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Linda Tomassi, 503.595.7831

[linda@oregonwomenlawyers.org](mailto:linda@oregonwomenlawyers.org)

**Editor:** Elise Gautier

[elise.gautier@comcast.net](mailto:elise.gautier@comcast.net)

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## OWLS Workplace Leader Award Goes to TriMet's Legal Department

Oregon Women Lawyers is pleased to recognize TriMet's legal department as this year's recipient of the OWLS Workplace Leader Award. The award seeks to recognize a legal employer making innovative and effective



*TriMet's legal team has earned the 2013 OWLS Workplace Leader Award.*

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

The award was given to the entire TriMet legal team on October 18 during the OWLS Fall CLE, held at the Benson Hotel in Portland. Heather Bowman, a member of the OWLS transformation committee, presented the award.

*Continued on page 4*

## OWLS and OWLS Foundation Present "Pay Up" Negotiating Workshop

By Megan Lemire

Women still lag behind their male counterparts in pay. Studies have shown that women are four times less likely than men to negotiate for a job, raise, or promotion. By starting with a smaller initial salary, women lose more money over time. These patterns hold true for minorities as well. In an attempt to address this problem, OWLS and the OWLS Foundation convened a workshop for women and minority lawyers to gain some tools to level the playing field.

Held on September 20 in Portland, the workshop was titled "Pay Up: Negotiating Your Worth at Work." Yumi O'Neil moderated panelists Sidney Moore, Valerie Tomasi, Laura Caldera Taylor, Ellen Raim, and Alana Iturbide, who shared statistics, strategies, and tips on how women and minority lawyers can negotiate for themselves as a potential method of attaining pay equity.

Preparation provides the groundwork for a successful negotiation. First, you have to assess your own economic value. Your value includes not only your billable hours and hourly rate but also client relations and marketing. For plaintiffs' attorneys, the amount of money you've brought in from successful cases could be a good gauge. In the government setting, you might focus on your excellent customer service. Next, you should research external factors, such as who makes compensation decisions at your firm and how, what type of compensation system your firm uses, and what the standard is for compensation in your industry, given your experience and skills. This information will help you decide whether you're in a position to negotiate.

Carrying out the negotiation involves several considerations. You should make only one

*Continued on page 4*

## President's Message



Kathleen Rastetter

Remember Tom Cruise shouting "Show me the money!" in *Jerry Maguire*? The Oregon State Bar's 2012 *Economic Survey*<sup>1</sup> reminds us that we have not

yet achieved pay equity. The study shows that in 2011 the average pay for female attorneys working full-time was about 68% of the average pay for full-time male attorneys. The disparity is present regardless of location or years in practice.

Oregon's figures mirror national statistics for women working in law firms. The National Association of Women Lawyers' recent survey on the retention and promotion of women in law firms found that women's compensation lags male compensation at all levels, with the worst discrepancy at the equity partner level.<sup>2</sup> The discrepancies could not be explained by differences in billable hours, total hours worked, or books of business.

The *OSB Economic Survey Addendum* examines compensation for race and ethnicity, though the report states that caution should be exercised in drawing conclusions from the information due to the small number of responses. Overall, the analysis shows that compensation for non-white attorneys (both average and median compensation) was lower than for white respondents.

Taking into account the entire national labor force, for every dollar earned by a man, a white woman earns 77 cents, an African American woman earns 69 cents, and a Latina woman earns 57 cents.<sup>3</sup>

The U.S. Department of Labor reports that on average, gender pay disparities cost women approximately \$380,000 over the course of their lives.<sup>4</sup> Others place the figure closer to \$500,000 by age 60.<sup>5</sup>

One solution is to "speak up." Men are four times more likely to negotiate salary than women.<sup>6</sup> Programs such as the Wage Project aim to close the gender pay gap by educating women regarding gender pay disparities, and teaching them negotiating skills. Training is particularly

important, since women who do ask receive, on average, 30% less than men.<sup>7</sup> In addition, women are viewed more negatively than men when they negotiate a higher salary.<sup>8</sup> Doing it right makes a difference.

OWLS presented its first-ever negotiation workshop on September 20. [See story on page 1.]

On December 13, OWLS will co-sponsor with the Oregon State Bar a CLE titled "Gender Equity in Partnership Compensation: Why It Matters and How to Do It." The CLE will take place at the Oregon State Bar Center, in Tigard, from 10 a.m. to 12:30 p.m. The cost is \$15 for OSB members registering before noon on December 9 and \$20 for OSB members registering after that. Registration is complimentary for active pro-bono OSB members, Oregon judges, and their lawyer staff. Please contact the Oregon State Bar for details and to register.

OWLS will present other programs to address these important issues, and we welcome your input on what you want to see addressed. Then we can all successfully say, "Show me the money."

Kathleen Rastetter  
President, Oregon Women Lawyers

### Endnotes

1. [www.osbar.org/surveys\\_research/snrdoc.html#economicsurveys](http://www.osbar.org/surveys_research/snrdoc.html#economicsurveys).
2. National Association of Women Lawyers, *Report of the Seventh Annual NAWL National Survey on Retention and Promotion of Women in Law Firms*, October 2012, available at [www.nawl.org](http://www.nawl.org).
3. Jessica Bennett, "How to Attack the Gender Wage Gap? Speak Up," *New York Times*, December 15, 2012, available at [www.nytimes.com](http://www.nytimes.com).
4. <http://social.dol.gov/blog/closing-the-knowledge-gap-on-the-pay-gap/>. See also [www.catalyst.org/blog/catalyzing/take-5-why-men-should-care](http://www.catalyst.org/blog/catalyzing/take-5-why-men-should-care).
5. Linda Babcock and Sara Laschever, *Women Don't Ask* (Princeton University Press 2003); [www.womendontask.com/stats.html](http://www.womendontask.com/stats.html).
6. Jessica Bennett, "How to Attack the Gender Wage Gap? Speak Up," *New York Times*, December 15, 2012, available at [www.nytimes.com](http://www.nytimes.com).
7. Linda Babcock and Sara Laschever, [www.womendontask.com/stats.html](http://www.womendontask.com/stats.html).
8. Tara S. Bernard, "A Toolkit for Women Seeking a Raise," *New York Times*, May 14, 2010 (citing Babcock and Carnegie Mellon University research), available at [www.nytimes.com](http://www.nytimes.com).

OWLS congratulates Judge Clara Rigmaiden, an OWLS member appointed to the Lane County Circuit Court in September by Gov. Kitzhaber.

## OWLS Seeks Nominees for Roberts, Deiz Awards by Nov. 8

OWLS invites nominations for the 22nd Justice Betty Roberts and Judge Mercedes Deiz Awards. The awards recognize and celebrate the accomplishments of individuals in promoting women and minorities in the legal profession and community in Oregon. The recipients will be honored at the annual awards dinner on Friday, March 14, 2014, at the Nines Hotel Ballroom in Portland.

The Justice Betty Roberts Award recognizes an individual who has made an outstanding contribution to promoting women in the legal profession and in 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 in the legal profession and in 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 8, 2013.** Nominations must include the following:

- The appropriate nomination form (available on the OWLS website, [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org));
- At least three letters of recommendation; and
- Detailed information about the nominee, explaining how that person fulfills the award's criteria.

Please send nominations (preferably by email) to Stephanie Corey at [scorey@wilsonconst.com](mailto:scorey@wilsonconst.com) or 1190 NW 3rd Ave., Canby, OR 97013.

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

## Please Renew Your OWLS Membership

OWLS appreciates and depends on your membership. You make it possible for us to provide the excellent programming and services that support our mission of transforming the practice of law and ensuring justice and equality by advancing women and minorities in the legal profession.

Please take the time to renew your OWLS membership today. Our membership year runs from October 1, 2013, to September 30, 2014. You can easily renew online at [www.oregonwomenlawyers.org/membership](http://www.oregonwomenlawyers.org/membership), or contact [diane@oregonwomenlawyers.org](mailto:diane@oregonwomenlawyers.org) to pay by check.

Please consider joining at an enhanced level, and enjoy increased publicity, free registration to upcoming OWLS events, and an OWLS travel mug.

In addition to supporting women and minorities in the legal profession, your OWLS membership gives you many benefits, including these:

- A listing in the new 2013 online OWLS searchable membership directory, available this fall;
- The opportunity to join the OWLS email listserve, connecting you directly to over 1,100 OWLS members to gather referrals, law inquiries, job postings, and other information;
- A subscription to this newsletter;
- Our bi-weekly electronic newsletter;
- Discounted registration fees for OWLS CLE programs and invitations to special events; and
- An opportunity to enroll in the Contract Lawyer Service, which provides access to unique job opportunities posted on the contract lawyers listserve and a forum for discussion of topics of special interest to contract attorneys.

If you have any questions, please contact OWLS Executive Director Linda Tomassi at [linda@oregonwomenlawyers.org](mailto:linda@oregonwomenlawyers.org) or 503.595.7831, or OWLS President Kathi Rastetter at [rastetterk@gmail.com](mailto:rastetterk@gmail.com).

Thank you for your continued support and for your commitment to advancing women and minorities in the legal field. We can't do it without you.

## OWLS Dragonflies Excel Again

By Nancy L. Mensch

What a season this has been for the OWLS Dragonflies! Under the leadership of co-captains Holly Martin and Andria Joseph, coach Dan Auerbach, and tillers Ali Greene and Nancy Mensch, this fiercely competitive team has had a great time on the water.

As you read in the last issue of this newsletter, in June the 'Flies took the gold in the Women's Recreational B Division Championship at the Rio Tinto Alcan Dragon Boat Festival in Vancouver, BC. The 'Flies next competed in the Kent Cornucopia Dragon Boat Races in Kent, Washington, on July 13, in which 20 women's teams competed. The 'Flies took third place in the first race and first place in the second race, earning a spot in the Women's A Division semi-final race. After taking second place in that race, they competed against Portland powerhouse paddling clubs Wasabi and Bridge City to a fourth-place finish in the Women's A Division final race, earning their third medal of the 2013 season.

The 'Flies concluded the season on September 7 and 8 at the Portland Dragon Boat Festival, one of the largest dragon boat competitions in the Pacific Northwest. On the festival's first day, the 'Flies took first place in the first two seeding rounds, earning a spot in the Women's A Division semi-final round the next day. The 'Flies took third place in that race, not enough to earn a spot in the Women's A final race. Competing in the Women's A (Broadway) consolation race, however, the 'Flies paddled hard to a second-place finish, winning sixth place overall in the Women's A Division, another great ending to a stellar season.

The Dragonflies will paddle throughout the winter to prepare for the 2014 race season. If you are interested in joining the team, please contact the author. We maintain a fun, collegial atmosphere and welcome anyone who commits to the hard work that dragon boat racing requires.

Our 2013 race season would not have been possible without our generous sponsors, listed in the last issue and on our website, [www.owlsdragonflies.org](http://www.owlsdragonflies.org). Thank you, all.

*Nancy L. Mensch is an estate planning attorney in Portland.*

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## Laurie Craghead Earns Volunteer Award

Laurie Craghead's long-term energy, creativity, and dedication to Oregon Women Lawyers made her the perfect candidate for Oregon Women Lawyers' 2013 Katherine H. O'Neil Volunteer Service Award. The award recognizes sustained contributions in the form of at least eight cumulative years of service in an identified position with OWLS or an OWLS chapter, the Oregon Women Lawyers Foundation, the National Conference of Women's Bar Associations, the National Association of Women Lawyers, or the ABA Commission on Women in the Profession. Previous recipients include OWLS Founding President Katherine H. O'Neil (2009), Terri Kraemer (2011), and Phylis Myles (2012).

Laurie's service to Oregon Women Lawyers and the Oregon Women Lawyers Foundation has spanned two decades. From 1994 to 1997, she was a member of the Queen's Bench board, serving as president in 1996. Laurie and her husband, Brent Hutchison, spearheaded the Oregon Women Lawyers monthly public cable-access television show, "Ask the Lawyer," which ran from 1994 to 1996. Laurie served as both producer and director, organizing OWLS members as production crew and on-air talent. Upon her move to Central Oregon, she helped to reenergize and lead Cascade Women Lawyers. She served on the OWLS board from 2001 to 2004 and on the Oregon Women Lawyers Foundation board from 2006 until earlier this year.

The award was presented on October 18 at the OWLS Fall CLE by Laura Craska Cooper, OWLS treasurer.



Laurie Craghead

## Workplace Leader

*continued from page 1*

TriMet, like many legal employers, has a written policy aimed at nurturing a diverse and inclusive workforce. But unlike most, it has maintained a diverse and inclusive workforce for more than a decade. Its staff of about eight lawyers has consistently included at least two ethnic minority attorneys and includes an attorney with a disability. More than half have been women lawyers, and Jana Toran is the first African American woman to hold the office of general counsel at TriMet.

Current and former members of TriMet's legal staff report the experience of being encouraged to identify and pursue opportunities that advance their career goals and leadership skills. For example, the current head of legal services was promoted to that role during a period when she was working part-time after returning from a parental leave.

The legal group leadership also seeks ways to capitalize on the opportunities presented by a diverse workforce by looking for ways to improve communication within the department and increase understanding of different working and thinking styles. For example, during a period of transition, the department hired an industrial psychologist to perform individual testing and provide recommendations for how attorneys could work better as a team.

TriMet's attorneys also report that they are offered the flexibility to adjust their work schedules in a way that balances the needs of the job with their personal obligations. Attorneys can work full-time on a four day schedule, and many attorneys, including men, have taken parental leaves and worked part-time. Attorneys and staff also have the freedom to adjust their daily schedules to accommodate their personal circumstances.

TriMet's commitment to diversity and inclusion extends to its outside contracts as well. TriMet has formulated a written policy reflecting its intention to ensure that women and minority attorneys and businesses owned by women and minorities have a fair shot at competing for TriMet's work. TriMet has a system for tracking these efforts to ensure that women and minorities are well represented among TriMet's contracting partners.

OWLS commends TriMet's legal department for modeling a commitment that has resulted in sustained progress in supporting a diverse and inclusive workforce.

## Pay Up: Negotiating Your Worth

*continued from page 1*

counteroffer or request, so make sure it includes everything you are seeking (such as a higher salary and flextime). In addition, keep in mind your employer's perspective: explain what you can do for the firm or company or how a market salary creates mutual respect for your long-term relationship. Also, be ready to explain why your requests are reasonable. Perhaps most important, maintain a dialogue during your negotiation so you can leave the door open for future discussion if your firm or company can't grant your request immediately.

The panelists tempered their encouragement with a few words of caution. In our society, women who negotiate on their own behalf are viewed more negatively than men by both men and women. Suggested antidotes include being relentlessly pleasant and reminding your negotiating partner of the common good you can achieve. Moreover, negotiations work only in a healthy work environment, where your firm or company values you but doesn't know how to do

so properly. If you're in a hostile work environment, your better bet might be to leave and find a place where you are valued.

Furthermore, negotiations are much easier for lateral hires than for new or recent graduates, who will have to work harder to distinguish themselves from their peers—especially in this market. While negative outcomes are possible, the panelists agreed that your firm or company isn't likely to rescind an offer because you've asked for a little more money.

Achieving pay equity has proven to be challenging. The panelists noted that most firms and companies aren't likely to recognize your accomplishments with monetary compensation on their own. Fortunately, the workshop provided a great framework as well as inspiration to negotiate for yourself and get your employer to "pay up."

**Megan Lemire** is a contract attorney in Portland exploring career opportunities in employment law.



Valerie Tomasi



Laura Caldera Taylor

# Forget the Old Boys' Club: OWLS Members Make Rain

By Emily Teplin Fox

The average annual compensation for female lawyers working full-time in the state of Oregon is 68% of the average annual compensation for full-time male lawyers in Oregon.<sup>1</sup> The means of redressing compensation inequality between the sexes in the legal profession are as complicated and intractable as the myriad issues creating the disparity. This much is clear: Oregon's pay gap will never close until there are many more strong women lawyers adept at developing business. We need more female rainmakers.

More is at stake than financial parity. Legendary rainmaker Dave Markowitz has distilled the importance of rainmaking into three main benefits. Increased income is only the first. The other two are job security and mobility, and quality of professional life. Having a transportable book of business enables a woman lawyer to achieve partnership or leave her firm if she is dissatisfied. It empowers her to select the cases she wants to handle and to designate her role within the cases she brings in. As Dave points out, even the most competent lawyer who is not

a rainmaker is always doing the work someone else chose not to do.

For the past three years, OWLS has hosted a rainmaking mentoring circle to connect OWLS members who want to enhance their business development skills with seasoned rainmakers willing to offer guidance. The mentoring circle program is a series of small group meetings spanning several months. Each small group has a seasoned mentor who acts as coach, cheerleader, confidante, and sounding board for the young mentees.

This year's program relied on the generosity of four OWLS members volunteering their time as rainmaking mentors: Carol Bernick of Davis Wright Tremaine, Val Tomasi of Tomasi Salyer Baroway, Gabi Sanchez of Sussman Shank, and Brenda Meltebeke of Ater Wynne. Matt Donohue of Markowitz, Herbold, Glade & Mehlhaf gave a lecture on rainmaking to the entire group at the program's conclusion.

The importance of rainmaking transcends practice area, and the participating mentees reflected the diversity of positions women lawyers hold. From first-year associates in the state's largest

firms to new solo practitioners, the mentees were all eager to learn from some of our community's best rainmakers. Each mentor spent months coaching a small group of mentees. One mentor tasked each of the mentees with developing one- and five-year business development plans, while another turned a meeting into a cocktail party to hone the mentees' networking skills.

By the end of the program, the mentees not only had more confidence in their ability to develop business, they also had a group of allies and potential referral sources. Call it the New Girls' Club, ready to improve women lawyers' professional horizons and, in the process, render that 68% compensation figure a relic.

OWLS thanks all the mentors and also Holly Johnston of Marger Johnson & McCollom and Karie Trujillo of Markowitz, Herbold, Glade & Mehlhaf for their help in organizing the rainmaking circle.

*Emily Teplin Fox is an associate at Markowitz, Herbold, Glade & Mehlhaf in Portland.*

1. Oregon State Bar 2012 Economic Survey at 15, available at [www.osbar.org](http://www.osbar.org).



OWLS held a Dress for Success fundraiser and fashion show on October 3, hosted by Schwabe, Williamson & Wyatt in Portland. Proceeds benefited the Dress for Success Oregon program. Enjoying the event are (clockwise from top left): Amanda Gamblin, Jill Schneider, Leslie Edenhofer, Edie Rogoway Van Ness, and Lynetta St. Clair.

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# Conquering Challenges: Oregon Women in the Law

By Diane Rynerson

On August 29, the diversity and CLE committees of the Oregon Department of Justice presented a memorable program entitled "Conquering Challenges: Oregon Women in the Law." Attendees heard personal stories of perseverance against obstacles from a panel of four accomplished women in the profession: Attorney General Ellen Rosenblum, Secretary of State Kate Brown, Governor's Counsel Liani Reeves, and Multnomah County Circuit Court Judge Adrienne Nelson. The program, in large part designed by OWLS board member Kate Lozano, served both as a celebration of the advancement of women and minorities in the law and as a call to action to do more to work toward equal justice under the law for those in the profession and in society as a whole.

The panelists agreed that in order to succeed, it is necessary to take risks and to be unafraid when unexpected opportunities present themselves. They did caution, however, that where you are in your career helps to determine how many risks you should take. Find some good mentors to help you decide when the



From left: Attorney General Ellen Rosenblum, Liani Reeves, Judge Adrienne Nelson, Kate Lozano

time is right for a change. Judge Nelson advised getting feedback from at least three other people. Liani Reeves spoke about the value of a good mentor. A mentor can help you find opportunities to grow and to learn how to do things in a way that is right for you.

Ellen Rosenblum recounted her experience returning to the U.S. Attorney's Office after a brief maternity leave, only to find that she had been taken off a major savings and loan case. It was demoralizing, and she questioned whether she should continue to work there. Rather than leaving the job, however, she turned her energies in a new direction, and ran for the Oregon State Bar Board of Governors. She was successful, and in 1984 became just the second woman to be elected to the board. Her experience there led to the opening of many more doors. As Judge Nelson remarked, "You

don't have to move straight ahead."

Liani Reeves cautioned that there is no substitute for hard work, and emphasized the need to push through obstacles. Ellen Rosenblum noted that in 1973, she was an unsuccessful candidate for a summer clerkship at the Oregon Department of Justice. With perseverance, she was finally able to get a job at DOJ!

A highlight of the program was the presentation of the Oregon Department of Justice Diversity and Inclusion Innovator Awards to retired Oregon Supreme Court Chief Justices Edwin J. Peterson and Wallace P. Carson, Jr., in recognition of their significant leadership roles in efforts to study and eliminate racial, ethnic, and gender bias in the judicial system. Both are recipients of the OWLS Judge Mercedes Deiz Award. Justice Peterson commented, "It is nice to get awards, but the real reward is the journey."

## OWLS and Markowitz, Herbold, Glade & Mehlhaf Team Up for Women's Trial Academy

Are you a civil litigator with two to six years of experience and a desire to hone your trial skills? If the answer is yes, OWLS has a new program designed just for you.

Markowitz, Herbold, Glade & Mehlhaf attorneys Renée Rothauge and Lisa Kaner are launching the Women's Trial Academy 2014<sup>®</sup>, designed for young women civil litigators who want to sharpen their trial skills and learn to turn perceived disadvantages into strength and winning strategies.

The Academy features a series of eight two-hour sessions facilitated by Renée and Lisa, two successful and experienced trial attorneys. Each session will be enhanced by "guest coaches" who will offer their expertise. The coaches will include judges, women trial lawyers, consultants, and some surprises.

Your trial skills will be developed by trying a case over the course of the eight sessions. The sessions will address some of the unique challenges women face in the court room in a small group setting. Participants will conduct mock openings, examinations, and closings, along with other key parts of trial.

Tuition for the Academy is \$199. The eight two-hour sessions will extend from February through September 2014. Participation is limited to 15 litigators. Sessions will be held at the Markowitz firm, in Portland. Participants must be members of the Oregon State Bar and OWLS. We will apply for MCLE credits.

If you are interested in participating, email Karie Trujillo at [KarieTrujillo@MHGM.com](mailto:KarieTrujillo@MHGM.com) for the program's application and schedule.



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# Meet Circuit Court Judge Kathryn Villa-Smith

By Yael Livny

You might walk away from a conversation with Multnomah County Circuit Court Judge Kathryn Villa-Smith wanting to move to the countryside. Life on her small farm sounds good. There's a new chicken coop, with a mean rooster overlord. She sold the horse, but still has three dogs and two cats. She drives a small tractor (photo not forthcoming).

Had I met her when she was nine years old, would she have told me she wanted to be a judge? "Oh no," she chuckles. I can hear her smile through the phone as she thinks of her nine-year-old self. She probably would have said she wanted to be a social worker like her mom, or a teacher like her dad. Or a homemaker. She grew up searching for a profession in which she could be of "real assistance" to people. She admired, and still admires, folks like her parents, who have an influence in people's lives.

Born and reared in Santa Fe, New Mexico, Villa-Smith studied social work and sociology at New Mexico State University, and after graduating, worked at a juvenile detention center and then as a counselor. Eventually, she moved to Colorado Springs, where she was a military wife with a child. When she entered law school at Lewis & Clark in 1979, she had two small kids at home. She was not the typical student. Life in law school consisted of "rushing to school, rushing back home, studying after the kids were asleep." She recalls cooking dinner and taking the kids to the park: these were "good coping mechanisms" for the stress of law school. "I didn't enjoy law school," she says, smiling.

She enjoyed practice much more. She began as a prosecutor for the Multnomah County District Attorney's Office, working on a variety of cases, including juvenile matters. As a new lawyer, she soon learned to foster the healthy detachment of a good advocate—"take yourself out of a case, remind yourself not to get too emotionally involved." After ten years of criminal law, Villa-Smith applied for a position on the bench. She was rejected: she was viewed as too inexperienced. "So I put that aside and focused on being a good lawyer." She set her path and joined the private sector, practicing family law as a partner at Gevurtz Menashe before being named to the bench in 2011—nearly 17 years after her first application.

Judge Villa-Smith emphasizes that judicial work is very different from advocacy, and she encourages lawyers to try pro-tem work before pursuing a judicial path. She is a fan of the OWLS Road to the Bench program and found it helpful to "read about the process, to hear from other people who had the same focus, who made the same mistakes in interviews." It's easy to give up," she adds. "Be persistent."

Does she think women face special hurdles in pursuing a judicial job? "Sometimes, as women, we are hard on ourselves. . . . Sometimes, we don't have the confidence to set a goal, figure out what it takes to achieve it, and then strive for it." Setting goals at various points in life is important, as is being "thick-skinned." Moreover, as this judge learned first-hand, "don't give up." Looking back at the 17 years that elapsed between first applying to the bench and her appointment two years ago, Villa-Smith views the delay as a positive: her experience representing clients, her maturity, and her confidence all help her in her judicial role.

How is life on the bench different

than practice? Villa-Smith recalls her days in practice as exercises in multi-tasking, role-shifting, and tumult. She was also heavily involved in volunteering and professional committees, while maintaining a caseload. "On the bench, you can do one thing at a time," she says. It is still extremely hard work, but she gets her case docket by noon the preceding day, and there is a plan. There is neatness and orderliness in her chambers.

She still multi-tasks, at least at home, where she is usually engrossed in two books at once, reading for an hour or so each night, after work on the farm is done.

*Yael Livny is an assistant attorney general in the labor and employment section of the Oregon Department of Justice.*



*Hon. Kathryn Villa-Smith*

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## From the Executive Director's Desk

**D**uring our 24th year, Oregon Women Lawyers added a chapter in southern Oregon, ventured into new programming areas, and continued to partner with other specialty bars to co-sponsor, cross-promote, and support activities and events.

Active members in Douglas County created the Joan Seitz Law Society, with a year's worth of programming ready to go. Around the state, OWLS continued the important work of promoting women and minorities in the law through statewide chapters and committees, CLEs, networking events and socials, leadership and career development opportunities, law school mixers, workshops, new-admittee lunches, charitable fundraising activities, picnics, playgroups, and other events that put members and colleagues together.

Our 2012 Fall CLE addressed marriage equality, and we partnered with other specialty bars to expand the audience for events to increase diversity and inclusion in the profession, including addressing the lack of women and minority arbitrators in Marion and Multnomah Counties.

OWLS volunteers come from large, medium, and small firm settings and solo practices, and from legal aid and other nonprofits to the U.S. Attorney's Office. We count on the energy and creativity of our members to bring unique, quality events where you'd like to see them.

It is an honor to serve you and to see your ideas come to light. I look forward to celebrating our 25th year with you in 2014.

Warmly,



Linda Tomassi  
OWLS Executive Director

## Networking Opportunities and Leadership Initiatives

### Inter-professional Networking Events

The OWLSNet committee is in its seventh year of working in partnership with other professional women's organizations. This year in Portland, OWLSNet brought together lawyers, accountants, bankers, and real estate agents. The committee partnered with Cascade Women Lawyers for a networking event in Bend that raised money for the Campaign for Equal Justice.

### Leadership

Our "Spring into OWLS" mixer brought potential OWLS volunteers to Schwabe, Williamson & Wyatt in Portland to learn how to get involved with OWLS. We added dozens of volunteers to our committees, resulting in increased programming.

"Pay Up: Negotiating Your Worth at Work" was OWLS' and the OWLS Foundation's first workshop for lawyers to address pay inequity in the legal profession. We featured five panelists from legal and corporate organizations, public and private, who led a lively discussion and

imparted their wisdom on strategies for negotiating salary, benefits, and other work-related negotiables. The intimate setting allowed participants to ask questions and raise concerns in a safe setting. The workshop was co-sponsored by the Multnomah Bar Association Young Lawyers Section, the OSB Department of Diversity and Inclusion, and Barran Liebman.

### Mentoring

The OWLS leadership committee organized and promoted two successful mentoring circles again this year. A family law mentoring circle took place over the course of the year at Gevurtz Menashe, which again offered no-cost CLE credit. The rainmaking mentoring circle, hosted by Markowitz, Herbold, Glade & Mehlhaf, provided mentoring for over two dozen attorneys from some of the community's leading rainmakers.

For a third year, OWLS hosted a Career Development and Rainmaking Dinner in Portland. This one featured a keynote address by Chris Kitchel, a partner at Stoel Rives.

Judges at the Multnomah County Circuit Court continued the first-generation professionals discussion group. This group

brings together lawyers, judges, and law students six times per year to discuss the challenges of being the first in their families to go to college or attain a professional degree.

### The Road to the Bench

The OWLS judicial work group is in its sixth year of assisting OWLS members who are considering a judicial career, offering written materials, mock interviews, and Road to the Bench presentations.

### At the Courthouse

Take Your Kids to Work Day continues to bring over 100 children to the Multnomah County Courthouse to learn about the importance of jury trials and the role of the legal system. We thank the judges and volunteers who coach the children in their roles as judges, prosecutors, the defense team, and bailiffs. The Federal Courthouse Connection was co-hosted this year by Chief Judge Ann Aiken of the U.S. District Court and Presiding Judge Nan Waller of the Multnomah County Circuit Court.

This year, OWLS partnered with the United States District Court Historical Society to form Oregon Women Judges, a project that is dedicated to honoring and celebrating the contributions of Oregon's state and federal women judges by collecting and preserving their history.

### Contract Lawyers Listserve

OWLS' contract lawyers listserve enables contract lawyers and solo practitioners to learn of contract law opportunities advertised through the service, communicate with one another, and share upcoming programming related to the profession. This year, members of the service were surveyed about needed programming, and new volunteers are working together to bring new events to OWLS members.

### OWLS Listserve

Serving as a resource for the majority of OWLS members, the members-only listserve is our most-utilized membership service. OWLS members use this tool as a unique resource for a wide variety of professional and nonprofessional issues, including legal referrals, advice, service recommendations, job postings, and discussions. It is also the avenue through which OWLS staff learn of referrals needed outside of Oregon, and connect OWLS members to members of the national women's bar listserve.





# Women Lawyers Annual Report

## September 2013

### Balancing Work and Personal Life

Playgroups in Bend, Portland, and Eugene were active, thanks to OWLS volunteers who brought attorney parents and their kids together for regular play and social time in homes and parks.

OWLS partnered with the Oregon Attorney Assistance Program for the Women's Wellness Retreat again this year.

OWLS volunteers brought people together for a series of well-attended discussions at Tonkon Torp in Portland to discuss Sheryl Sandberg's book *Lean In*.

### Conferences and Continuing Legal Education

OWLS' 2012 Fall CLE, entitled "The Curious Relationship Between Marriage and Freedom," featured Professor Katherine Franke of Columbia Law School and Professor Pamela S. Karlan of Stanford Law School. They addressed past and current issues related to marriage equality for the lesbian, gay, bisexual, and transgender (LGBT) communities. This educational and uplifting CLE brought together members of the LGBT legal community and their allies to hear the unique perspectives of intense and humorous scholars.

The OWLS membership committee continued its second year of brown-bag by telephone CLEs. These free CLEs are available to anyone with long-distance telephone service and are recorded for future listening.

OWLS and the Oregon Asian Pacific American Bar Association (OAPABA) partnered to bring a CLE on court-appointed arbitrators to Portland to address the lack of women and minority court-appointed arbitrators.

### OWLS and the Community

OWLS members raised money and volunteered for organizations including the Imprint Program, Classroom Law Project, Public Interest Law Project, Mock Trial Program, Liberty House, Mid-Valley Women's Crisis Center, Relief Nursery, "Santa Central," and Girls, Inc. Again this year, members collected books for the Coffee Creek Correctional Facility library and contributed generously to the Campaign for Equal Justice. OWLS co-sponsored the Oregon Attorney Assistance Program's sixth annual Women's Wellness Retreat; donated to the OMLA, the OWLS Foundation, and law school silent auctions; and co-sponsored OLIO, as well as

the Multnomah Bar Association diversity mixer.

### Awards

#### Roberts-Deiz Awards Dinner

In March, 500 guests attended the 21st dinner, honoring Multnomah County Circuit Court Judge Jean Kerr Maurer as the recipient of the Justice Betty Roberts Award and Julia E. Markley, a partner at Perkins Coie, with the Judge Mercedes Deiz Award.

#### Katherine H. O'Neil Volunteer Service Award

OWLS' Katherine H. O'Neil Volunteer Service Award recognizes an OWLS member who epitomizes steadfast dedication and long-term volunteer service to promote women in the legal profession. The award, named after OWLS' founding president, was awarded in 2012 to Phylis Myles.

### OWLS Chapters

OWLS' 12 chapters throughout the state continued to offer members and friends events that tie together professional enrichment and networking. These events, coordinated by local volunteers committed to the OWLS mission, included new-admittee lunches, CLEs, networking and holiday socials, wine-tasting events, summer picnics, lectures, and meet-the-author events. This year, Lane County Women Lawyers paid tribute to the county's first female judge, Hon. Helen Frye. Please visit [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org) to see a calendar of upcoming events.

The OWLS chapters are the Carol E. Jones Chapter of Yamhill County, Cascade Women Lawyers (Bend), Clackamas Women Lawyers, the Joan Seitz Law Society (Douglas County), Josephine County Women Lawyers, Lane County Women Lawyers, Lawyers' Association of Washington, Linn-Benton Women Lawyers, the Mary Leonard Law Society (Salem), Queen's Bench (Portland), the Rebecca J. Bloom Chapter (Umatilla and Morrow Counties), and Rogue Women Lawyers (Grants Pass/Ashland/Medford).

### The Dragonflies

The OWLS dragon boat team, the Dragonflies, had another amazing season. For more information, please see page 3 and visit [www.owlsdragonflies.org](http://www.owlsdragonflies.org).

### Many thanks to our 2012-2013 sponsors:

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## Implementing Odyssey and eCourt

I consider myself a “Generation X” judge. I grew up with MTV, video games, and computers, and now I live a life ruled by technology and social media, from my iPhone, my iPad, and my Kindle to Facebook, YouTube, texting, and tweeting. Despite years of having these gadgets in my personal life, I found myself still clinging to paper in my professional world.

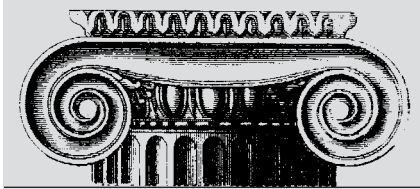
A couple of years ago, Judge Phil Arnold, then Jackson County’s presiding judge, urged the rest of the Jackson County bench to “go electronic.” This meant not subscribing to the book versions of the Oregon Appellate Courts’ Advance Sheets, not ordering reference guides or CLE publications we could access electronically, and no longer having the printed version of the Oregon Revised Statutes in our courtrooms. As someone who still likes to hold the newspaper in my hands every day to read as I drink my morning coffee and who took months to acclimate to reading books on my Kindle instead of the old-fashioned way, this seemed like a tall order. Although in many ways I had already jumped onto the technology express—I love the ease and convenience of email and texting, constantly use the Internet as a reference tool, and keep up with my family and friends via Facebook—part of me was hesitant to give up all the paperwork and printed texts.

I soon realized that searching the ORS online was quick and easy, and having the OSB Barbooks library available at the click of a mouse was great. I no longer order any printed materials that are available electronically, and I store website links and PDF files that I need for reference on the iPad that the Juvenile Court Improvement Program purchased for me and other judges around the state.

Just when I thought I had the latest technological advances down pat at work, along came Odyssey and eCourt. Jackson County was the fourth county to “go live” with them, after Yamhill, Linn, and Crook/Jefferson. The ongoing rollout of counties will take place until 2016, with Clatsop, Tillamook, and Columbia the most recent counties to get up and running.

Odyssey (owned and operated by Tyler Technologies) will eventually replace OJIN (Oregon Judicial Information Network) in the Oregon courts. OJIN is the case management and database system

### THE JUDGES’ FORUM



By Judge Lisa C. Greif  
Jackson County Circuit Court

that has been used for many years. It is cumbersome, old, and at risk of failing. We were also experiencing a storage problem, as there is only so much room for paper files in courthouses. Plus, more and more agencies are issuing electronic reports—law enforcement, the Citizens Review Board, and DHS Child Welfare to name a few. So the decision was made that we needed to move forward toward a paperless world, which would include the ability to file documents with and make payments to the court electronically.

Court staff and judges went through multi-day trainings, including one on Saturday, to learn the new system. The trainings were conducted by representatives from Tyler Technologies and the OJD Enterprise Technology Services Division and consisted of hands-on exercises in the courtroom and on the computer, as well as written materials. In my opinion, the trainings were pretty basic and generalized and did not touch on the specific types of cases that I handle.

When we went live with Odyssey and eCourt, we had a lot of glitches and uncertainty, and this continued for a couple of months. We also had to scan in all of the old files in cases that had upcoming court hearings, a daunting task, given that some included hundreds of pages. We ended up hiring temporary workers to handle the back scanning, as it was too much for our current staff to take on.

Now that we are about six months into our new system, I can say that there are really good things about Odyssey and eCourt, but challenges and problems remain. It’s easy for staff to locate a file electronically (instead of having to hunt it down in archives or in a basket somewhere), and multiple people can review a file at the same time. The “Judge Edition” of Odyssey is relatively simple to learn and navigate and allows judges to have complete case files on the computers in their offices and in their courtrooms (assuming all the documents have been scanned), flag or bookmark pages on documents, and mark documents as favorites.

Odyssey provides eCourt case information online to registered users. In addition, the public can view court calendars online and can come to the courthouse and view case files online.



Judge Lisa C. Greif

Odyssey enables people to pay court fines and fees online and saves attorneys trips to the courthouse because they can file complaints, motions, orders, and other documents electronically, which also cuts down on staff time. Odyssey is a person-based system, whereas OJIN was a case-based system; now when you type in a name, all of that person’s cases come up (criminal, civil, domestic relations, small claims, etc.).

While Tyler Technologies and the Oregon Judicial Department are sticking to the rollout schedule for the remaining counties, courts that already have the new system in place are waiting for community partners (the DA’s office, jail, CASA, etc.) to be able to view the files online and for the attorney of record to be able to access documents online. We have been told that this will occur in 2014.

Unfortunately, rolling out upgrades has not happened as originally scheduled. This year the legislature appropriated funds to support the rollout of Odyssey and eCourt to all the counties, but it did not appropriate funds for future upgrades of the system.

Occasionally the court clerk’s calendars and dockets do not match what the judge sees in the Judge Edition of Odyssey, so one or both people have to scroll up and down to find the matching information. Our staff has had to create “work arounds” when Odyssey does not have the functions needed to complete a task. Odyssey is slower than OJIN; it now takes more time to find things in the case file. For example, when I review a juvenile dependency file, I may have to scroll through several hundred pages before I find the document I want.

Additionally, judges may receive orders and judgments to sign, but not the accompanying motion, affidavit, or report, so we have to open another session of Odyssey to read the other document(s). In court, I may have to open and close

*Continued on page 11*

# Meet OWLS Secretary Elizabeth Tedesco Milesnick

By Megan Lemire

Elizabeth Tedesco Milesnick currently serves as OWLS' secretary. She is also a member of the OWLS transformation committee and the OWLS-Net committee (of which she is the past chair). A Portland native, Elizabeth works as a litigator with the intellectual property (IP) team at Miller Nash in Portland.

For Elizabeth, personal connections have been a source of professional and personal success and satisfaction. While working at the Reed Smith law firm in California, she was initially drawn to IP law because she liked and respected the people in the IP litigation group.

Fortunately, IP law turned out to be a good fit for her, which she attributes to her love of language. After making it to the state championships in competitive poetry reading in high school, she earned a BA in English from Dartmouth College in 1999 and a JD from Boston College

School of Law in 2002. Elizabeth enjoys presenting a position in court and finds fascinating the claim-construction process in patent litigation, which involves arguing about the precise definition of a given term in a patent document.

Elizabeth also enjoys the teamwork component of IP litigation. Working with clients, experts, and attorneys who prosecute patents provides opportunities for collaboration and creativity. She notes that her colleagues at Miller Nash are particularly good collaborators, as well as friendly, warm people in general. They "really care about each other and about doing a good job." She has found role models in Paul Havel, the head of her IP group, who is a "terrific and productive lawyer as well as the father of two young children," and also in Chris Helmer, "one of the most accomplished female attorneys in the state." Both understand the challenges she faces as a female litigator and working mother.

Having a congenial work environment and mutual respect has always been an important part of career satisfaction for Elizabeth. Although IP law is a male-dominated field, she felt comfortable at Kolisch Hartwell, her first firm in Portland, and particularly supported by her mentor there, Pete Heuser. She feels fortunate to have found a similarly supportive environment at Miller Nash. While she recognizes that new attorneys confront a difficult legal market, Elizabeth hopes that young women lawyers will strive to work at a place where they feel valued.

Personal connections have also enriched Elizabeth's involvement with OWLS. When she returned to Oregon, she was "particularly inspired by OWLS," given the moving speakers at many events and OWLS' great energy. Her work on

the transformation committee provides her with a good perspective on how legal employers can support women and minorities.

As chair of the OWLS-Net committee, Elizabeth enjoyed bringing women together across professions and around the state to make connections with one another. She now enjoys serving as OWLS' secretary and a member of the OWLS executive committee. It certainly helps that her fellow board members are committed to the OWLS mission, a commitment that translates into cohesive and productive meetings.

Elizabeth attributes her ability to achieve work-life balance to spending meaningful time with her husband and their young son when she's home. She focuses on engaging with them and being present in the moment, rather than allowing work-related issues to distract her. In fact, for her, trying to enjoy parenting rather than seeing it as a burden makes it more fun and relaxing. After her son goes to sleep, she returns her attention to any work she has to complete. By cultivating personal relationships both at home and at work, Elizabeth is able to provide value to her clients and her firm and spend quality time with her family.



Elizabeth T. Milesnick

## Judges' Forum

*continued from page 10*

several windows if there are multiple files for one person; this is especially time-consuming when there are numerous charging instruments. I admit I liked having the paper files in front of me to flip through. It also is tough to write on (annotate) a PDF file, so I often end up printing out the document, hand writing on it or checking the boxes I need to, and then having it scanned back into the case file.

We're still waiting for Odyssey to be put on our iPads so we can access files and documents remotely. Our tech staff has been diligently working on this for the judges. I really enjoy using my iPad, and I like getting DHS court reports in juvenile dependency cases via email because they are so easy to read through, and I can take the device home with me and read them at night. So I am looking forward to being able to do the same with all cases that require me to review documents.

I am learning to embrace the new technology that has been integrated into my life, both in and out of the courtroom. While we still have bugs to work out in Odyssey and eCourt, my hope is that as counties continue to implement them, there will be fewer and fewer glitches, and the needed upgrades will be put in place in a timely manner. Now if I can just figure out Twitter...

*Megan Lemire is a contract attorney in Portland exploring career opportunities in employment law.*



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# OWLS Members Address the Role of Managing Partner

By Terri Kraemer and Bonnie Palka

Ever wonder what it takes to become a managing partner? Or what the job entails? We spoke with five OWLS members who are either past or current managing partners of their firms to find out answers to these questions and more. We learned that there is no cookie-cutter approach to becoming a managing partner. Nor is the role the same from firm to firm.

We interviewed Sharon Smith, former managing partner of Bryant, Lovlien & Jarvis in Bend, and four current managing partners: Carol Bernick, who manages the Portland office of Davis Wright Tremaine; Deanna Wray of Bodyfelt Mount in Portland; Laura Craska Cooper, who manages the Bend office of Ball Janik; and Bonnie Richardson of Folawn, Alterman & Richardson in Portland.

## Managing partner responsibilities

Managing partners deal with a variety of matters, such as budgeting and finance, information technology, document management, marketing, human resources, and strategic planning. Some also are involved in recruitment and retention of professionals, work-flow management, compensation, and other matters.

In addition to handling routine matters, Carol Bernick meets periodically with her Portland office's eight practice groups and their chairs, and with various ad-hoc committees. She meets weekly with the office administrator and monthly with the partners in charge of the firm's other offices. Carol describes a typical day as "Knock, knock... 'Carol, do you have a minute?'"

Deanna Wray meets with the firm's other five partners at partnership meetings twice a month. She also chats with a few partners each week to stay abreast of potential issues, and she checks in daily with the office manager. Deanna says that because her partners know that she is keeping close watch on the firm's finances, they are comfortable deferring to her on management matters.

Laura Craska Cooper is responsible for the performance of her firm's three-attorney office in Bend and reports on its work at monthly partnership meetings. She consults as needed with her firm's firm-wide managing partner, the managing attorneys for the Seattle and DC offices, the firm's chief operating officer, and the firm's human resources manager. She regularly checks in with the office's

other attorneys to assist them with practice development. She works with the office manager on budget issues.

Bonnie Richardson co-founded her firm with the understanding that she would be the managing partner. She meets once or twice a week with the other equity partner to talk about ideas on strategic planning, forecasting, and goal setting. She encourages her staff to meet with her as needed and to meet regularly with the office manager. Bonnie oversees all financial and workload issues and meets briefly each week with the office manager to discuss financial issues. She checks in regularly with everyone at the firm.

Sharon Smith proposed and structured the managing partner role at her firm so that the person coordinates with five committees of partners as well as the office manager. When she was managing partner, Sharon helped the committees set their goals and decide how to measure and track the goals. She ensured that the committees obtained the resources they needed and were accountable. She also led the shareholder meetings.

## The path to managing partner

The path to becoming the managing partner varied for each of the women we interviewed. All of them saw an opportunity, wanted to effect change, and jumped into the role when it became available. Some had always wanted to be in charge, so the move seemed inevitable. Some thought their firms needed managing or at least someone to help direct the firm, and they took on the role when no one else was interested. Others were approached to take the position.

Historically, achieving managing partner status was seen as having reached the pinnacle of one's legal career. And those selected for the role were often the biggest money-maker for the firm or the "best" lawyer in a firm or the one viewed as the most powerful, rather than a lawyer who had the desire, energy, and skills for the role. What we learned from the OWLS members interviewed was that managing a law firm requires skills that are quite different from being a rainmaker or managing cases and clients.



Bonnie Richardson



Deanna Wray

## Necessary skills

Patience, compassion, a willingness to listen, and the ability to tell when people are happy or unhappy, fitting in or not fitting in, are essential to the role of managing partner. One must also be able to make decisions quickly when necessary. Other important skills include the ability to think strategically, plan ahead, and understand budgeting and financial statements.

Those interviewed made themselves available to attorneys and staff not only by having an open door policy, but by regularly walking the halls and checking in with people. These habits enable managing partners to both watch out for potential problems and support the firm's employees. Bonnie Richardson has learned that when there are problems with an individual, one should handle the problems immediately, be straightforward, and not attempt to avoid a conflict or take time to build a case against a person. Carol Bernick notes that the managing partner must be consistent and fair and set aside individual relationships with people in the firm when making decisions regarding the firm as a whole. In other words, the managing partner must put the firm first.

Sharon Smith points out that each managing partner must develop her own style to fit her personality and skills, and she needs to be able to work within the culture of her firm—even if she is going to work to change it.

## Preparation

How can you prepare to become a managing partner? Carol Bernick recommends being active on firm committees. Others suggest reading about and attending conferences on law firm management.

*Continued on page 13*

## The Role of Managing Partner

Laura Craska Cooper recommends getting finance and budget experience by sitting on the boards or committees of local nonprofits. She also recommends developing conflict-management skills.

Sharon Smith recommends developing a relationship with your firm's current managing partner. "Get a task from the managing partner; do it on time; do it well," she advises. Even before becoming partner, Deanna Wray took on management issues such as technology upgrades for her firm. When the senior partner took on the role of first managing partner, she acted as his "lieutenant." When Bonnie Richardson worked at a large firm, she served on the equality, recruitment, and other committees.

### Challenges and rewards

It's important for attorneys to consider why they might want to be a managing partner. The position can entail "herding cats," inconvenience, dealing with conflict, and making difficult decisions. Issues that may need to be addressed include attracting a diverse workforce, attracting and maintaining clients during challenging economic times, pricing practices, the use of social media, and training and retaining new lawyers.

## Upcoming CLEs on Child Abuse Reporting

Here are three end-of-year opportunities for you to earn MCLE credits in child abuse reporting:

Lane County Women Lawyers will present its sixth annual CLE conference on Friday, November 22, from 9 a.m. to 4:30 p.m. at the University of Oregon School of Law. The conference offers three CLE credits in access to justice, 1 CLE credit in child abuse reporting, and 2 CLE credits in ethics. The cost is \$150 through November 15, \$175 if paid later, and includes lunch. Part of the proceeds benefit other nonprofits. Registration forms are available at [www.kernuttstokes.com/about/news](http://www.kernuttstokes.com/about/news).

On Thursday, December 5, the OWLS membership committee has scheduled a free noontime phone-in CLE with Deschutes Circuit Court Judge Beth Bagley.

On Monday, December 9, from noon to 1 p.m., Marion County Deputy District Attorney Katie Suver will be the featured speaker at the Mary Leonard Law Society's annual CLE on child abuse reporting.

For more information, please contact Diane Rynerson at [diane@oregonwom-enlawyers.org](mailto:diane@oregonwom-enlawyers.org).

Despite these challenges, the managing partners interviewed were all enthusiastic about serving in the role. Sharon Smith recommends the position because it provides good insight into the mechanics of running a law practice and working with colleagues, which she says will ultimately make one a better lawyer. Carol Bernick strongly recommends the managing partner position as a path to taking control of your career and being of value to your firm. Laura Craska Cooper also endorses taking on the role. She believes that attorneys have a responsibility to step up and participate in management. Bonnie Richardson says, "If you care about people and directing the future of your own work environment, then [being managing partner] is the best way to take control."

Once you are in the position, avail yourself of resources to keep learning and perfecting your skills and bringing value to your firm. Carol Bernick participates in the Multnomah Bar Association's managing partners roundtable. Bonnie Richardson meets regularly with other managing partners, and she has also organized a retreat with three other female managing partners.

Lastly, we learned that compensation for managing partner responsibilities varies. Some managing partners had to ask to be compensated



Sharon Smith

for their managing partner work. Some think the compensation should improve, and others are compensated the same as if the time spent managing the firm were instead spent doing client work. Some advice: If you are not compensated for your managing partner work, ask to be. Lay out a clear case for the compensation you think you deserve, including what your day as managing partner is like, the issues you deal with, the time it takes to deal with them, and the value of your role and work to the firm.

*Terri Kraemer is chair of the AdvanceSheet Committee. Bonnie Palka is experienced in construction law.*

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# Clackamas CLE on Wellness for Women Lawyers

By Hon. Jill Tanner

“Wellness for Women Lawyers: Finding Moments of Inner Peace and Focusing on Self-Care” was the topic of the CLE sponsored by Clackamas Women Lawyers on June 18. Shari R. Gregory, an attorney counselor and assistant director of the Oregon Attorney Assistance Program, engagingly explained how to find satisfaction, health, happiness, and well-being within a rewarding but often highly stressful profession like law. She discussed three keys to finding satisfaction, health, happiness, and well-being:

- Combat stress when it arises and develop a short-term stress response and a long-term stress response
- Develop insulation that protects and resists the negative impact of stress
- Avoid the natural tendency to neglect or criticize ourselves in times of stress

Shari’s recommendation for combating stress in the short term is to participate in “restorative activities” (like meditation, yoga, listening to music, or exercise) that trigger a healthy hormone or chemical response from the body, resulting in a relaxation response. A restorative activ-

ity can be as easy as carrying a totem that when viewed brings memories of a peaceful, happy experience or a fun-filled adventure.

One way to minimize or prevent stress in the long term is to develop an armor or shield that builds resilience to stress. Shari said that some effective techniques are to give up perfectionism and adopt instead the 80% rule; distinguish between what is controllable and what is not; ask for help when you need it; draw healthy boundaries and learn to say no; and incorporate laughter into your life and bring some fun into what might otherwise be a chore.

Shari discussed the “10% rule”: reports of happiness vary by 10% based on circumstances. Shari has concluded that the most important factors are personality and an individual’s thoughts and behaviors—all things that can be changed. Change can come from practicing optimism, showing gratitude and compassion, practicing stress-reduction techniques, and developing resiliency skills. Shari recommended an article entitled “The Resiliency Route to Authentic Self-Esteem and Life Success,” written by Nan Henderson,

MSW, commenting that creating a resiliency route is not easy to do, but finding and using your own personal strengths will lead to a fulfilling life.



Shari R. Gregory

Shari concluded her presentation with short reviews and recommendations of books on managing stress, a list of which can be found at [www.oaap.org](http://www.oaap.org).

Clackamas Women Lawyers extends a special thank you to Shari for an informative and entertaining presentation and to the Law Office of Sonya Fischer, PC, and Boutin & Associates, PC, for providing refreshments at the beautifully landscaped Lake Oswego Golf Club. The CLE was accredited for one hour of personal management credit.

*Hon. Jill Tanner is the presiding magistrate of the Oregon Tax Court and an OWLS board member.*

## MLLS Co-sponsors Imprint Program

By Heather Vogelsong

Twenty-seven North Salem High School students and 27 attorneys and law students participated in Marion County’s 2013 Imprint Program. The program paired a ninth-grade student from teacher Aireanne Nicholson’s class with a volunteer from the legal profession so they could form a one-on-one relationship through reading a book and exchanging letters as pen-pals, providing the student an opportunity to interact with a positive adult role model. This year, program participants read Sherman Alexie’s book *The Absolutely True Diary of a Part-Time Indian*. The final event for the program was a pizza party, at which the students and volunteers had an opportunity to meet each other face to face.

Each of the students who participated in the program was involved in AVID (Advanced Via Individual Determination) at North Salem High School. AVID students have the intellectual capacity to attain college entrance but tend to face barriers, such as economic or language barriers or the lack of a support system, that may prevent them from going to college. AVID helps students develop the critical thinking and organizational skills they’ll need to attend college, acquaints them with the college environment and advanced courses, and assists them with college and scholarship applications.

Marion County’s Imprint Program would not be possible without the support and financial assistance of the Marion County Bar Association, Willamette University College of Law, and the Mary Leonard Law Society. A big thank you is extended to each of those organizations. A special thank you is extended to Cathryn Bowie, who volunteered to take pictures of the volunteers and students at the pizza party. And much appreciation is extended to the 27 volunteers who read books and wrote letters to the students. The volunteers are the life of the program! Thank you, volunteers, for your willingness to share a bit of yourselves with an aspiring student.

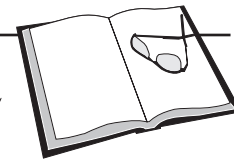
*Heather Vogelsong was the 2013 Imprint Program coordinator in Marion County.*



*OWLS Foundation board member Kristie Gibson and her husband, Randy King, enjoy the annual golf event co-sponsored by the Multnomah Bar Association and the OWLS Foundation, with prize-sponsor Aufdermauer Pearce Court Reporting. The event took place on July 19 at Edgefield in Troutdale. Proceeds benefited the Volunteer Lawyers Project at Legal Aid Services of Oregon.*

For more information about OWLS activities, chapters, and volunteer opportunities, visit [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org).

# Rebels at the Bar: The Fascinating, Forgotten Stories of America's First Women Lawyers



By Jill Norgren (New York University Press, 2013, 268 pages)

Book Review by Teresa Statler

In *Rebels at the Bar*, Jill Norgren introduces us to eight trailblazing American women lawyers of the 19th and early 20th centuries. Their stories are ones of nerve, frustration, and courage. Some of the women, such as Myra Bradwell and Belva Lockwood, are well known in some circles. Others, like Lavinia Goodell, Catharine Waugh McCulloch, and westerner Clara Foltz, have, through Norgren's engaging book, come out of the shadows of American legal history.

Norgren, a professor emerita of political science and legal studies at the City University of New York, starts out by giving us a short history of the practice of law in the America's early years. She tells us that "when, after the Civil War, a few brave women insisted upon the opportunity to become lawyers, they entered a profession with a decidedly mixed reputation, one populated solely by male practitioners who were responsible for the nature of their profession." The Civil War also gave rise to a new expression of the idea of equal rights. It was in this context that a few women acted on their "radical ambition" to become lawyers.

Norgren tells us that these aspiring women attorneys "often found that a single man could be counted upon to open or to bar the door to law school, the local bar, or the legislative process by which discriminatory laws [limiting the practice of law to men] might be overturned." These women's progress depended somewhat on where in the United States they lived and which law school deans and judges they encountered. For example, Columbia University's School of Law refused to admit women when they first applied in 1868 and continued this ban for decades, while the University of Michigan admitted women to its law school right after the Civil War.

Because many, if not most, women were prevented from entering law school, they "read law" (as many of their male counterparts did) with an experienced (usually male) attorney. Both before and after becoming lawyers, Norgren's eight biographical subjects were also involved in organizations envisioning a more just American society, such as anti-slavery societies, temperance groups, or suffrage associations. They had solo law practices

and were also in partnership with other women and men attorneys. Some of them supplemented their income from practicing law with lectures on leading issues of the day. Several tried to run for political office, even though they could not yet vote.

All these women had interesting personal and professional lives, and some of them knew each other well, or were at least acquainted via the Congress of Women Lawyers, founded in 1893. All struggled to become lawyers and to be recognized as professionals. Two of the women Norgren highlights are Belva Lockwood and Clara Foltz.

Norgren, whose comprehensive biography of Lockwood was published in 2007, condenses this woman's story in *Rebels at the Bar*. Belva Lockwood was the first woman admitted to practice before the U.S. Supreme Court. A schoolteacher with a supportive husband, Lockwood imagined a life different from that of her mother and her aunts. After a long and difficult battle to be awarded the law degree she had earned, Lockwood was admitted to the DC bar in 1875. She then opened a law practice. She focused on civil work, including divorces and "breach of promise actions."

As a Washington insider, Lockwood helped women clients lobby Congress on various reforms of domestic and estate law. Later in her professional life, she successfully represented the Eastern Band of Cherokee Indians in a treaty-based monetary claim that went to the U.S. Court of Claims. According to Norgren, Lockwood had what we today would call "feminist goals." She pushed public officials to open professional positions, such as those in the Foreign Service, to women. During her long life, Lockwood used her ambition, talent, ego, and legal skills to challenge discrimination against

women and while doing so, maintained a viable law practice.

After her husband left her with five small children, Clara Foltz quickly concluded that "women's work"—teaching, sewing, and boarding strangers—would not feed her family. She read law with her father, even though the town's leading lawyer had called her desire to be a lawyer a "foolish pursuit." After successfully fighting to have California law amended to permit women to be admitted to the bar, Foltz passed the bar exam and was admitted to practice in 1878.

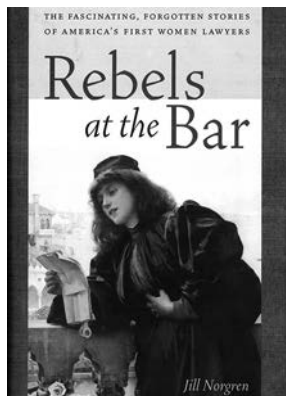
Norgren tells us that Foltz was often frustrated because although she almost always had legal work, she did not have the "lucrative corporate consulting or well-paying criminal defense [work] she craved." Despite her skills as a criminal attorney, Foltz had trouble supporting her family and meeting her office overhead. She often took on clients who could not afford a male attorney.

To supplement her income, Foltz was active on the lecture circuit. She advocated prison reform, and in the early 1880s, she began to shape a legislative proposal for an office of public defender, a radical and novel idea at the time. She argued that the state had a duty to provide a defense to an accused person: the defender would be a "skilled adversary to equalize the sides and make the presentation fair."

Foltz lived a long life, and she helped other women attorneys in the West. Norgren tells us that while on a lecture tour, Foltz encountered Oregon attorney Mary Leonard, who at that time was admitted to practice only in Washington. Foltz was instrumental in helping Leonard craft legislation to permit her admission to the Oregon Bar.

*Rebels at the Bar* expands our understanding of women's rights and the history of women in the legal profession. The book contains many photographs of the women profiled, along with photographs of some of the men who were their nemeses. It also contains detailed notes and a helpful bibliography. Enjoyable and informative, this book should be on every woman lawyer's reading list.

*Teresa Statler practices immigration law in Portland.*



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## Testing the Waters with First-Generation Lunch Group

By Hon. Angel Lopez

*I had never been inside a courtroom.  
I had never known a lawyer.  
I was overwhelmed by those whose  
relatives were already or had been  
lawyers.  
I didn't know how I would make it from  
a "day one" law student to skilled  
attorney.  
I was the first in my family to attend or  
graduate from college, let alone enroll  
in law school.  
What was I doing here? Did I even have  
any business being here?  
Could I even succeed as a lawyer?*

If you can relate to the questions and comments above, it's probably because you were, or are, the first in your family to ever negotiate the headwaters of law school, an experience both daunting and overwhelming. In time, you acculturate both to the law and to the nuances of the new persona—you as a lawyer. You learn to love the genteel, frenetic life of a legal professional. Much to her credit, Judge Katherine Tennyson mastered this transformation and lives to tell about it. She also got into her head that there are many out there who are, or will soon be, first-generation lawyers. She decided that there is absolutely no reason for them to go it alone.

In the summer of 2011, Judge Tennyson enlisted Judge Youlee You and me as co-conspirators. We formed the first-generation lunch group as a project of Oregon Women Lawyers. [The group is also known as the first-generation professionals discussion group.] There are no fees or dues, and members are self-selected and can participate as little or as much as their schedules allow. The

meetings, brown bag lunches, happen every other month on a Friday at noon in the courtroom of either Judge Tennyson or Judge You.

We meet to explore insights and experiences with first-generation law students and lawyers. The conversations are enjoyable, lively, and often inspirational. There hasn't been a meeting at which I haven't had an "Aha" moment, when words have finally been put to feelings I've been carrying around for years. Distinguished attorneys Chris and Jan Kitchel have recently joined. Clearly, they are well-respected colleagues, and their down-to-earth styles and willingness to mentor have made them instant hits!

For me, the joy of our meeting is to afford an open environment where those "dumb" questions get answered, good advice is shared, successes are celebrated, and setbacks commiserated. Issues of professionalism are thoughtfully explored. Networking takes place, and friendships are struck. You never know what the topic will be. Last spring, I announced I was looking for a judicial clerk. Nicole Russell, who was present, applied and was later hired. At our last meeting, attorney Lin Hendler shared her experience as the

winner of the "Meet Judge Judy" essay contest.

A relatively new program, the lunch group has already been honored with an award from the National Conference of Women's Bar Associations, a 2012 Outstanding Member Program Award.

If you come, you will hear some great stories. All first-generation law students and lawyers are invited. We have a great group of women, and men. You can be assured we will welcome you with open arms. If you become a regular, it will be a place "where everybody knows your name and we're always glad you came." We hope to see you soon!

For information regarding meeting dates, please contact Judge Katherine Tennyson at 503.988.3078 or [katherine.tennyson@ojd.state.or.us](mailto:katherine.tennyson@ojd.state.or.us).

**Judge Angel Lopez** serves on the Multnomah County Circuit Court.



Judge Angel Lopez



From left: Laura Caldera Taylor, Sarah Crooks, former Congresswoman Pat Schroeder, Kathi Rastetter, and Linda Tomassi at the August 9 National Conference of Women's Bar Associations Awards Luncheon at the City Club of San Francisco.