of law in 2014.

Meet Multnomah County Circuit Judge Amy Holmes Hehn

By Joanna Robinson

To maintain a lifelong interest in serving others, one needs a philosophy that moves you constantly toward the work that needs to be accomplished, yet never seems to end. The Honorable Amy Holmes Hehn exemplifies how one's philosophy, when consistently applied over many years as a devoted legal professional, can transform the lives of others for good.

Judge Hehn was born and grew up in Medford, where she often visited the courthouse to watch her father, a well-respected Medford trial attorney, at work. Those visits inspired Judge Hehn to set her sights on becoming a lawyer one day, too.

After earning a BA in philosophy at Willamette University, Hehn moved to Boston, Massachusetts, to attend law school at Suffolk University. Upon receiving her JD in 1985, she returned to Oregon to embark on a career in public service. From the time she joined the Multnomah County District Attorney's Office in 1987, she worked each day to serve the underrepresented.

As a leading prosecutor for Multnomah

County, Hehn sought to protect the welfare of children whose well-being too often hung in the balance. She did that as head of the office's juvenile unit, and she was known for prosecuting defendants accused of physically or sexually abusing children. As a senior deputy district attorney, she would go on to lead the district attorney's domestic violence unit.

In 2013, Judge Hehn was appointed by Governor Kitzhaber to the Multnomah County Circuit Court. She was, she said, "ready to serve the community in a new capacity, as a family law judge."

While she presides over cases involving juvenile delinquency, termination of parental rights, divorce, and domestic violence, Judge Hehn is reminded of the ongoing need for legal representation, and she continually marvels at the number of self-represented litigants who come before her each day. She therefore makes it a priority to participate in organizations committed to making justice accessible.

Most notably, Judge Hehn, through her position as chair of the Multnomah County Family Violence Coordinating



The Honorable Amy Holmes Hehn

Council (FVCC) and the Domestic Violence Court Work Group, actively engages in educating the community about domestic violence by building awareness of the dynamics of abusive relationships. Her efforts, whether from the bench or in a volunteer capacity, are all geared toward achieving improvements in either the criminal or juvenile court system, or in the practice of family law in general.

When she can find the time to relax and unwind, Judge Hehn enjoys gardening and bird-watching with her husband, Paul Hehn. She also relishes Saturday mornings, when she attends creative writing workshops and gets to delve into the world of her imagination. She particularly enjoys writing western fiction, a genre in which the plot is typically based on the simple, classic goal of maintaining law and order across the frontier.

Judge Hehn's advice to young attorneys: "Watch as many court proceedings as possible to see what works and what doesn't." She also encourages building relationships and staying connected to those in the profession who inspire you.

OWLS thanks Judge Amy Holmes Hehn for her commitment to public service.

Joanna Robinson is a Portland contract attorney with the Oregon Department of Justice.

Please join us:
OWLF Annual Appreciation Event
November 10, 2015
4:30 to 7:00pm

The Oregon Women Lawyers Foundation, the 501(c)(3) sister organization to OWLS, is proud to focus on educating and supporting women and minorities in order to further their access to and participation in the justice system.

We fund the Armonica Law Student Book Grant, the Vernellia R. Randall Bar Exam Grant, the Justice Betty Roberts Leadership Conference Grant, and the Janis Hardman Medical Support Grant.

Please join us at our Annual Appreciation Event on November 10, 2015 from 4:30 to 7:00pm to celebrate our grant recipients and learn more about our organization. Drinks and appetizers provided. Please visit www.owlsfoundation.org to learn more, or RSVP to Ina Wilborn at wilborn@bodyfeltmount.com.



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The Work Continues

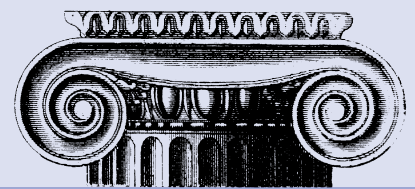
The legal debate about whether same-sex marriage must be recognized and allowed by all 50 States is over. The Supreme Court issued its opinion in *Obergefell v. Hodges*, No. 14-556, 2015 U.S. LEXIS 4250 (U.S. June 26, 2015), holding that states may no longer deny same-sex couples the right to marry. The Court discussed why marriage is considered a fundamental right worthy of constitutional protection and then concluded that those reasons apply with equal force to same-sex couples.

I had waited for the *Obergefell v. Hodges* decision with cautious optimism, hoping, on a personal level, for legal validation of my own marriage. I had occasionally reflected on the irony that, as a judge, I was authorized to confer the right of marriage on others although my partner and I were not entitled to that same right. And, so, we waited.

When the decision was announced, there were celebratory cheers of joy as well as sighs of disappointment and cries of anger heard across the nation. No matter what your personal view may be, the decision represents a significant change in the law. As a legal community, we must now understand what that change means as we advise clients, advocate positions, apply the new law to real facts, and decide cases. What are the implications for old-school, same-sex couples in their 80s who choose not to marry at this stage of their lives? Will the presumption of paternity for children born during marriage always be applied to the wife who didn't bear the child? Won't there be privilege issues arising in criminal cases that did not apply before? Just as with other minority communities that have fought for and received protection of their civil rights in the courts, the legal decision granting that protection ends only the initial constitutional debate. The work of implementation now begins in earnest.

At my house, the *Obergefell v. Hodges* decision was met with joy and we threw a party. Friends and colleagues joined us for a backyard barbecue. We pulled out lawn signs, buttons, and newspaper articles we had saved from various ballot measures going back as far as 1978, when Eugene residents voted to repeal a city ordinance that protected gays from discrimination. We looked at the various domestic partnership certificates and marriage licenses that we had been issued over the years, including the letter

THE JUDGES' FORUM



By Judge Josephine Mooney
Lane County Circuit Court

we received from the State of Oregon in 2005 refunding our \$60 marriage license fee and advising us that our marriage was void. We celebrated these "souvenirs" as evidence of a system that, over time, does work.

The *Obergefell v. Hodges* decision made me feel like a full-fledged citizen for the first time in my life. And so when my partner and I went out to breakfast the next morning, I felt the wind leave my sails when we were taken directly to the table closest to the kitchen. There were lots of other seats available, seats near the window and seats away from the kitchen. Less than two minutes later the same waiter took the next couple—a man and woman—to the table near the window. I prefer to think that he did not make a conscious decision to give us the less desirable table. I suspect it was a decision he made in the moment, driven by assumptions he did not even realize were in his head—perhaps simply that men leave bigger tips than women. So there it was. We had won the right to be married, but we still could not get a decent seat at a restaurant.

In the short run, where we were seated is not a big deal. We had a lovely view of the mop bucket and storage shelves. But when we are seated at the worst table time and time again, that says something about our status in society. And so in the long run, it does matter. Our perceived status matters because it affects whether we are taken seriously when we describe our partner's symptoms to a physician in the emergency department and whether a police officer will trust us or view us with suspicion when we pass each other on the sidewalk. Ask yourself whether you are comfortable allowing your son to wear pink pants to middle school. When you dream of your children's future, are they gay or straight?

The types of assumptions, feelings, and experiences I have described are not unique to women or to gay people. All minority communities have experienced prejudice and unfair bias, and history reveals how serious the consequences



The Honorable Josephine Mooney

can be. If you have an African American son, are you comfortable with his walking out the front door with his hoodie up and his pants sagging? Clearly, there is work to be done.

The dissent written by Chief Justice Roberts warned that "[s]tealing this issue from the people will for many cast a cloud over same-sex marriage, making a dramatic social change that much more difficult to accept." It is true that lasting change must come over time. And settling the legal debate that extended the right to marry to same-sex couples did not end the associated moral debate in the hearts and minds of all Americans. What it does do, however, is allow people in same-sex relationships to speak honestly about who they are. Couples will no longer have to file as "single" on tax returns or apply for unnecessary adoptions. The ability to speak truthfully is a matter of integrity without which gay men and lesbians have historically lacked the ability to be respected and taken seriously. Legal recognition of same-sex marriage means the social discussion will continue, albeit on a slightly more even playing field.

The legal implementation of the new law on same-sex marriage will take years to complete, and the scope is not yet fully understood. We, as a legal community, should join together in this work by sharing information and discussing the various implications and consequences of this new law. I am reminded of my favorite childhood story, about the tortoise and the hare. I will confess that I have a tendency to lean toward the tortoise—slow and steady wins the race. But the fact is that progress requires both approaches: (1) the ability to move forward with great speed and agility and (2) the ability to slow down and proceed methodically, with clear purpose. Whatever your view of the same-sex marriage decision, there is work to be done by all of us as we figure out how to implement it in our work. My money is back on the tortoise.

OWLS Celebrates Magna Carta in England

By Teresa Statler

Seventeen OWLS members and friends explored Cambridge and London, England, on September 6–14 to celebrate the 800th anniversary of the Magna Carta. They revisited places seen by OWLS members on a similar trip in 1998 and also enjoyed a full-day walking tour of “Legal London” and a focus on the Magna Carta’s place in British legal history.

The group stayed in the attractive and historic university town of Cambridge, in on-campus accommodations at Lucy Cavendish College, which is part of Cambridge University. On the first full day in England, the group took in the sights of Cambridge on a three-hour walking tour, including the beautiful English Gothic architecture of King’s College Chapel, Trinity Hall, and Trinity College and the pastoral scenery of “the Backs.” The following day, the group went by coach to Suffolk, visiting the historic wool town of Lavenham, with its half-timbered buildings, as well as Bury St. Edmunds and Newmarket, the birthplace and center of thoroughbred horse racing. In Bury St. Edmunds, the group saw the spot, in the old Abbey ruins, where legend has it that in 1214, English earls and barons assembled to listen to the Archbishop of Canterbury read King Henry I’s charter. Inspired, they swore on the high altar to force King John to establish a similar charter of liberties, the Magna Carta.

The highlight of the trip was Thursday, September 10, a day discovering “Legal London” with guide Joanne Lee, who is a practicing solicitor. Throughout the day, Joanne regaled the group with interesting anecdotes and facts regarding British legal history and the differences between the practice of law by solicitors and by barristers.

The group began the day with a visit to the exteriors of Westminster Abbey and the Houses of Parliament. Joanne explained that in 2009, the Supreme Court replaced the former Appellate Committee of the House of Lords as the highest court in the United Kingdom. The OWLS group visited the interior of the Supreme Court building and saw two of the three courtrooms, one modern and one historic. In the courtrooms, proceedings are conducted rather informally, with both justices and lawyers remaining seated; no robes or wigs are worn. The OWLS group also viewed a

Magna Carta copy from 1297.

Then it was on to lunch at the historic Middle Temple Hall, where the group enjoyed a delicious buffet in a beautiful 16th-century building. Middle Temple is one of the four Inns of Court, and Joanne explained that tradition requires barristers in training, even today, to dine at their Inn of Court in order to be admitted to the bar. In the afternoon, the group visited the other Inns of Court and saw the exterior of the huge Victorian building housing the Royal Courts of Justice. To close the day, OWLS members were hosted at a reception by members of the Women’s Division of the Law Society of England and Wales.

After a free day on Friday in Cambridge for individual sightseeing (most of the group visited the excellent Fitzwilliam Museum or went punting on the River Cam), OWLS members attended a CLE on Saturday, September 12, at Lucy Cavendish College. In the morning, solicitors Max Harris and Leanne Maund, chair and vice chair of the Junior Lawyers Division of the Law Society, discussed in more detail the Magna Carta and its relevance to U.K. and U.S. law today, as well as British Parliament and politics.



Photo: Teresa Statler

King’s College Chapel, Cambridge. Construction was started in 1446 by Henry VI (1421–71) and took over a century to complete. The building has the largest fan vault in the world and some of the finest medieval stained glass.

Continued on page 11



Photo: Joanne Lee

The OWLS group in front of the British Parliament buildings in London, left to right: Kathy Proctor, Diane Ryneron, Teresa Statler, Mary Belotti, Jay Fraser, Maureen Leonard, John Watts, Casey Proctor, Valerie Whittlesey (front row), Martha Taylor (back row), Audrey Hirsch (back row), Trudy Allen, Barbara Getty, Geoff Pullen (partially obscured), Matthew Barber, Chris Caron (with camera), Glen Pullen (partially obscured), Marti Dell, and David Frostad.

OWLS in England

continued from page 10



Photo: Teresa Statler

Top: Plaque memorializing the spot in the abbey ruins at Bury St. Edmunds, where in 1214, English nobles swore to force King John to issue the Magna Carta.

Top right: OWLS members (left to right) Teresa Statler, Martha Taylor, Diane Rynerson, and Trudy Allen pose for a photo near the historic plaque.

Right: OWLS members on their walking tour of "Legal London," here in a courtyard at Gray's Inn, one of the four Inns of Court (professional associations for barristers and judges) in London.



Photo: Chris Caron



Photo: Teresa Statler

In the afternoon, a panel of three women solicitors and a woman barrister spoke about law practice in England and Wales for women, diversity in the profession, and their career paths. Barrister Mary Lorma, a member of Inner Temple Inn of Court, spoke about her specialization in criminal law, working for both the prosecution and the defense in equal measure, which is quite common for barristers in the U.K. She told the group that she likes wearing her wig and gown in court and that this tradition is still strong for English barristers.

After a final free day in Cambridge, part of the OWLS group returned to Portland and part spent more time in Europe, some traveling in France and Italy, and others in England. A good (and educational) time was had by all!

Teresa Statler, chair of the AdvanceSheet Committee, has a solo immigration law practice in Portland. She and Diane Rynerson planned and organized the OWLS trip to England.

For more about OWLS, please visit
www.oregonwomenlawyers.org.

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Parental Leave in Oregon after Senate Bill 454 (2015)

By Danielle Lordi

In view of legislation enacted this year in Oregon, this article briefly describes the parental leave currently available in our state and the leave that will be available starting January 1, 2016.¹

The United States is the only advanced industrialized nation that does not provide workers paid leave through public policy. The family leave laws currently applicable in Oregon—the federal Family and Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA)—provide a minimum of 12 weeks of unpaid leave per year as well as guaranteed reinstatement rights, but the laws apply only to certain employers: FMLA applies to employers with 50 or more employees working in the United States, and OFLA applies to employers with 25 or more employees working in Oregon.

OFLA requires employers of 25 or more employees to provide 12 weeks of unpaid, protected leave to eligible workers to care for themselves or family members in cases of death, illness, injury, childbirth, and adoption. FMLA requires employers of 50 or more employees to provide up to 12 weeks of unpaid, protected leave to eligible employees to care for themselves or family members in cases of serious illness or injury, childbirth, and adoption. Additionally, FMLA provides that eligible employees are entitled to the position they held at the time leave began or an equivalent position, while OFLA guarantees the position held at the time that leave began.

On June 22, 2015, however, Governor Kate Brown signed into law Senate Bill 454, which institutes statewide mandatory paid sick leave effective January 1, 2016, for employers with 10 or more employees in Oregon (and Portland employers with six or more), making Oregon one of only four states to mandate paid sick leave. Employees may use their sick leave not only for their own illness, injury, or health condition, but also to care for a family member (spouse, parent, parent-in-law, child, grandparent, or grandchild) and for any purpose designated under the Oregon Family Leave Act, including, but not limited to, bereavement leave or caring for a newborn child, regardless of whether OFLA would otherwise apply to them. Employees may also use sick leave provided under SB 454 to address domestic violence, harassment, sexual assault, or stalking and in the event of

a public health emergency as defined under the law.

As noted, the law's paid-sick-leave mandate applies to employers with 10 or more employees working anywhere in Oregon (and to Portland employers² with six or more employees). For employers with fewer employees, the required leave may be unpaid. In other words, starting January 1, employers with 10 or more employees in Oregon (and Portland employers with six or more) must provide paid sick leave, and employers with fewer employees must provide unpaid sick leave.

SB 454 applies to all public and private sector employers that employ even one employee in Oregon (federal government excepted). It covers nearly all full-time, part-time, temporary, and seasonal employees, excepting only independent contractors, employees receiving paid sick leave under federal law, certain work-training program and work-study program participants, certain railroad workers, and individuals employed by a parent, spouse, or child. And it preempts all local government sick leave plans and policies. Finally, if an employer already provides its employees the statutorily required amount of paid or unpaid leave under a paid time off (PTO), vacation, or other paid leave policy, the employer is not required to provide any additional paid sick leave, but it must permit employees to use at least 40 hours of that leave each year for the purposes covered under the law and otherwise meet the law's minimum requirements.

Employers covered by SB 454 must allow employees to accrue up to 40 hours of sick leave per year at a rate of one hour for every 30 hours worked or one and one-third hours for every 40 hours worked. Employees begin to earn and accrue sick time on January 1, 2016, or, if hired after that date, on the first day of their employment (but these new employees are not eligible to use accrued leave until the 91st day of employment unless an employer authorizes earlier use). Alternatively, employers may choose to "front-load" their employees' sick leave, in which case the employer would credit employees with 40 hours of leave as soon they are eligible and again at the beginning of each subsequent year.

Covered employers have other obligations under SB 454, including providing written notification at least



Danielle Lordi

once per quarter to employees of their accrued and available sick time (on, for example, employee pay statements) and written notice to employees regarding the requirements of the law. Moreover, employers are prohibited from interfering with an employee's right to use sick leave and may not retaliate against an employee who requests or uses sick leave. These prohibitions may be enforced by the Oregon Bureau of Labor and Industries (BOLI) as well as by employees via private right of action.

Danielle Lordi is a civil litigation attorney at Bryant, Lovlien & Jarvis in Bend.

Endnotes

1. Apart from the leave policies described in this article, President Obama issued a January 15, 2015, Presidential Memorandum requiring federal employers to advance, upon employee request, up to six weeks of paid sick leave for the birth or adoption of a child or other sick-leave-eligible uses, even if the employee has not yet accrued such leave under the employer's policy; and, on September 7, 2015, he issued an Executive Order mandating that private employers doing business with the federal government make available six weeks of paid sick leave for parental purposes to those employees working under federal contracts.

2. SB 454 requires "[e]mployers located in a city with a population exceeding 500,000"—i.e., Portland—that employ six or more employees working anywhere in the state to provide the paid sick leave required of non-Portland employers with 10 or more employees. Similarly, Portland employers with fewer than six employees must comply with the new law's requirements for non-Portland employers with fewer than 10 employees (i.e., unpaid leave). The law defines "[e]mployer located in a city with a population exceeding 500,000" to include, among other things, "an employer that maintains any office, store, restaurant or establishment in that city."

Salary Negotiation Workshop Offers Facts, Figures, and Tips

By Florence Z. Mao

Did you know that by not negotiating your salary early in your career, you could lose potentially hundreds of thousands of dollars over the course of your career? According to one study by researchers from George Mason University and Temple University, “assuming an average annual pay increase of 5%, an employee whose starting salary was \$55,000 rather than \$50,000 would earn an additional \$600,000+ over the course of a 40-year career.”¹

On September 17, Oregon Women Lawyers and the Oregon Women Lawyers Foundation held a salary negotiation workshop designed for lawyers who want to learn strategies for negotiating their salaries and asking for raises and promotions. Covering information applicable to private firms of all sizes, corporations, government, and nonprofit organizations, the workshop provided a “behind the scenes” peek at negotiating starting salaries and raises from an employer’s perspective and an “insider’s look” at salary ranges and other important statistics about legal employment in Oregon.

Yumi M. O’Neil, associate general counsel at Cambia Health Solutions, first conceived and organized this workshop in 2013 because there was no other program in Oregon focused on salary negotiation for female lawyers. “I wanted to put together a workshop that gathered information from diverse perspectives to give Oregon lawyers, especially women lawyers, an insider’s look at salary negotiation,” Yumi explained. “I wanted hard numbers so that people can head into this sensitive discussion with their current or future employers knowing what they’re worth compared to their peers in Oregon.”

The first workshop was held in 2013. Due to popular demand, it was offered again this year, and again it produced a lively and informed discussion between panelists and participants to better prepare lawyers for their next salary

negotiation. To obtain a broad range of perspectives, Yumi recruited the following speakers: Valerie Tomasi of Tomasi Salyer Baroway, Traci Ray of Barran Liebman, Ellen Raim of Cascade Microtech, and Alana G. Iturbide Simmons of Safe Harbor Law.

The initial part of the workshop focused on preparing for a salary negotiation, which is often considered “99%” of the work. Panel speakers covered a broad range of topics that applied to both the private and public sectors, including defense and plaintiff’s law firms. Participants were provided with salary ranges for lawyers of all experience levels, both nationwide and in Oregon, obtained through research conducted by the Oregon State Bar, Robert Half Consulting, and the American Bar Association. Panelists offered their opinions on whether other salary ranges, adjusted for the economy in Oregon, were more realistic.

Traci Ray, executive director at Barran Leibman, encouraged candidates not only to research salary ranges in their practice areas and geographic locations, but more important, to prepare a “brag sheet” to bring to the salary negotiation. Your “brag sheet” highlights your accomplishments at the firm or organization, including business development to grow the firm’s client base and income, fostering relationships with younger associates or support staff, and specific instances of teamwork. Traci also encouraged people to consider the total compensation package, including benefits and PLF dues, rather than focusing solely on the salary.

With more than 15 years’ experience as managing partner of a mid-sized law firm and founder of another law firm in Portland, Valerie Tomasi, president and owner of Tomasi Salyer Baroway, explained that a law firm considers overhead costs prior to each new hire or raise. She also discussed how an associate can determine her or his own worth.

Valerie noted that in her experience, women were far less likely to negotiate their salary offers than men.

Ellen Raim, vice president of compliance and human resources at Cascade Microtech, provided salary negotiation advice from a business perspective. Ellen has more than 25 years’ experience practicing at a multinational law firm and serving as in-house counsel at various business and technology organizations. She described the yearly budget with which a hiring manager may make salary offers and the constraints that budget has on a company’s ability to negotiate when hiring in-house counsel.

Before attending law school, Alana Iturbide-Simmons of Safe Harbor Law worked in both finance and human resources as a financial and compensation analyst in the technology industry. A 2014 graduate of Lewis & Clark Law School, she encouraged new lawyers to do their research and not be afraid to ask for a fair market salary. Having clerked at government agencies and plaintiff-side private law firms, she also shed light on various compensation schemes at those entities, including percentage-based pay rather than salaries.

For most of the workshop, panelists focused on specific tactics for negotiating starting salaries and raises, emphasizing the importance of laying proper groundwork and maintaining a positive relationship with the employer. Panelists spoke about how to prepare for commonly asked questions, such as your current salary and salary expectations. They answered questions regarding the mechanics of negotiating offers, how to



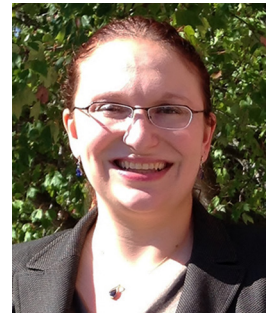
Valerie Tomasi



Traci Ray



Yumi M. O’Neil

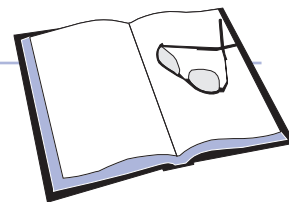


Alana Iturbide Simmons

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Finding Bliss: Innovative Legal Models for Happy Clients & Happy Lawyers

By Deborah Epstein Henry, Suzie Scanlon Rabinowitz, and Garry A. Berger (American Bar Association, 2015, 141 pages)
Book Review by Teresa Statler



In this slim but information-packed volume, the authors, who are law partners, explore seven key areas of practice in which, they contend, both lawyers and clients can find greater satisfaction, profitability, and productivity. Although claiming to offer “innovative” solutions to the various challenges facing law firms and lawyers, the book, in this reader’s opinion, is too narrowly focused on the practice of law in large firms for similarly large corporate clients. Some of the authors’ other ideas also do not seem as new and inspired as they believe them to be.

Finding Bliss discusses seven key themes, each set forth in a separate chapter, to improve legal practice and the services that lawyers provide to their (corporate) clients: innovation, value, predictability and trust, flexibility, talent development, diversity and inclusion, and relationship building. The book ends with an eighth, concluding chapter entitled “Happy Clients, Happy Lawyers.” Each chapter features a short introduction by an in-house general counsel, the ostensible “clients” referred to in the book’s title.

The authors, who are partners in Bliss Lawyers, a firm they describe as employing “high caliber lawyers to work on an engagement basis in secondments for in-house legal departments and law firm clients,” start out by telling us that there are now many new ways to practice law. Besides the classic large law firm where the billable hour rules, they describe these “cutting edge changes” to

include “virtual law firms,” “secondment firms,” and “process, foundation and information firms.” They hold out their own firm as innovative because it combines two of these—the secondment firm and the virtual firm.

The authors say that these new ways to practice law have come about for several different reasons, including these: after the Great Recession, many large firms lost their “bread and butter” work to new, lower-cost, often more-specialized legal service providers; corporate clients have become dissatisfied with fee increases; and firms need flexible staffing to better serve their corporate clients’ often changing needs.

The authors discuss other interesting topics, such as their view that fee issues and disagreements result from a “lack of trust” between lawyers and clients. They advocate a reconsideration of the classic billable-hour fee structure for corporate legal matters. The authors believe that firms should abandon the billable hour and instead bill corporate clients using a combined flat fee—bonus fee structure, which, they contend, creates predictability for the client while also factoring in a lawyer’s expertise, efficiency, and ability to deliver results. This fee structure is an example of an innovation they say can lead to happy lawyers and happy clients. In the chapter entitled “Relationships,” they put forth another supposed innovation: their idea of having state bar associations be responsible for educating “junior lawyers” in the core competencies, such as

teaching practical skills via a mentorship program. The Oregon State Bar has been doing exactly that for several years now.

The book would have more value if the authors had, even at least briefly, described other ways that lawyers are “finding bliss.” These include solo practice and practice in very small firms where quality of life, and a desire to serve clients at reasonable fees, have already been meeting attorneys’ desires and clients’ needs. The authors note toward the end of the book that 65% of practicing lawyers work in solo or small firms, yet they expend all their effort in discussing models that emanate from large firm practice only. Obviously, this is their area of expertise, but there are other legal models that can bring lawyers and their clients “bliss.”

Teresa Statler, chair of the AdvanceSheet Committee, has a solo immigration law practice in Portland.

Clackamas Chapter Fields Team for Oregon Trail Game



Clackamas Women Lawyers members Jackie Alarcon, Ericka Langone, and Angela Laidlaw get ready for the race.

On July 25, team “Clackamas Women Lawyers” braved an Oregon Trail Game 5K, part of this year’s First City Celebration in Oregon City. The event celebrated the city’s legacy as the Oregon Territory’s first city. At this family-friendly event, participants trekked a simulated journey from Missouri to Oregon while making decisions such as how to cross rivers and whether to go hunting along the way. The event was a community success.

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Board Member Banafsheh Violet Nazari: Pushing the Envelope

By Megan R. Lemire

Banafsheh Violet Nazari, an OWLS board member, is passionate about her work and about effecting change in the practice of law. She attended Portland Community College (PCC) and Portland State University and graduated from the City University of New York School of Law in 2008. After returning to Portland and gaining some experience as a judicial clerk, she formed Nazari Law to represent employees in wage theft and workplace discrimination.

Before entering the legal profession, Violet had a colorful work history. She sold cars in Texas, repaired watches, and assisted in the film department for PCC's television courses. One of her jobs ended prematurely when her employer terminated her for clocking in a minute or two late too many times. The situation was untenable, however, as all employees had to punch in on the same time clock, which caused a backup, and no one was allowed to clock in early. Violet recalls this as her own "first experience of complete injustice in the workplace." Her

background helps fuel her advocacy for and foster connection with her clients.

Violet has also learned life lessons from her grandmother, whom she considers one of the most influential people in her life. "She was the first feminist I knew when I didn't know what a feminist was," Violet says. Her grandmother lost her mother at a young age and had less than a high school education yet managed to be a resource and an advocate for others in her community. Even with "a dirty mouth and temper, no one questioned her." Violet strives to emulate this unconventional leadership quality in her work as an attorney. With her office of one, she helps to level the playing field for employees one case at a time, claiming that "there's nothing more delicious than getting to punish a bully."

OWLS has been a valuable outlet for Violet to effect change for attorneys practicing as part of the non-dominant culture. Ever a visionary, she describes her responsibilities as a board member as highlighting issues that are important for

the board to focus on. She emphasizes, for example, that OWLS needs to have a united vision and to promote collaborative inclusiveness. "OWLS is about the whole person, not a checkbox of diversity," Violet says. In that vein, she is spearheading OWLS IN, a committee whose mission is making the practice of law hospitable to all. In whatever passion she is pursuing, Violet refuses to accept the status quo and keeps pushing the envelope.



Violet Nazari

Megan R. Lemire, at Lemire & Hirano in Portland, focuses on employment and civil rights law.



Jennifer Meisberger (left) and Beverly Michaelis (right), practice advisors with the OSB Professional Liability Fund (PLF), presented a CLE in Portland on September 1 on conflicts of interest. They are shown here with Dana Campbell, chair of the OWLS Contract Lawyer Service. The PLF will make a recording of the program available on its website, www.osbplf.org. The OWLS Contract Lawyer Service presents CLE programs and hosts discussions on topics of particular interest to contract attorneys, but all OWLS members are always welcome to attend. For more information, visit www.oregonwomenlawyers.org.

Salary Negotiation Workshop

make effective counter-offers, and how to convey the value that a candidate will bring to a firm or company.

Panelists also addressed other topics, including whether leveraging a job offer helps or hinders the negotiating process when asking for raises or promotions; how to negotiate over the phone and via email; how to avoid demanding a salary that could disturb the equilibrium of salary expectations at a firm or company; and what to do when your employer will not give you a raise or promotion. Discussions also focused on particular issues that affect many female lawyers,

including paid maternity leave, working half-time or "flex time," and the salary gap that commonly results when women take time off to care for young children. Panelists also held a lively discussion about how women can close the earnings gap despite having taken time off to care for family.

Participants praised the "insider info" provided by panelists and the intimate atmosphere that encouraged candid discussions. The workshop met its goals, which, as Yumi said, were "to provide lawyers with the information that isn't readily available, share frank advice,

and empower women lawyers to ask questions." "Remember," Yumi noted, "the answer is always 'no' if you don't ask."

Florence Z. Mao is an associate attorney at Lehner & Rodrigues in Portland.



Ellen Raim

1. "Study Reveals the Secrets to Negotiating a Higher Salary," Press Release, George Mason University, Oct. 20, 2010, available at <http://leagle.gmu.edu/newsroom/1843/>.

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OWLS Fashion Show Benefits Dress for Success



Photo: Todd Nashwa

Steffan Alexander of Markowitz Herbold shows his colleagues how it's done on the red carpet.

*Models included (from left):
Brittany Ruedlinger,
Folawn Alterman & Richardson;
Tiffany Jensen, Gevurtz Menashe;
Gosia Fonberg, Buchanan Angeli Altschul
& Sullivan; and Elizabeth Bingold,
Davis Wright Tremaine.*

Everyone had a great time at the annual OWLS Dress for Success Fundraiser and Fashion Show, held on September 10 at the Mark O. Hatfield U.S. Courthouse in Portland. Dress for Success provides interview clothing, career development tools, and job retention resources for women trying to break free from the cycle of poverty. OWLS thanks our superb MC, Edie Rogoway; the planning committee; our terrific sponsors; and all the lawyers, men and women, who modeled the latest in chic lawyer attire with such style.



Community Service Committee co-chair Katie Riggs, of Aldridge Pite, works on the final details before the cat walk.



OWLS board member and Fundraiser Committee member Susan Pitchford of Chernoff Vilhauer.



Photo: Todd Nashwa

For more information about OWLS chapters and activities, please visit www.oregonwomenlawyers.org.



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