

WLJ

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Disruptors

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Feminist Defiance

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EDITORS' LETTER

Dear Reader,

What comes to mind when you hear the word "disruptor"? For us, it's our sisters in law who refused to accept the status quo, boldly challenged norms, forged new paths, and fearlessly advocated for justice – all in the face of resistance. In a time when we may need a dose of inspiration and assurance that our voices, work, and advocacy matter, this issue is our tribute to their courage, drive, and legacy.

We hope you settle into this issue with a cup of coffee or tea and a few quiet moments to yourself but leave the last page with a renewed purpose and motivation that you too can shake things up in big and small ways. So go ahead: Start fires. Upset the norm. Let these women lead you by example.

We begin with **Lorena Guzmán-Díaz's profile on Dovey Johnson Roundtree**, a legal pioneer who was also ordained in the African Methodist Episcopal Church. Roundtree was steadfast in her commitment to civil rights and gender equity, arguing a landmark segregation case that paved the way for the Civil Rights Act of 1964. Roundtree broke barriers in the legal profession and church, pushing back against discrimination and racism to ensure her voice was heard. Read more beginning on [page 7](#).

Next up, **Jennifer Dewey interviews modern day disruptor Cory Amron**, President of Women Lawyers on Guard, and retired IP attorney. We learn about Cory's early days growing up in Queens, her path to Harvard Law, and her calling to volunteer advocacy work.

Cory dares us to ensure democracy, the US Constitution, and rule of law remain intact and provides priceless advice about how advocates and disruptors can "get into good trouble." Take her up at her invitation at [page 23](#).

We are grateful to **Deborah Froling for celebrating the voices of Congressional disruptors**, who are united in being the "first" and shaking up the status quo with their unique perspective, causes, and accomplishments:

- Jeannette Rankin, the first woman to be elected to the House of Representatives;
- Hattie Wyatt Caraway, the first woman to win election to the Senate;
- Margaret Chase Smith, Maine's first female member of Congress and first woman to serve in both chambers;
- Shirley Chisholm, the first African American congresswoman;
- Barbara Jordan, the first southern African American woman elected to the House of Representatives; and
- Alexandra Ocasio-Cortez, the youngest woman and youngest Latina ever elected to Congress.

Take a walk through history with them starting at [page 29](#).

Julia Jaremko showcases Eliza "Lydia" Burton Conley, the first Native American woman lawyer to argue before the US Supreme Court. It's incredible to learn how Conley broke barriers 115 years ago when she turned personal pain into professional purpose: a fight to protect her people's resting place. Often overlooked but never forgotten, Conley's determination showcases the critical role of indigenous leaders in our legal and cultural history. Learn more at [page 41](#).

Emily Mollinedo spotlights Diandra "Fu" Debrosse, another modern day disruptor, known for making history as the first Black woman appointed co-lead counsel in a federal multidistrict litigation. Her advocacy has resulted in nearly \$1 billion recovered for her clients in products liability actions, but Fu also dedicates herself to litigating systemic civil rights cases to protect historically overlooked communities. Meet Fu at [page 45](#).

Learn from and about **Melanie L. Persich**, a shareholder at **von Briesen & Roper, s.c.**, including her career as a litigator, one-step approach to career and life, motivation, definition of success, and best piece of advice for young lawyers. Get to know **Shook, Hardy & Bacon**, where a culture of leadership and collaboration highlights the firm's intentional support of women. Turn to [pages 49](#) and [51](#) for inspiration.

Please join us in congratulating **Nina Wilson**, a law student at Chicago-Kent College of Law and the winner of the 2025 Selman Moidel Smith Writing Competition for her essay, "Immunity or Impunity?: The Case for a Statutory Right of Action Against Public Hospitals for Abortion-Related Malpractice." In this post-*Dobbs* world, Wilson posits whether states should amend sovereign immunity statutes to allow low-income patients to seek medical malpractice claims against medical providers at public hospitals. Intrigued? Flip to [page 11](#).

We are also proud to feature our **2025 NAWL Outstanding Law Student Award winners**, first-ever **2025 NAWL Impact List**, and **2025 NAWL Rising List**. Congratulations to these winners, selected for their achievements and dedication to NAWL's mission.

Last but not least, **thank you to our incredible Editorial Board for volunteering their time to bring this issue to life**. Their commitment to ensuring the Women Lawyers Journal is a continued success does not go unnoticed and we are eternally grateful. As we pass the reigns after this issue, we express our deepest gratitude for the opportunity to serve as Co-Executive Editors. Special thanks to Jess Atkinson at NAWL for her support and designing this issue and to Tamela Woods Merriweather and Courtney Worcester for their unwavering commitment to NAWL and the WLJ.

It is our hope that by the time you finish perusing this issue, you will be motivated to fuel the fires of change that these disruptors started. Light your match and join us.

In Partnership,



Jenn French
Co-Executive Editor



Jennifer Thibodaux
Co-Executive Editor

Dovey Johnson Roundtree:

A LEGAL PIONEER AND WOMEN'S RIGHTS DISRUPTOR

By Lorena Guzmán-Díaz



Dovey Johnson Roundtree (Dovey Johnson Roundtree Educational Trust)

Dovey Johnson Roundtree's life and career stand as a testament to her unwavering commitment to civil rights and gender equality. Her pivotal contributions to the legal world and broader society align closely with the National Association of Women Lawyers' (NAWL) core values.¹ As both a spiritual guide and legal strategist, Roundtree broke barriers for women of color in the legal profession and became a champion for those marginalized by systemic injustice.²

Trained by NAACP legal giant Thurgood Marshall at Howard University Law School, Roundtree honed her skills to tackle the deeply entrenched racial and gender disparities of her time.³ Her most renowned legal victory, *Sarah Keys v. Carolina Coach Company* (1955),⁴ paved the way for the Civil Rights Act of 1964.⁵

In this landmark case, Roundtree argued that segregation on interstate buses violated the Interstate Commerce Act's prohibition against unjust discrimination and further contended—under the Equal Protection Clause of the Fourteenth Amendment—that such segregation was unconstitutional. Her arguments emphasized that enforced segregation was not only a violation of statutory law but also an affront to the dignity and humanity of African Americans.⁶ These compelling legal and moral arguments helped secure a win, as the Interstate Commerce Commission ultimately ruled that the doctrine of 'separate but equal' had no place in interstate bus travel, setting a precedent for future civil rights victories.

Roundtree understood the transformative power of spirituality and often infused her advocacy with a deep sense of moral purpose.⁷

[1] *Mission & Values*, Nat'l Ass'n Women Lawyers, <https://www.nawl.org/page/mission> (last visited May 18, 2025).

[2] *Dovey Johnson Roundtree – Her Life and Legacy*, Dovey Johnson Roundtree, <https://www.doveyjohnsonroundtree.com/about-dovey-roundtree> (last visited May 18, 2025).

[3] *Dovey Johnson Roundtree (1914-2018)*, BlackPast, <https://www.blackpast.org/african-american-history/johnson-roundtree-dovey-1914/> (last visited May 18, 2025).

[4] *Sarah Keys v. Carolina Coach Co.*, 64 M.C.C. 769 (I.C.C. 1955).

[5] Jennifer Davis, *Dovey Johnson Roundtree, Civil Rights Lawyer*, Library of Congress Blogs (Feb. 9, 2022), <https://blogs.loc.gov/law/2022/02/dovey-johnson-roundtree-civil-rights-lawyer/>.

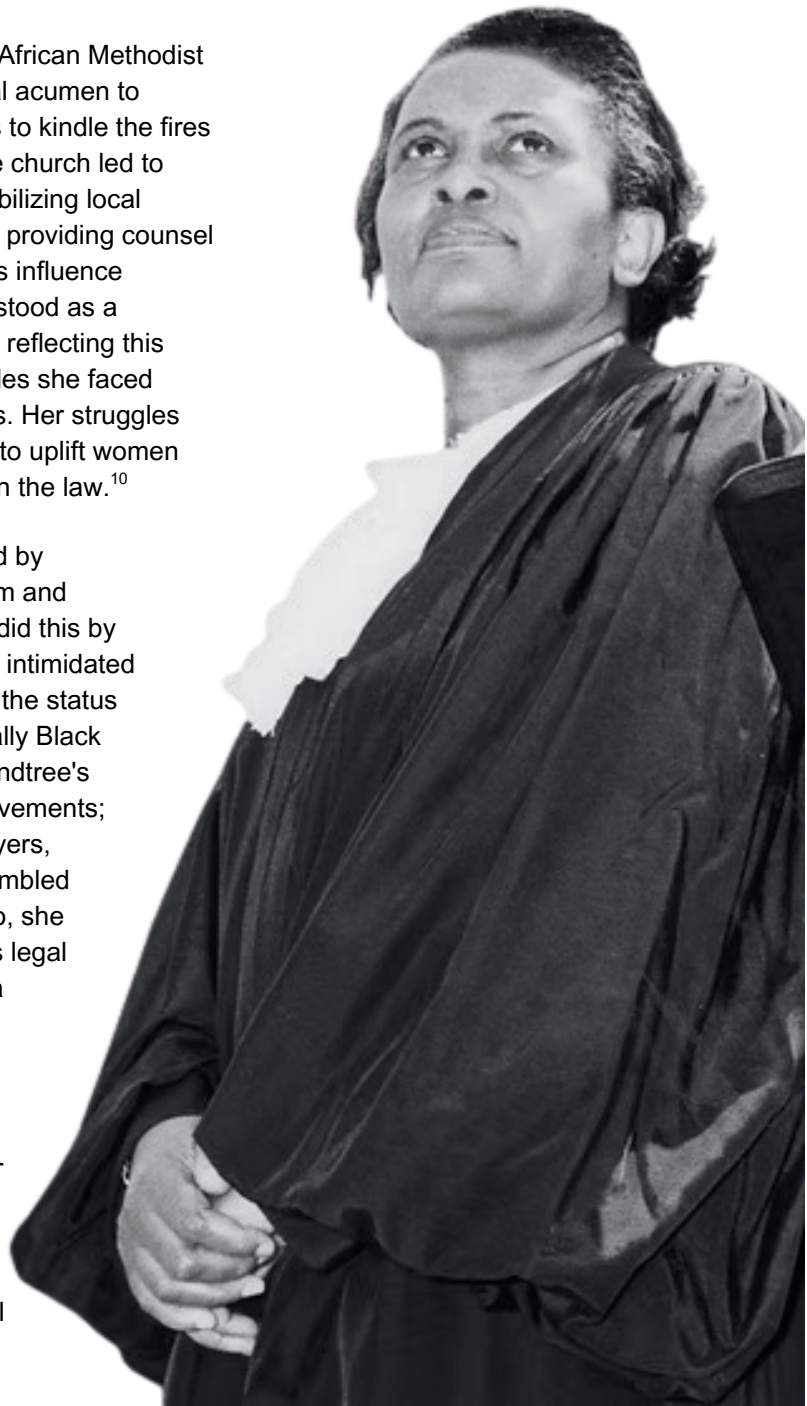
[6] Dovey Johnson Roundtree & Katie McCabe, *Justice Older Than The Law: The Life of Dovey Johnson Roundtree* (Univ. Press of Mississippi 2009).

[7] Emily Langer, *Dovey Johnson Roundtree, Barrier-Breaking Civil Rights Lawyer, Dies at 104*, Wash. Post (May 21, 2018), https://www.washingtonpost.com/local/obituaries/dovey-johnson-roundtree-barrier-breaking-civil-rights-lawyer-dies-at-104/2018/05/21/6c2d2f92-5c5e-11e8-8836-a4a123c359ab_story.html.

As one of the first females ordained in the African Methodist Episcopal Church, she wielded her spiritual acumen to galvanize communities, using her sermons to kindle the fires of change and hope.⁸ Her leadership in the church led to pivotal community organization efforts, mobilizing local groups to support civil rights initiatives and providing counsel to those facing discrimination.⁹ Roundtree's influence extended well beyond her legal work; she stood as a powerful force for women's empowerment, reflecting this commitment by battling against the obstacles she faced within both the legal and church institutions. Her struggles and triumphs resonate with NAWL's goals to uplift women lawyers and promote gender equality within the law.¹⁰

In a field dominated by men, Roundtree led by example, persistently countering the sexism and racism that pervaded the legal world. She did this by taking on high-profile cases, refusing to be intimidated by discrimination, and publicly challenging the status quo in courtrooms where women—especially Black women—were rarely seen or heard.¹¹ Roundtree's advocacy was not limited to her own achievements; she actively mentored aspiring female lawyers, providing them with a role model who resembled them in both gender and color. By doing so, she reinforced the principle that diversity drives legal innovation and strength, and she created a network of support for women entering the profession.¹²

Roundtree's commitment to mentoring women in the legal field and advocating for change through legal means was critical in fostering diversity and inclusion within the profession. She accomplished this by organizing workshops, offering personal guidance, and opening doors for young women to gain practical experience in her law practice.



Dovey Johnson Roundtree (Dovey Johnson Roundtree Educational Trust)

[8] Gene Demby, *Dovey Johnson Roundtree, Who Broke Barriers in Law and Ministry, Dies at 104*, NPR (May 22, 2018), <https://www.npr.org/sections/codeswitch/2018/05/22/613339181/dovey-johnson-roundtree-who-broke-barriers-in-law-and-ministry-dies-at-104>.

[9] *Id.*

[10] Marian Wright Edelman, *Remembering the Very Courageous Dovey Johnson Roundtree*, Children's Defense Fund, <https://www.childrensdefense.org/remembering-the-very-courageous-dovey-johnson-roundtree/> (last visited May 18, 2025).

[11] *Dovey Johnson Roundtree Biography*, The Historymakers, <https://www.thehistorymakers.org/biography/dovey-johnson-roundtree-41> (last visited May 18, 2025).

[12] *Who We Are*, Nat'l Ass'n Women Lawyers, <http://nawl.org/who-we-are> (last visited May 18, 2025).



Dovey Johnson Roundtree (Dovey Johnson Roundtree Educational Trust)

She encouraged young female lawyers to believe in their abilities, shared strategies for overcoming bias, and advocated for their advancement within the legal system.¹³ Through her mentorship, she instilled confidence and determination, equipping them with the necessary tools to navigate the legal system and assert their rightful place within it.¹⁴

She did this by never yielding to adversity, using As a relentless force for justice, Roundtree's enduring legacy invites reflection on the incredible progress forged by a single person's efforts. Her life's story continues to fuel the ongoing movement for a fairer world by demonstrating how individual resilience can be a powerful catalyst for bending the arc of the moral universe toward justice.¹⁵ She did this by never yielding to adversity, using her victories to inspire others, and reminding future generations that change is possible through steadfast commitment and courage. Her name is not merely a historical footnote; it is a beacon that lights the path for women and minorities striving for an equitable society. As we honor Dovey Johnson Roundtree, her remarkable legacy acts as a constant reminder to persevere in the fight for equality, to champion diversity, and to inspire future generations to carry the torch of justice forward.



Written by

Lorena Guzmán-Díaz
WLJ Board Member

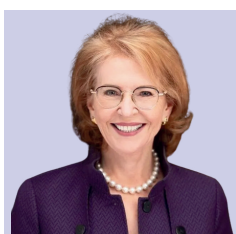
[13] *Dovey Johnson Roundtree: Civil Rights Trailblazer*, Nat'l Visionary Leadership Project, <https://www.visionaryproject.org/roundtree-dovey/> (last visited May 18, 2025).

[14] *Id.*

[15] Margalit Fox, *Dovey Johnson Roundtree, Barrier-Breaking Lawyer, Dies at 104*, N.Y. Times (May 21, 2018), <https://www.nytimes.com/2018/05/21/obituaries/dovey-johnson-roundtree-dead.html>.

2025 NAWL Impact List

New in 2025, the NAWL Impact List recognizes mid-level and senior-level lawyers who have attained a high level of professional accomplishment and have demonstrated a personal commitment to and positive impact on NAWL's mission of advancing women in the profession or advocating for women under the law.



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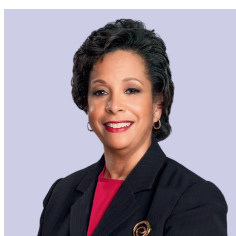
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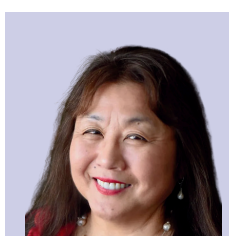
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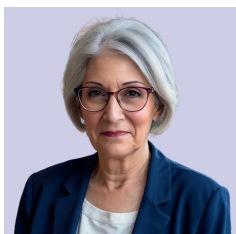
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Immunity or Impunity?:

The Case for a Statutory Right of Action Against Public Hospitals for Abortion-Related Malpractice

By Nina Wilson

Introduction

Dobbs v. Jackson Women's Health Organization discarded the federal constitutional right to an abortion¹ and opened the door to exacting state-level regulation of reproductive healthcare.² As new state statutes curtailed abortion care, some of which criminalized it,³ a wave of litigation followed. Many of these lawsuits have challenged the state abortion policies themselves. For example, in *State v. Zurawski*, Texas-based physicians and female patients sued the Texas Attorney General and the Texas Medical Board to seek injunctive relief against enforcement of Texas's restrictive abortion laws on constitutional grounds.⁴

The patient plaintiffs alleged that they had experienced serious complications during recent pregnancies that should have permitted them to receive abortions because, they maintained, their medical conditions fell within narrow exceptions to the state's abortion policies, which permit abortion care when a patient's life is at risk.⁵ The physician plaintiffs testified that the abortion policies "chilled" their medical practice, by causing them to second-guess whether they should perform abortions even when medically necessary.⁶

[1] *Dobbs v. Jackson Women's Health Org.*, 597 U.S. 215, 231 (2022).

[2] *Interactive Map: US Abortion Policies and Access After Roe*, Guttmacher Inst. (Dec. 18, 2024), <https://states.guttmacher.org/policies/>.

[3] *Id.*

[4] *State v. Zurawski*, 690 S.W.3d 644, 654 (Tex. 2024).

[5] *Id.*

[6] *Id.*

At oral argument, attorney Beth Klusmann, speaking on behalf of the state of Texas, argued that the patient plaintiffs had focused on the wrong defendants entirely. She graphically suggested: “If a woman is bleeding, if she has amniotic fluid running down her legs — then the problem is not with the law . . . It is with the doctors.”⁷ To clarify the bounds of Texas’s abortion restrictions, she posited, Texas patients could pursue medical malpractice claims against their physicians.⁸ Texas Supreme Court Justice Brett Busby apparently agreed, asking the attorney for the plaintiffs: “Why isn’t she suing her doctors? That sounds like medical negligence to me?”⁹

Justice Busby and Attorney Klusmann were not alone in this thinking. An article from the American Health Law Association noted that “[f]or providers in states that restrict or ban abortions, the failure to provide medically necessary abortion-related services could amount to malpractice.”¹⁰ A physician may find themselves in a Catch-22 situation: they can wait to perform an abortion as a patient’s condition deteriorates before their eyes, in the hopes of complying with state statutes, and risk finding themselves at the receiving end of a malpractice lawsuit, or they can perform an abortion before the state would deem such a procedure legally “necessary” and risk losing their medical license or even facing imprisonment.¹¹

In the view of abortion advocates, the ultimate *Zurawski* ruling, which upheld Texas’s abortion statutes, missed the mark. The plaintiffs called the opinion “outrageous” and claimed that its facial attempts to clarify the law lacked substance.¹²

While the court acknowledged the plaintiffs’ disturbing predicament, writing “Ms. Zurawski’s agonizing wait to be ill ‘enough’ for [an abortion]... [is] not the result[] the law commands,” the court arguably failed to articulate what the laws do, in fact, command.¹³

In the wake of cases like *Zurawski*, medical malpractice cases appear all but certain. What options, then, do patient-plaintiffs have, and what should defendant medical providers do when served with such a suit? This paper explores this question in the context of a public hospital, where, depending on the state, medical providers may have broad legal protections grounded in the sovereign immunity doctrine. Sovereign immunity policies present potentially bleak and sweeping implications for low-income patients seeking abortions, who tend to rely most heavily on public health services.¹⁴ To remedy this problem, states with restrictive abortion laws must amend applicable statutes to waive sovereign immunity clearly in such circumstances.

The Public Policy Problem

Dobbs failed to prevent abortions (in fact, on average, doctors performed more abortions in 2024 than in previous years),¹⁵ but new restrictions on the procedure have made pregnancies less safe. The Guttmacher Institute, a research and policy organization devoted to advancing reproductive care, classifies sixteen states as the most restrictive of abortions.¹⁶ This list includes Texas, Kentucky, and Alabama, among others.¹⁷

[7] Saul Elbein, *Texas AG’s Office Argues Women Should Sue Doctors – Not State – Over Lack of Abortion Access*, The Hill (Nov. 28, 2023, 2:13 PM), <https://thehill.com/policy/healthcare/4331412-texas-ags-office-argues-women-should-sue-doctors-not-state-over-lack-of-abortion-access/>.

[8] *Id.*

[9] *Id.*

[10] Shalyn Smith Watkins, *Provider Liability Post-Dobbs*, 4 Health L. Connections (2023), reprinted in Am. Health L. Ass’n. (July 1, 2023), <https://www.americanhealthlaw.org/content-library/connections-magazine/article/5289e7b6-0282-473d-98ac-ee0384c2f204/provider-liability-post-dobbs>.

[11] *Id.*

[12] *Texas Supreme Court Rules Against Women Denied Abortion Care Despite Dangerous Pregnancy Complications*, Ctr. for Reprod. Rts. (May 31, 2024), <https://reproductiverights.org/zurawski-v-texas-ruling-texas-supreme-court/>.

[13] *Id.*; State v. Zurawski, 690 S.W.3d 644, 665 (Tex. 2024).

[14] See Mark Duggan et al., *The Impact of Privatization: Evidence from the Hospital Sector 1* (Nat’l Bureau of Econ. Rsch., Working Paper No. 30824, 2023), https://www.nber.org/system/files/working_papers/w30824/w30824.pdf.

[15] Soc’y of Fam. Plan., #WeCount Report: April 2022 to June 2024 28 (2024), <https://societyfp.org/wp-content/uploads/2024/10/WeCount-Report-8-June-2024-data.pdf>.

[16] *Interactive Map: US Abortion Policies and Access After Roe*, supra note 2.

[17] *Id.*

These states all effectively ban abortion, with narrow exceptions.¹⁸ Texas permits abortion to save a pregnant patient's life, or to prevent a substantial impairment of a major bodily function.¹⁹ Kentucky provides an exception when an abortion is "necessary in reasonable medical judgment to prevent the death or substantial risk of death due to a physical condition, or to prevent the serious, permanent impairment of a life-sustaining organ of a pregnant woman."²⁰ Alabama excepts abortion "to prevent a serious health risk to the unborn child's mother."²¹

Physicians report difficulties interpreting new restrictive abortion statutes, with negative implications for patients. While specific case details differ, they share common threads. In one illustrative case, in a state with an abortion ban, a pregnant patient experiencing significant bleeding sought emergency care at a hospital, and physicians admitted her for observation.²² Her condition worsened overnight, but her overnight medical team refused to perform an abortion.²³ The next morning her anemia had worsened, and she needed a blood transfusion.²⁴ At this juncture, her medical team determined that her condition met the applicable "life-of-the-mother" statutory exception, and her doctors performed an abortion.²⁵ One of the treating physicians commented, "[t]he paralysis that the overnight team exhibited by not treating this inevitable abortion as such again demonstrated that physicians are perseverating about whether they can legally provide standard-

of-care medical treatment."²⁶

While the patient in the above case eventually received the care that she needed, albeit perhaps later than the medical standard of care required, other patients have not proved so fortunate. In a highly publicized case from Georgia, just a few short months after *Dobbs* became the law of the land, a young woman named Amber Thurman checked herself into the hospital for a routine procedure called a dilation and curettage (D&C).²⁷ She had taken abortion pills at home, but she suffered complications in expelling the fetal tissue from her body.²⁸ The D&C procedure would finish the process of removing the fetal tissue.²⁹ However, her physicians postponed the D&C for twenty hours, during which time her infection worsened and her organs began to fail.³⁰ Eventually, Ms. Thurman died.³¹ State medical officials ruled her death "preventable."³² While her physicians have declined to comment on the case, their delay in treating her reflects Georgia's restrictive abortion policy, which only permits abortion care "to prevent the death of the pregnant woman or the substantial and irreversible physical impairment of a major bodily function of the pregnant woman."³³

Low-income patients appear particularly vulnerable to experiencing medical complications as a result of abortion bans. First: data suggest that low-income patients fall within the demographic most likely to seek abortions.

[18] *Id.*

[19] Tex. Health & Safety Code Ann. § 170A.002(b)(3) (West 2024).

[20] Ky. Rev. Stat. Ann. § 311.772(4)(a) (West 2024).

[21] Ala. Code § 26-23H-4(b) (2024).

[22] Daniel Grossman et al., *Care Post-Roe: Documenting Cases of Poor-Quality Care Since the Dobbs Decision* 8 (2023), <https://www.ansirh.org/sites/default/files/2023-05/Care%20Post-Roe%20Preliminary%20Findings.pdf>.

[23] *Id.*

[24] *Id.*

[25] *Id.*

[26] *Id.*

[27] Kavitha Surana, *Abortion Bans Have Delayed Emergency Medical Care. In Georgia, Experts Say this Mother's Death was Preventable.*, ProPublica (Sept. 16, 2024, 5:00 AM), <https://www.propublica.org/article/georgia-abortion-ban-amber-thurman-death>.

[28] *Id.*

[29] *Id.*

[30] *Id.*

[31] *Id.*

[32] *Id.*

[33] Ga. Code Ann. § 16-12-141(a)(3)-(b)(1) (2024).

According to data from 2014, three-fourths of abortion patients qualified as low-income, with forty-nine percent living at less than the federal poverty level (FPL) and twenty-six percent at 100-199% of the FPL.³⁴ More recent data, from 2021-2022, showed that patients used Medicaid, a public health insurance program for low-income individuals,³⁵ more than private insurance to pay for abortion care,³⁶ indicating that low-income patients continue to seek abortions in greater numbers than those above the poverty line.

Reliance on Medicaid creates its own unique obstacles to accessing abortion care. Patients who seek to fund abortions using Medicaid must carefully evaluate the laws of their state, as federal Medicaid dollars only cover the procedure in life-threatening situations or in cases of rape or incest.³⁷ Of the states that do not ban abortion, nineteen impose identical restrictions on the use of state funds to cover the procedure, with only seventeen providing more robust abortion coverage beyond federal limits.³⁸ Additionally, changes to Medicaid since the COVID-19 pandemic mean that many insureds have lost or will lose coverage completely: beginning in April 2023, states began the process of “unwinding” a pandemic-era policy that prohibited Medicaid disenrollment.³⁹ During this unwinding, states redetermined individuals’ Medicaid eligibility and disenrolled over twenty-five million people from the program, including both those who became ineligible for Medicaid and those who failed to complete the Medicaid recertification process.⁴⁰

Finally, low-income patients more likely visit public, as opposed to private hospitals, given their reliance on Medicaid; as the hospital industry trends towards privatization, low-income patients feel the effects most strongly.⁴¹

Low-income patients also face other indirect barriers to accessing abortion services. A recent study found patients with incomes at or below the FPL more likely seek a procedural, as opposed to a medication, abortion, which potentially creates disproportionate obstacles for low-income patients in states where procedural abortions are virtually impossible to come by.⁴² That study theorizes that those with limited financial resources may intentionally seek procedural abortions because of their brevity; by contrast, a medication abortion takes several days.⁴³ Recovering from medication abortion for multiple days can have real financial consequences for low-income individuals in jobs that do not afford paid time off from work.

Nonetheless, in the post-*Dobbs* era, many low-income patients face economic loss in any event, because they may have to travel extremely far, and out of state, to access abortion care. Such travel comes with its own out-of-pocket costs (like car rentals).⁴⁴ Furthermore, patients may have to front medical costs out-of-pocket, as health insurance programs, including Medicaid, may not provide coverage out-of-state.⁴⁵

[34] Jenna Jerman et al., Characteristics of U.S. Abortion Patients in 2014 and Changes Since 2008 7 (2016), https://www.guttmacher.org/sites/default/files/report_pdf/characteristics-us-abortion-patients-2014.pdf.

[35] *How to Apply for Medicaid and CHIP*, USAGov, <https://www.usa.gov/medicaid-chip-insurance> (last visited Oct. 30, 2024).

[36] Rachel K. Jones, *Medicaid's Role in Alleviating Some of the Financial Burden of Abortion: Findings from the 2021–2022 Abortion Patient Survey*, 56 Persp. on Sexual & Reprod. Health 244, 245 (2024).

[37] Alina Salganicoff et al., *The Hyde Amendment and Coverage for Abortion Services Under Medicaid in the Post-Roe Era*, KFF (Mar. 14, 2024), <https://www.kff.org/womens-health-policy/issue-brief/the-hyde-amendment-and-coverage-for-abortion-services-under-medicaid-in-the-post-roe-era/>.

[38] *Id.*

[39] Jennifer Tolbert & Bradley Corallo, *An Examination of Medicaid Renewal Outcomes and Enrollment Changes at the End of the Unwinding*, KFF (Sept. 18, 2024), <https://www.kff.org/medicaid/issue-brief/an-examination-of-medicaid-renewal-outcomes-and-enrollment-changes-at-the-end-of-the-unwinding/>.

[40] *Id.*

[41] Duggan et al., *supra* note 14, at 5.

[42] Rachel K. Jones et al., *Characteristics of People Obtaining Medication vs. Procedural Abortions in the United States: Findings from the 2021-2022 Abortion Patient Survey*, 128 Contraception (Elsevier, Inc., N.Y.C., N.Y.), Dec. 2023, at 4-5.

[43] *Id.*

[44] Anne D’Innocenzio & Alexandra Olson, *Low-Wage Workers Bear Financial Burden of Denied Abortions*, PBS News (Oct. 26, 2022, 3:30 PM), <https://www.pbs.org/newshour/economy/low-wage-workers-bear-financial-burden-of-denied-abortions>.

[45] *Will Medicaid Cover My Abortion?*, Nat’l Network of Abortion Funds, <https://abortionfunds.org/need-an-abortion/abortion-and-medicaid/> (last visited Nov. 26, 2024).

Physicians in states with abortion bans are no stranger to the pregnant patient's dilemma, which may arise in cases where a patient presents with vaginal bleeding but is otherwise hemodynamically stable.⁴⁶ One physician called this circumstance a "threatened, not inevitable" abortion, and one that the patient could theoretically address out of state, were it not for her "social circumstances which seem[ed] to make that untenable."⁴⁷

Additionally, low-income patients cannot necessarily rely on the federal Emergency Medical Treatment and Labor Act (EMTALA) to access emergency abortion care in situations where applicable state law is murky, at best, on the legality of such a procedure. EMTALA mandates that hospitals that participate in Medicare, a federal health insurance program primarily for people over 65,⁴⁸ provide necessary emergency medical services to all patients, regardless of their ability to pay; it thus serves as a social safety net for low-income and uninsured patients.⁴⁹ In the wake of *Dobbs*, the federal government issued guidance to hospitals nationwide stating that EMTALA preempted state abortion statutes in the context of emergency, stabilizing medical treatment.⁵⁰ Under EMTALA, it reasoned, medical providers could be obligated to provide abortion care, even if state law indicated otherwise.⁵¹ To enforce this guidance, the United States sued the state of Idaho to enjoin its restrictive abortion law to the extent that it conflicted with EMTALA.⁵²

A federal district court granted the injunction, and the Ninth Circuit ultimately upheld it.⁵³ The state of Idaho appealed to the U.S. Supreme Court, which stayed the injunction pending appeal and agreed to address the issues of (1) whether EMTALA can require hospitals to provide abortions as stabilizing care and (2) whether EMTALA can preempt state law.⁵⁴ In June 2024, the Supreme Court dismissed its grant of certiorari as improvident and remanded the case back to the lower courts, where the parties continue to litigate it.⁵⁵

This continued litigation is far from a win for abortion advocates. In vacating the stay, the Court only meaningfully decided that Idaho would not face "irreparable injury" in the absence of emergency relief: Justice Amy Coney Barrett explained that "even with the preliminary injunction in place, Idaho's ability to enforce its law remains almost entirely intact."⁵⁶ Furthermore, as the Idaho case works its way back through the Ninth Circuit, lower courts may look to guidance from an analogous Fifth Circuit case, *Texas v. Becerra*, which held that the federal government's EMTALA guidance did not preempt Texas's abortion statutes.⁵⁷ Notably, the U.S. Supreme Court declined to grant certiorari in *Becerra*, thereby giving Texas de facto permission to continue treating EMTALA and abortion as incompatible.⁵⁸

[46] Grossman et al., *supra* note 22.

[47] *Id.*

[48] *How and When to Apply for Medicare*, USAGov, <https://www.usa.gov/medicare> (last visited Nov. 26, 2024).

[49] *Emergency Medical Treatment & Labor Act (EMTALA)*, Ctrs. for Medicare & Medicaid Servs., <https://www.cms.gov/medicare/regulations-guidance/legislation/emergency-medical-treatment-labor-act> (last visited Nov. 1, 2024).

[50] *Biden-Harris Administration Reaffirms Commitment to EMTALA Enforcement*, U.S. Dep't. of Health & Hum. Servs. (July 2, 2024), <https://www.hhs.gov/about/news/2024/07/02/biden-harris-administration-reaffirms-commitment-emtala-enforcement.html>.

[51] *Id.*

[52] *Moyle v. United States*, 144 S. Ct. 2015, 2019-20 (2024) (Barrett, J. concurring).

[53] *Id.*

[54] *Id.*

[55] *Id.*

[56] *Id.* at 2022-23 (citing *Nken v. Holder*, 556 U.S. 418, 434 (2009)).

[57] *Texas v. Becerra*, 89 F.4th 529, 546 (5th Cir. 2024), cert. denied, No. 23-1076, 2024 WL 4426546 (U.S. Oct. 7, 2024).

[58] *Id.*

A Brief Overview of State Sovereign Immunity Doctrines

The doctrine of sovereign immunity prevents citizens from suing governmental entities unless the government consents.⁵⁹ It originally stems from the English feudal system, in which “no lord could be sued by a vassal in his own court, but each petty lord was subject to suit in the courts of a higher lord.”⁶⁰ As the supreme governmental authority, the English monarch enjoyed a presumption of absolute immunity from suit.⁶¹ Additionally, the monarch carried a cult of personality, according to which he remained, in popular belief, not only incapable of doing wrong, but even of thinking wrong.⁶²

As the American federalist system emerged, founding father Alexander Hamilton opined: “Unless, therefore, there is a surrender of [sovereign] immunity in the plan of the [constitutional] convention, it will remain with the States.”⁶³ Today, U.S. states possess their own “flavors” of sovereign immunity, which find their origins in state constitutions, state statutes, etc.⁶⁴ Contemporary public policy rationales for the doctrine include protection of the public purse and the desire not to “chill” governmental operations and place the public at risk.⁶⁵

The sovereign immunity doctrine is not without its critics. For instance, Supreme Court Justice John Paul Stevens cautioned: “The concept that the sovereign can do no wrong and that citizens should be remediless in the face of its abuses is more a relic of medieval thought than anything else.”⁶⁶

Some states have significantly limited its applicability by permitting tort claims acts against the government.⁶⁷ Louisiana, notably, abolished its immunity from suits in contract and tort by constitutional amendment in 1995.⁶⁸

Sovereign Immunity from Medical Malpractice Liability

Many jurisdictions now face the question of whether tort liability may extend to incidents of medical malpractice committed by public health officials. The following sections illustrate how a hypothetical medical malpractice suit against a public hospital might play out in Texas, Kentucky, and Alabama (all states with extremely restrictive abortion laws)⁶⁹ in which a patient-plaintiff has experienced a negative medical outcome due to their medical provider’s failure to perform a timely abortion. Though each regime has its own unique version of sovereign immunity, defendant medical providers may possess immunity in all of them. State legislatures must therefore act to create a private right of action for injured abortion-seeking plaintiffs.

Texas

Professor Marilyn Phelan of Texas Tech University School of Law has criticized Texas courts’ broad applications of sovereign immunity principles, arguing that they “may be insulating governmental employees from any demands for honest and ethical government conduct.”⁷⁰ Her observation likely holds true in the context of an abortion-related medical malpractice suit against a public health provider.

[59] Marilyn Phelan, *A Synopsis of Texas and Federal Sovereign Immunity Principles: Are Recent Sovereign Immunity Decisions Protecting Wrongful Governmental Conduct?*, 42 St. Mary’s L.J. 725, 748 (2011).

[60] *Nevada v. Hall*, 440 U.S. 410, 414–15 (1979) (citing 1 Sir Frederick Pollock & Frederic William Maitland, *History of English Law* 518 (2d ed. 1899)).

[61] *Id.*

[62] *Id.* (citing 1 William Blackstone, *Commentaries* *246 (“The king, moreover, is not only incapable of *doing* wrong, but even *thinking* wrong; he can never mean to do an improper thing.”))

[63] *The Federalist* No. 81, at 487 (Alexander Hamilton) (Clinton Rossiter ed., 1961).

[64] See, e.g., Ark. Const. art. V, § 20; 745 Ill. Comp. Stat. § 5/1 (2024).

[65] See, e.g., Robert J. Haddad, *Public Policy Issues Supporting Sovereign Immunity*, in *Handling an Automobile Negligence Case in Virginia* § 13:2 (Westlaw 2024).

[66] *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 166 n.48 (1984) (Stevens, J. dissenting).

[67] See 705 Ill. Comp. Stat. § 505/8 (2024).

[68] La. Const. art. XII, § 10.

[69] *Interactive Map: US Abortion Policies and Access After Roe*, *supra* note 2.

[70] Phelan, *supra* note 59, at 727.

Texas recognizes sovereign immunity at common law for public employees acting within the scope their employment.⁷¹ It divides the concept into two components: immunity from liability and immunity from suit.⁷² Immunity from liability serves as an affirmative defense, while immunity from suit deprives courts of subject-matter jurisdiction.⁷³ For lack of subject-matter jurisdiction, many courts immediately throw out these types of cases on motions to dismiss.⁷⁴ The Texas Tort Claims Act (TTCA) partially waives sovereign immunity by combining these two concepts: absent a prima facie violation of the TTCA itself, the government is immune from tort lawsuits.⁷⁵

Section 101.021 of the TTCA provides that:

A governmental unit in the state is liable for:

(1) property damage, personal injury, and death proximately caused by the wrongful act or omission or the negligence of an employee acting within his scope of employment if:

(A) the property damage, personal injury, or death arises from the operation or use of a motor-driven vehicle or motor-driven equipment; and

(B) the employee would be personally liable to the claimant according to Texas law; and

(2) personal injury and death so caused by a condition or use of tangible personal or real property if the governmental unit would, were it a private person, be liable to the claimant according to Texas law.⁷⁶

In *Wise Reg'l Health Sys. v. Brittain*, a Texas appellate court considered whether a public medical provider's alleged failure to act according to established medical standards constituted a violation of the act.⁷⁷ In this case, a primary care doctor evaluated a teenage patient when she began exhibiting symptoms of high temperature, cough, congestion, and chest pain.⁷⁸ Two days later, now experiencing coughing, cramping, vomiting, and additional symptoms, a public hospital admitted the patient.⁷⁹ Eventually, staff made the decision to transport her to the facility's intensive care unit (ICU); on the way, she went into cardiopulmonary arrest and died.⁸⁰ Her family sued under the TTCA, alleging, among other issues, that the medical team failed to communicate with her primary care physician in a timely manner; failed to promptly document her vital signs; and failed to timely transfer her to the ICU.⁸¹ On appeal, the court distinguished these alleged failures to act (i.e., omissions) from the "condition or use of tangible personal or real property" (i.e., affirmative acts), holding that a failure to act does not waive sovereign immunity.⁸²

This holding has potentially serious implications for abortion-related cases, many of which do not implicate a doctor's opposition to performing an abortion, but rather their delay in performing the procedure: a delay attributed to new legal red tape. During this delay period, a patient's condition may deteriorate past the point of return.⁸³

[71] See, e.g., *Texas Dep't of Parks & Wildlife v. Miranda*, 133 S.W.3d 217, 224-25 (Tex. 2004).

[72] *Wise Reg'l Health Sys. v. Brittain*, 268 S.W.3d 799, 804 (Tex. App. 2008).

[73] *Id.*

[74] Phelan, *supra* note 59, at 727.

[75] *Texas Dep't of Parks & Wildlife*, 133 S.W.3d at 224-25.

[76] Tex. Civ. Prac. & Rem. Code Ann. § 101.021 (West 2024).

[77] *Wise Reg'l Health Sys.*, 268 S.W.3d at 805.

[78] *Id.*

[79] *Id.*

[80] *Id.* at 803.

[81] *Id.* at 805.

[82] *Id.* (citing Tex. Civ. Prac. & Rem. Code Ann. § 101.021 (West 2024)).

[83] Surana, *supra* note 27. See also Lizzie Presser & Kavitha Surana, *A Pregnant Teenager Died After Trying to Get Care in Three Visits to Texas Emergency Rooms*, ProPublica (Nov. 1, 2024, 6:00 AM), <https://www.propublica.org/article/nevaeh-crain-death-texas-abortion-ban-ementala> (in which the family of a Texas teenager who died due to denied abortion care looked to sue applicable medical providers for negligence).

Kentucky

The statutory scheme in Kentucky further illustrates the need for a statutory right of action against public hospitals in abortion-related malpractice cases. Internal inconsistencies in its sovereign immunity doctrine limit a plaintiff's ability to recover damages proportional to their injuries.

The Kentucky Supreme Court has attributed the state's sovereign immunity to its Constitution, which provides "[t]he General Assembly may, by law, direct in what manner and in what courts suits may be brought against the Commonwealth."⁸⁴ The most notable waiver of the sovereign immunity doctrine arises in Kentucky's Board of Claims Act, which endows said Board with the authority to adjudicate negligence damages of up to \$250,000,⁸⁵ offset, however, "by the amount of payments received or the right to receive payment from workers' compensation insurance, Social Security programs, or other federal, state, or private programs designed to supplement income or pay claimant's expenses or damages incurred."⁸⁶ A Kentucky appellate court recently held that this provision applies to those portions of medical expenses that Medicare covers.⁸⁷ Kentucky laws also do not confer jurisdiction over claims involving "mental distress or pain or suffering" on the Board.⁸⁸

Because Kentucky enables recovery only for tangible medical expenses up to \$250,000, offset by medical insurance (which could presumably include Medicaid, for low-income individuals), would-be claimants have a strong incentive to forego the Board of Claims and instead to attempt

recovery in court for egregious medical injuries. When they do so, they face unnecessary obstacles.

Kentucky courts have broadly held that sovereign immunity shields public medical institutions from malpractice liability. In determining the reach of sovereign immunity, they apply the common law "governmental function test": when a governmental entity provides a function integral to state government (including providing medical services), it remains protected.⁸⁹ The courts will only find a waiver of immunity when a statute "by the most express language or by such overwhelming implications from the text . . . leave[s] no room for any other reasonable construction."⁹⁰ Notably, a public medical facility does *not* waive sovereign immunity even when a statute enables it to maintain third-party malpractice insurance or to self-insure against liability.⁹¹ This holding, while counterintuitive, does enable an injured party to enlist the courts in apportioning its entitlement to proceeds from a third-party insurance policy, though the party can enforce that judgment only against the insurance provider, not against the sovereign entity.⁹²

A problem may arise when a plaintiff seeks to recover from a hospital's self-insurance fund. A Kentucky appellate court addressed this predicament in *Mooring v. Hardin County*. In that case, the injured party stipulated that his damages exceeded the Board of Claims maximum of \$250,000 but did not exceed one million dollars.⁹³ As permitted by statute, the hospital maintained excess liability insurance with a third-party carrier.⁹⁴ This specific policy applied to claims that exceeded one million dollars.⁹⁵

[84] Ky. Const. § 231; *Withers v. Univ. of Kentucky*, 939 S.W.2d 340, 342 (Ky. 1997).

[85] Ky. Rev. Stat. Ann. § 49.040 (West 2024). See also *Mooring v. Hardin Cnty.*, No. 2013-CA-000513-MR, 2015 WL 1778220, at *5 (Ky. Ct. App. Apr. 17, 2015).

[86] Ky. Rev. Stat. Ann. § 49.130 (West 2024).

[87] *Findley v. W. Kentucky Univ.*, 690 S.W.3d 170, 179 (Ky. Ct. App. 2024).

[88] Ky. Rev. Stat. Ann. § 49.020 (West 2024).

[89] *Pauly v. Chang*, 498 S.W.3d 394, 403 (Ky. Ct. App. 2015). See also *Hamblen ex rel. Byars v. Kentucky Cabinet for Health & Fam. Servs.*, 322 S.W.3d 511, 515–16 (Ky. Ct. App. 2010).

[90] *Withers v. Univ. of Kentucky*, 939 S.W.2d 340, 346 (Ky. 1997) (quoting *Murray v. Wilson Distilling Co.*, 213 U.S. 151, 171 (1909)).

[91] See *Reyes v. Hardin Cnty.*, 55 S.W.3d 337, 339 (Ky. 2001).

[92] *Id.* at 337–38.

[93] *Mooring v. Hardin Cnty.*, No. 2013-CA-000513-MR, 2015 WL 1778220, at *5 (Ky. Ct. App. Apr. 17, 2015).

[94] *Id.*

[95] *Id.*

Separately, the hospital had also established its own *internal* liability insurance fund, designed “to cover claims and associated expenses such as administrative costs, legal fees, and excess liability insurance premiums” of below one million dollars.⁹⁶ The self-insurance policy explicitly stated: “[n]othing in this Program, its attachments, ancillary agreements or the administration of this Program is intended to or shall be construed in any way to waive or limit the defense of sovereign immunity for Claims against Protected Persons which defense is hereby specifically reserved.”⁹⁷

Reviewing that policy provision in conjunction with a Kentucky statute that read “the establishment of a fund for self-insurance by the Commonwealth, its cabinets, departments, bureaus, or agencies or its agents, officers, or employees thereof for a government-related purpose or duty shall not be construed as a waiver of sovereign immunity,”⁹⁸ the court limited the plaintiff to recovery (if any) from the Board of Claims and found the self-insurance fund untouchable on sovereign immunity grounds, absent clear legislative intent to the contrary.⁹⁹

The *Mooring* court acknowledged the harshness of its decision.¹⁰⁰ The outcome raises the obvious question of what is the point of a self-insurance fund, if claimants can never actually recover from it? Such statutes, like Kentucky’s, primarily leave the issue of liability insurance to the unfettered discretion of public health entities themselves, typically the counties that own and/or operate hospitals and direct the decisions of their medical providers. Thus, in theory, while a plaintiff might not recover damages of \$500,000 in County A, she might recover that amount in County B, depending on whether County B had contracted with a third-party insurance carrier.¹⁰¹ As a policy matter, such capricious results make little sense.

Abortion-related medical injuries will surely increase under Kentucky’s new statutory abortion ban, and the Kentucky legislature must act, unequivocally, to enable those patients injured because of a delay or absence of medical treatment to seek recovery in Kentucky courts.

Alabama

Alabama’s aggrieved patients may also find it difficult to recover for their injuries pursuant to the state’s admittedly nuanced sovereign immunity doctrine, necessitating legislative intervention. While the Alabama Constitution limits the state legislature’s ability to waive the sovereign immunity of state institutions, it does not limit its ability to waive the sovereign immunity of individual government employees. The Alabama legislature must therefore address the abortion dilemma by waiving the sovereign immunity of medical teams involved in such cases—including not only treating physicians, but also those responsible, at an administrative level, for postponing urgently-needed abortion care.

The Alabama Constitution decrees: “the State of Alabama shall never be made a defendant in any court of law or equity.”¹⁰² Alabama’s tort claims act expressly only applies to units of local government.¹⁰³ The statute recites the legislature’s intent: “[t]his chapter is not intended and shall not be construed to subject any governmental entity to liability for tort claims where liability therefor does not already exist by law.”¹⁰⁴ Additionally, like Kentucky’s law, Alabama’s tort claims act only enables recovery up to a certain amount (\$100,000).¹⁰⁵ For these reasons, Alabama courts have confronted the issue of sovereign immunity in tort lawsuits, particularly in medical malpractice cases, in which plaintiffs may seek large damage awards.

[96] *Id.*

[97] *Id.*

[98] Ky. Rev. Stat. Ann. § 49.073 (renumbered as § 49.070 (West 2024)).

[99] *Mooring*, 2015 WL 1778220 at *5

[100] *Id.*

[101] *See id.*

[102] Ala. Const. art. I, § 14.

[103] Ala. Code § 11-93-1 (2024).

[104] Ala. Code § 11-93-3 (2024).

[105] Ala. Code § 11-93-2 (2024).

At Alabama common law, courts have construed sovereign immunity to shield state-operated hospitals in medical negligence actions, including those that operate under the auspices of public universities.¹⁰⁶ Their treatment of medical practitioners within such institutions, however, as “state agents,” appears less clear-cut. In the leading case of *Ex parte Cranman*, the Alabama Supreme Court held that sovereign immunity did not protect allegedly negligent treating physicians.¹⁰⁷

In so deciding, it pronounced a common law test to ascertain the extent to which a qualified form of sovereign immunity protects state agents:

A State agent *shall* be immune from civil liability in his or her personal capacity when the conduct made the basis of the claim against the agent is based upon the agent's

- (1) formulating plans, policies, or designs; or
- (2) exercising his or her judgment in the administration of a department or agency of government, including, but not limited to, examples such as:
 - (A) making administrative adjudications;
 - (B) allocating resources;
 - (C) negotiating contracts;
 - (D) hiring, firing, transferring, assigning, or supervising personnel; or
- (3) discharging duties imposed on a department or agency by statute, rule, or regulation, insofar as the statute, rule, or regulation prescribes the manner for performing the duties and the State agent performs the duties in that manner; or
- (4) exercising judgment in the enforcement of the criminal laws of the State, including, but not limited to, law-enforcement officers' arresting or attempting to arrest persons; or

(5) exercising judgment in the discharge of duties imposed by statute, rule, or regulation in releasing prisoners, counseling or releasing persons of unsound mind, or educating students.

Notwithstanding anything to the contrary in the foregoing statement of the rule, a State agent *shall not* be immune from civil liability in his or her personal capacity

(1) when the Constitution or laws of the United States, or the Constitution of this State, or laws, rules, or regulations of this State enacted or promulgated for the purpose of regulating the activities of a governmental agency require otherwise; or

(2) when the State agent acts willfully, maliciously, fraudulently, in bad faith, beyond his or her authority, or under a mistaken interpretation of the law.¹⁰⁸

In 2022, the Supreme Court reapplied this test in *Ex Parte Mestas*, in which the family of a deceased patient sued nurses at a university medical center. The defendant list included the facility's chief nursing officer (CNO). Asserting state agent immunity, the CNO noted that she had not directly treated the plaintiff.¹⁰⁹ Rather, she considered herself “an administrative/corporate employee,” responsible for “set[ting] out categories of responsibility which include the development of plans, systems and processes as well as maintenance of appropriate staffing, management of staff, evaluation of both the clinical and financial aspects of patient care, and involvement with credentialing processes and regulatory compliance.”¹¹⁰ The plaintiff alleged that the CNO had behaved negligently via a series of omissions, such as “failing to train, educate and make the hospital's nursing staff aware of the need for extra precautions in high-risk patient populations” and “failing to adopt, implement and/or follow policies, procedures, and protocols for the treatment and care of postoperative patients being administered pharmaceutical pain medications.”¹¹¹

[106] *Sarradett v. Univ. of S. Alabama Med. Ctr.*, 484 So. 2d 426, 427 (Ala. 1986). *But see* *Health Care Auth. for Baptist Health v. Davis*, 158 So. 3d 397, 419 (Ala. 2013).

[107] *Ex parte Cranman*, 792 So. 2d 392, 394 (Ala. 2000).

[108] *Id.* at 405.

[109] *Ex parte Mestas*, 371 So. 3d 220, 222 (Ala. 2022).

[110] *Id.* at 224.

[111] *Id.*

The court found the CNO a state agent entitled to qualified sovereign immunity under *Cranman*.¹¹² Specifically, the court emphasized the administrative nature of her role, such as developing quality improvement systems and advocating for patient safety, which comported with such *Cranman* factors as “formulating plans, policies, or designs.”¹¹³

The *Mestas* holding has potentially significant implications in the abortion care context.

As horror stories like the *Thurman* case illustrate, negligence in the post-*Dobbs* era may arise not from the specifics of how a physician treated a patient (*Cranman*), but rather from hospital procedures and omissions (*Mestas*).

In holding that sovereign immunity shields the latter, the Alabama Supreme Court perhaps eliminated the last chance of injured abortion patients to seek recovery. As such, the Alabama legislature must step in to define the bounds of the law.

Conclusion

In passing restrictive abortion statutes, states unintentionally created new medical risks for pregnant patients, especially low-income patients who tend to seek abortions in greater numbers than their counterparts above the FPL and who more likely visit public hospitals. When such patients experience negative medical outcomes due to their medical providers’ failures to perform timely abortions, they may well remain unable to recover damages via ordinary malpractice claims due to the archaic sovereign immunity doctrine, which provides that no one may sue the government unless the government consents to suit. To fix this problem, the governments of these respective states must amend applicable statutes to clearly waive sovereign immunity in such circumstances.

[112] *Id.* at 227.

[113] *Id.* See also *Ex parte Cranman*, 792 So. 2d 392, 405 (Ala. 2000).



This essay was submitted by

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The Importance of Courage and Advocacy

An Interview with
Cory Amron,
President of
Women Lawyers
on Guard

by Jennifer Stallings Dewey



WOMEN LAWYERS ON GUARD



How does someone transform from an excruciatingly shy girl into a courageous disruptor and advocate? In the case of Cory Amron, it was by asking herself the question: “What’s the worst that can happen?” Cory grew up in Queens, New York, and went on to attend the University of Rochester and Harvard Law School. Today, she is retired from her former firm, Vorys, Sater, Seymour and Pease, LLP, where she was the head of the IP practice group. She resides in Arlington, VA, with her husband of over 40 years, with whom she has two children.

Outside of her professional and family life, Cory is a dedicated volunteer and advocate. She is the President of Women Lawyers on Guard. She has also been involved in several other organizations, including the ABA Commission on Women and the ABA Commission on Domestic Violence, just to name a few. Any former shyness is undetectable, but the possible lingering effects may be that Cory is both unassuming and disarming. She has a poise and confidence that makes you think...maybe we CAN do this, mixed with a warmth that, more than once during our conversation, made me forget we were meeting over fuzzy computer screens rather than in a living room over cups of tea.

It might be difficult for Cory to imagine herself as a disruptor or an engineer of the sort of “good trouble” the late John Lewis encouraged us all to get into. But as we chatted about her impressive 40+ year legal career and remarkable advocacy work, it became clear to me that she is the type of champion and advocate we should all aspire to be.

When did you decide you wanted to be an attorney?

I graduated from college in 1974 and was trying to figure out what I should be doing. During the summers between semesters, I worked as an office temp in Manhattan. I saw the hierarchy: the men had the good jobs and then the women, who were college graduates, with English or Literature degrees were all the secretaries. It was okay to do that for the summer, but I could not imagine myself doing that for the rest of my life. So, I looked around for other things, and it just so happened that somebody mentioned that women were getting into the law. At that time, I had never met a lawyer, other than Perry Mason. I had no idea what they did, but I thought a lawyer sounded like someone you would take seriously.

I recall sitting in the mess hall one day with a guy whose name I don't remember. He asked what I was thinking of doing after graduation, and I said, "I'm thinking about going to law school." The guy said, "and take some man's place." I thought, "Yes, that's exactly what I wanted to do."

It wasn't like I wanted to be a lawyer my whole life. In a way, it was something I happened into, looking for something that would fulfill me. When I got into Harvard Law School, I thought, "I've got to go!" So, I did it. I was excruciatingly shy. I really had no dreams of being some fantastic courtroom lawyer or anything like that. I just stumbled upon it, and I'm so glad I did. I really think that I would have been a different person had I done something else.

Do you still consider yourself shy?

I still consider myself a shy person, but I've learned over the years to think, "What's the worst that could happen?" As an example, I do a lot of political canvassing. Every door I walk up to, I think, "I don't want to talk to a stranger, but I'm here, and I must do this. There's a reason I'm here, and I'm going to do it." It's somewhat of a struggle, but I do it. Another example: I was on the original American Bar Association Commission on Women and Hillary Clinton chaired it. After she left, she asked me if I would take over as Chair. I was somewhat stunned. I moved into a situation where I had to talk to

reporters. I had to get up and give speeches. I went around the country talking to different groups, some of which didn't want to hear our message. So, again, I thought, "What's the worst that could happen, but also what's the best that could happen? The best that could happen is you put yourself out there and people say, 'I never thought about these issues in that way.'"

What drew you to your particular area of practice?

I just fell into the area that I was working in. Between college and law school, I took a year off. I was working at Harper Collins doing copyrights for books. When I got my first job at a law firm, I knew a little bit about copyrights, and there was another guy there who knew a little bit about trademarks. We got together and formed a little group. I was supposed to be doing commercial real estate, but on the side, I was also building this intellectual property practice. When I got to the firm I ultimately retired from, there was so much IP work that needed to be done that I had to give up commercial real estate. But there were a lot of synergies between the two areas.

How did you get involved in advocacy and your other activities outside of your main work?

When I was a young lawyer, a lot of firms were very supportive of bar associations. They saw it as a sort of training ground where new lawyers could learn a lot and gain skills. They also saw it as a place where the name of their firm would get some exposure and recognition. That has, unfortunately, become less common. This has become an untapped resource. A lot of firms now

want their associates to focus on billing hours. Bar associations were not just a great place to learn, but also beneficial for developing networks and resources.

I was the first woman in my law firm, so I set out to find other women lawyers in my city. I made some contacts and eventually got connected with the Young Lawyers Section of the DC Bar and the American Bar Association. I was asked to be on that first ABA Commission on Women and we worked on so many issues. At the time, sexual harassment wasn't talked about the way it is now. There were public hearings where we discussed things like parental leave and flexible schedules, and then there were whispers about sexual harassment. But those were our three main issues.

Around the time I was taking over the Chair position, Anita Hill was testifying about Clarence Thomas. That just loaded a lot of discussions around sexual harassment. We had a lot of policies and information that we began putting out.

What is your perspective on the progress (or lack thereof) that has been made in the area of sexual harassment?

When I helped form the nonprofit that I run now, Women Lawyers on Guard, we decided to go out and talk to people. When we asked about sexual harassment, about half of them said, "Oh, that's not a problem anymore." But then the other half said, "Let me tell you what happened yesterday!" We saw a real clash of perspectives. I had been out of this work for a while, and what I realized was that people who are not harassed or don't see it think that it's gone. But to the people that it's happening to, it is still a serious problem.

It's very clear that things have gotten somewhat better. When I started, partners would run around the desk chasing secretaries. The culture of sexual harassment has changed. We did a nationwide survey and could actually see some change happening over time. The overarching predatory culture seems to have lessened because of policies, training, and things like that. However, there are still pockets of sexual harassment. From my perspective, it's better, but it's not right.

Women on Guard came up with a project to try to motivate men to take an active role in fighting sexual harassment. It's called Conversations with Men. Around 50 guys were in five different groups led by a professional facilitator. It was only supposed to be two sessions, but the participants requested to keep meeting and ended up having meetings every month for over two years.

What have you learned or gained from your advocacy work?

It's really changed my life and the way I see people and this country. I met people knocking on doors that were so amazing. It was incredible to see the diversity that exists. If we could rearrange our society and rub shoulders with different types of people, we would be in such better shape. We could understand that we are all humans and want the same things. There is so much propaganda and disinformation and it puts wedges between us.

People are just people. For example, I have met a lot of famous people. At one point, the ABA was giving Anita Hill a Margaret Brent Award and I had to escort her from her car to her suite in the hotel through the lobby. Random people kept coming up and thanking her. It was amazing to me that you can touch people and not even know it. You can be a leader and not even know it. You might just be doing something you need to do for yourself and end up changing the world.

Why do you think advocacy work is so important, especially in today's political climate?

The ground has shifted. We could easily find ourselves up sh*t creek without a paddle. If we don't address the problems we are having now, they will become much more urgent. It's essential that everybody participate in advocacy. We must ensure that we have a democracy, the U.S. Constitution, and the rule of law. Otherwise, there are many examples of horrible things that happen to people when we don't have all those things.

If you could ask your future self one question, what would it be?

I would ask what worked to save democracy. If I could only know that now, that's what I would be doing. I fear that it's getting more intense and people are getting less willing to put themselves on the line. I keep a list of actions individuals are taking: putting up billboards, building coalitions, writing op-eds, putting together town halls. The last things on the list are wringing your hands, worrying, complaining, and clutching your pearls. I am also keeping a list of things that are not yet happening and I think we are going to have to turn to some of those soon.

If you met your 25-year-old self for coffee today, what would the conversation be like?

I would tell her to trust yourself and your instincts, but not to let them get in your way. This reminds me of something. My friend from high school and I went to the Palisades Amusement Park. I was afraid of roller coasters. If I stepped near one, my heart would start palpitating. We walked into the park, and she said, "We are not leaving without riding that roller coaster. We can go now, or we can go before we leave, but we are riding

it." So, my strategy was, "Let's get this over with." The first thing we did was go on that roller coaster. As soon as I got off, I looked at my friend and said, "Let's do that again."

What advice do you have for younger female attorneys who want to be advocates, disruptors, and get into good trouble?

Don't wait for someone else to be the leader that you're looking for. Go ahead and be that person you know you need. It's not that difficult to lead, and people all the time say, "Oh Cory, I couldn't do what you're doing." But the truth is, yes, you could. You just put one foot in front of the other. Rachel Cohen, the associate who left Skadden, said, "Courage is a choice." Robert Hubbell, a lawyer with a popular Substack, says, "Courage is contagious." But I say, courage is a team sport. Advocates need to get together in that huddle, find their team, and grow their strength.

Learn more about Cory and her work with WLJ at <https://womenlawyersonguard.org/>

Interviewed By

Jennifer Stallings Dewey

WLJ Board Member

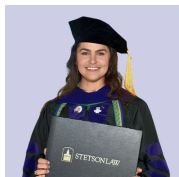


2025 NAWL Outstanding Law Student Award

NAWL's Outstanding Law Student Award is presented each year to one student in the graduating class of participating ABA-approved law schools who contributed to the advancement of women in society; promoted issues and concerns of women in the legal profession; demonstrated a commitment to NAWL's mission; exhibited motivation, tenacity, and enthusiasm; demonstrated academic achievement; and earned the respect of the dean and law faculty.



Celine Alhout
Fordham University
School of Law



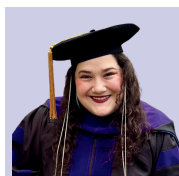
Alexis Bargamin
Stetson University
College of Law



Rebekah Joy Carico
University of Richmond
School of Law



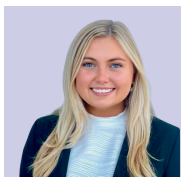
Shannen Cloherty
Thomas R. Kline
School of Law of
Duquesne University



Holly Fain
University of Maine
School of Law



Adrienne Fernandez
University of Maryland
Francis King Carey
School of Law



Savannah Hall
University of
Tennessee
College of Law



Alexis Handler
University of Miami
School of Law



Emily Harmon
University of Wyoming
College of Law



Kristin Hommel
Penn State Law



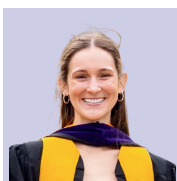
Deidra Hopkins
Rutgers Law School



Fiona Houghtby
William & Mary Law School



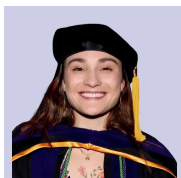
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University of Georgia
School of Law



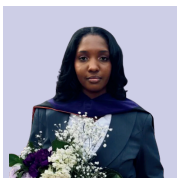
Jane Jozefowicz
University of Iowa
College of Law



Emma Kerro
Case Western Reserve
University School of Law



Lia Knox-Hershey
Drexel University Kline
School of Law



Camilla Leonard
Ohio Northern University
Claude W. Pettit
College of Law



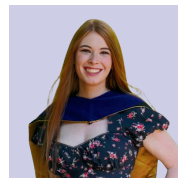
Sascha Macias
Loyola Law School, Los
Angeles



Marlisa Marquez
University of Michigan
Law School



Kaitlin Maxwell
Notre Dame Law School



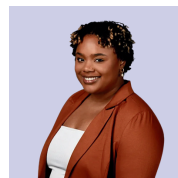
Caro McGuffee
Vanderbilt Law School



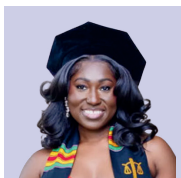
Addison Mecredy
Mercer University
School of Law



Arianna Meekins
University of Florida
Levin College of Law



Tayla Moore
University of Minnesota
Law School



Nana Nyantakyi
St. John's University
School of Law



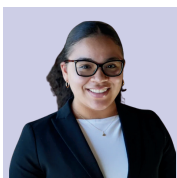
Mary Katherine O'Boyle
University of Virginia
School of Law



Victoria Oglesby
Sandra Day O'Connor
College of Law at Arizona
State University



Suzanne F. Oldweiler
Atlanta's John Marshall
Law School



Jayvana Perez
Vermont Law and
Graduate School



Darrah Perry
Campbell University
School of Law



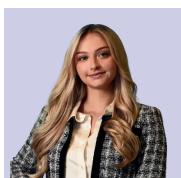
Sarah Gates Picchini
The George Washington
University Law School



Sarah Schra
Willamette University
College of Law



Llewellyn Searing
Penn State Dickinson Law



Alexa Sondey
Touro Law Center



Erin Turvey
University of Baltimore
School of Law



Alyssa Waddington
Cooley Law School



Elizabeth West
University of
Massachusetts
School of Law



Caitlin Williams
University of Pittsburgh
School of Law

Find past awardees and discover more about the NAWL Outstanding Law Student Award on the [NAWL website](#).



Jeannette Rankin, Hattie Wyatt Caraway, Margaret Chase Smith, Shirley Chisholm, Barbara Jordan, Alexandria Ocasio-Cortez (Library of Congress and Franmarie Metzler, U.S. House Office of Photography)

CONGRESSIONAL DISRUPTORS: **Then and Now**

By Deborah Froling

When the National Association of Women Lawyers was founded in 1899, more than 120 years after the country's founding, women could not vote and lacked a single voice in Congress. It wasn't until the 65th Congress (1917-1919) that a woman sat in the House of Representatives.¹ Since then, of the 23,490 seats in the House of Representatives, 1,872 of them have been held by women; and out of 5,500 seats in the Senate, women have held 343. In other words, women have represented approximately 6.2% of senators and 7.8% of representatives. The highest percentage of women in the House in any year was 30%. This was achieved in the 118th Congress (2023-2025). The 118th Congress also tied the highest percentage of women in the Senate at 26%, which was first achieved in the 116th Congress (2019-2021).² All of these women likely disrupted the status quo given their uniqueness. The following six women, however, bear the title "disruptor" for what they represented, the causes they championed, and their accomplishments.



[1] *History, Art & Archives, U.S. House of Representatives, Office of the Historian, Women in Congress, 1917–2006.* <https://history.house.gov/Exhibitions-and-Publications/WIC/Historical-Data/Women-Representatives-and-Senators-by-Congress/> (last visited March 27, 2025).

[2] All statistics cited in this paragraph were derived from information contained in <https://history.house.gov/Exhibitions-and-Publications/WIC/Historical-Data/Women-Members-by-Congress/> last visited May 4, 2025).



Jeannette Rankin

The first woman to be elected to the House of Representatives

Jeannette Rankin (Library of Congress)

Jeannette Rankin, a Republican from Montana with long experience in the suffrage movement, was the first woman to be elected to the House of Representatives in 1916. She served in the 65th Congress and then again in the 77th Congress. She introduced her first bill on the day she was sworn into office—H.J. Res. 3, the Susan B. Anthony Amendment to guarantee and protect women's suffrage in the Constitution.³ Each of her two terms in Congress coincided with world wars. She voted against President Wilson's declaration of war against Germany in World War I.

After Montana went from two at-large seats to two congressional districts in 1918, Representative Rankin decided not to run for re-election to the House but instead to run for the Senate. She was unsuccessful in winning the Republican primary but won the nomination of the National Party and finished third for the seat. In 1920, she became a founding member and vice president of the American Civil Liberties Union (ACLU).

In 1924, after spending time abroad working on world peace issues, Representative Rankin relocated to Athens, Georgia where she remained active in political circles by, among other things, lobbying for social welfare legislation, including the Sheppard-Towner Act to improve hygiene education to reduce mortality rates for women and infants. This act became law in 1921.

In 1940, she returned to Montana after deciding to run again for a seat in the House. She won with 54% of the vote.

This time, she was not alone. In the 77th Congress, there were eight other women in the House of Representatives.

On December 7, 1941, the Japanese bombed Pearl Harbor, and the following day, President Roosevelt asked a joint session of Congress to declare war on Japan. The war resolution passed the House on a vote of 388 to 1. Representative Rankin was the lone vote against. On the floor of the House, Representative Rankin stated, "As a woman I can't go to war, and I refuse to send anyone else."⁴ Two days later, when the House voted to declare war on Germany and Italy, Representative Rankin voted "present." She had made her anti-war position clear and did not run for re-election in 1942.

In January 1968, she led the Jeannette Rankin Brigade, a 5,000-person protest march on Washington, ending with the presentation of a peace petition to then-Speaker of the House John McCormack of Massachusetts to protest the Vietnam War.⁵ In 1972, Representative Rankin was named the "World's outstanding living feminist" by the National Organization for Women. She died in Carmel, California in May 1973. At the time of her death, she was considering another run for the House to protest the Vietnam War.⁶



[3] *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, *RANKIN, Jeanette*. [https://history.house.gov/People/Listing/R/RANKIN,-Jeannette-\(R000055\)/](https://history.house.gov/People/Listing/R/RANKIN,-Jeannette-(R000055)/) (last visited May 23, 2025).

[4] *Id.*

[5] *Id.*

[6] *Id.*



Hattie Wyatt Caraway

The first woman to win election to the U.S. Senate

Hattie Wyatt Caraway (Library of Congress)

Hattie Wyatt Caraway was the first woman to be elected to the U.S. Senate in her own right after having been appointed to the seat to serve upon the death of her husband, Thaddeus Caraway. She was appointed by Democratic Arkansas Governor Harvey Parnell, a close friend of her husband. She was sworn into the Senate on December 8, 1931. She won the January 1932 special election to fill the remaining 14 months of her husband's term. She formed a political coalition with her close ally Huey Long that ended with Senator Caraway winning a seven-way primary with almost 45% of the vote⁷ and winning the general election by a nearly nine-to-one margin.⁸

Along with being the first woman elected to the U.S. Senate, she was named the chair of the Enrolled Bills Committee, the first woman to ever chair a Senate committee, and remained chair until she left the Senate in 1945. Senator Caraway was the first woman to preside over the Senate, the first senior woman Senator (following the death of fellow Senator Joe Robinson in 1937), and the first woman to run a Senate hearing. She was the first woman to endorse and vote for the Lucretia Mott Equal Rights Amendment in 1943.

She was, however, a product of her roots and voted with her southern colleagues to uphold segregation and against the anti-lynching law of 1938. In 1942, she joined with other southern Senators to filibuster a proposed bill that would have eliminated the poll tax.⁹

During the 1938 re-election campaign, her opponent, John Little McClellan, declared that "Arkansas Needs Another Man in the Senate." Senator Caraway won the primary against Mr. McClellan by 8,000 votes out of the more than 260,000 cast.¹⁰ In her re-election campaign in 1944, she lost in the primary to James William Fulbright. Fulbright went on to serve for 30 years as one of the most influential members of the Senate. Following her loss, President Roosevelt nominated Senator Caraway to serve as a member of the Federal Employees' Compensation Commission in 1945. In 1946, President Truman elevated her to the commission's appeals board, where she remained until her death in December 1950.



[7] *Social Welfare History Project, VCU Libraries, Caraway, Hattie Wyatt (1879-1950)*. <https://socialwelfare.library.vcu.edu/woman-suffrage/caraway-hattie-wyatt-1878-1950/> (last visited June 1, 2025).

[8] *Id.*

[9] *Id.*

[10] *Id.*



Margaret Chase Smith

Maine's first female member of Congress
and first woman to serve in both chambers

Margaret Chase Smith (Margaret Chase Smith Library)

Margaret Chase Smith was first elected to Congress in a special election to serve out her husband Clyde Smith's unexpired term in the 76th Congress (1939-1941) as a Republican from Maine's 2nd congressional district. She won the Republican primary by a 10-to-1 margin over her challenger and became Maine's first female member of Congress.¹¹

Shortly after taking office, Representative Smith won the Republican primary for a full term in the 77th Congress. Her election platform focused on military preparedness and support for old-age pensions and assistance. She was re-elected three times to the House. Notably, she was able to secure the passage of the Women's Armed Forces Integration Act as a member of the House Armed Services Committee. This Act provided for the permanent inclusion of all uniformed women (not just nurses) in the military. Prior to its passage, women were considered volunteers and did not receive any benefits for serving. President Truman signed the act into law and then weeks later racially integrated the armed forces by executive order.¹²

Representative Smith sought to become Senator Smith in a hotly contested 1948 primary to succeed then-Senator Wallace Humphrey White Jr. The Maine Republican Party supported Governor Horace A. Hildreth in the four-way race, actively opposing Representative Smith's candidacy. She won the June primary, receiving more votes than her three challengers combined, and she won the general election with 71% of the vote.

Her success marked the first time a woman won election to the Senate without first having been a widow of a senator or recipient of a special appointment. She was also the first woman to have served in both chambers of Congress. She was re-elected to the Senate three more times.¹³

Senator Smith's defining moment in the Senate came on June 1, 1950, when she took to the floor of the Senate to denounce Joseph McCarthy and his red-baiting witch hunts. Similar to her time in the House, Senator Smith remained more of an independent than a party-line Republican legislator. She rejected Republican cabinet nominee Lewis Strauss for Commerce Secretary and Nixon's Supreme Court nominee, G. Harrold Carswell. She supported Democratic initiatives on educational funding and civil rights, but she was much more aggressive on foreign policy than Kennedy. From June 1, 1955, to September 6, 1968, she cast 2,941 consecutive roll call votes. Her streak ended due to hip surgery. She sought the Republican presidential nomination in 1964. While she lost every primary, she received 25% of the primary vote in Illinois and garnered 27 delegates at the nominating convention.¹⁴

Senator Smith surprisingly lost re-election in 1972. She spent the remainder of her life in her hometown of Skowhegan, Maine, building the Margaret Chase Smith Library Center, the first of its kind to focus its collection on the papers of a female member of Congress. She was awarded the Presidential Medal of Freedom in 1989 by President George H.W. Bush and died in 1995 at the age of 97.¹⁵

[11] *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, "SMITH, Margaret Chase." <https://history.house.gov/People/Detail/21866> (last visited June 1, 2025).

[12] *Id.*

[13] *Id.*

[14] *Id.*

[15] *Id.*



Shirley Chisholm

The first African American Congresswoman

Shirley Chisholm (Library of Congress)

Shirley Chisholm, the first African American Congresswoman, was elected to the House of Representatives in 1968 from New York's 12th congressional district. Her opponent in the general election, Republican James Farmer, focused on Representative Chisholm's gender in the race and argued that "women have been in the driver's seat" in Black communities for too long and that the district needed "a man's voice in Washington," not that of a "little schoolteacher."¹⁶ Representative Chisholm's campaign motto, on the other hand, was "unbought and unbossed." Mr. Farmer lost the election in part because more than 80% of the district's population were registered Democrats.

Representative Chisholm did not intend to fly under the radar as most House freshmen were expected to do. In her first floor speech in March 1969, she criticized the Vietnam War and stated that she intended to vote against any defense appropriation bill "until the time comes when our values and priorities have been turned right-side up again."¹⁷

Initially assigned to the Committee on Agriculture, she bypassed the regular order and appealed her assignment to no avail. She then complained to the Democratic caucus and the Press.

She was reassigned to the Veterans' Affairs Committee, which was not her first choice but was more relevant to her constituents in Brooklyn.¹⁸

In her seven terms in the House of Representatives, Representative Chisholm also served on the Committee on Education and Labor, the Committee on Organization, Study and Review (the Hansen Committee), and, in 1977, she became the first Black woman (and only the second woman ever), to serve on the Rules Committee. Representative Chisholm was a founding member of the Congressional Black Caucus and the Congressional Women's Caucus.¹⁹

Representative Chisholm's legislative priorities reflected her interests as an educator and included educational and labor policies that helped African Americans, women, the working class, and the poor. In 1975, she added an amendment to the national school lunch bill that expanded participation by increasing the family income limit for students to receive free or reduced-price lunches. She also helped pass an amendment to the Fair Labor Standards Act of 1938 that increased the minimum wage and brought domestic workers, a profession that disproportionately employed women of color, under the minimum wage regulations.

[16] *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, "CHISHOLM, Shirley Anita." <https://history.house.gov/People/Detail/10918> (last visited June 1, 2025).

[17] *Congressional Record*, House, 91st Cong., 1st sess. (26 March 1969): 7765

[18] *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, "CHISHOLM, Shirley Anita." <https://history.house.gov/People/Detail/10918> (last visited June 1, 2025).

[19] *Id.*

In 1972, Representative Chisholm campaigned for the Democratic presidential nomination and succeeded in getting her name on the primary ballots in 12 states. She received 152 delegate votes, or 10% of the total delegates, at the Democratic National Convention. While her presidential run raised her profile nationally, it did not endear her to her colleagues in the House. In 1982, Representative Chisholm decided not to run for re-election but did not leave politics altogether. She co-founded the National Political Congress of Black Women and campaigned for Jesse Jackson in his presidential bids in 1984 and 1988. While she was nominated as U.S. Ambassador to Jamaica by President Clinton, she declined the appointment due to poor health. She ultimately settled in Florida, where she died on January 1, 2005.

In her quests for better committee assignments, appointments to the Democratic leadership, and nomination for president, Representative Chisholm upended party politics and ruffled feathers, even amongst her own party. She said that many Democrats, particularly African American politicians, misunderstood her efforts to build alliances, maintaining that many members of the Black community did not understand the need for negotiation with White politicians. “We still have to engage in compromise, the highest of all arts,” she noted. “Blacks can’t do things on their own, nor can whites.”²⁰



Shirley Chisholm ca. 1972 (Library of Congress)

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[20] *Id.*



Barbara Jordan

The first southern African-American woman elected to the U.S. House of Representatives

Barbara Jordan (Library of Congress)

Barbara Jordan was the first Black woman ever elected to Congress from the South. She earned a bachelor's degree from Texas Southern University in 1956 and a law degree from Boston University in 1959. That same year, she was admitted to the Massachusetts and Texas bars, and she began to practice law in Houston in 1960. Her introduction to politics was working on John F. Kennedy's presidential campaign, eventually helping to manage a highly organized get-out-the-vote program that served Houston's 40 predominantly African American precincts.

After losing elections in 1962 and 1964 for the Texas House of Representatives, she won a seat in the Texas Senate in 1966 after a court-enforced redistricting created a constituency that consisted largely of minority voters. She defeated a White liberal and became the first African American state senator in Texas since 1883 and the first Black woman elected to the Texas State Legislature. State Senator Jordan quickly established herself as an effective legislator who pushed through bills establishing the state's first minimum wage law, requiring antidiscrimination clauses in business contracts, and creating the Texas Fair Employment Practices Commission. In March 1972, she was elected president pro tempore of the Texas Senate, making her the first Black woman in America to preside over a legislative body.

As president pro tempore, one of her responsibilities was to serve as acting governor when the governor

and lieutenant governor were out of the state. When filling that largely ceremonial role on June 10, 1972, she became the first Black chief executive in the nation.²¹

In 1972, Representative Jordan won the U.S. congressional seat representing downtown Houston for the first of her three terms. In both her Texas legislative career and in the House of Representatives, Representative Jordan pursued influence and change within existing systems by seeking out powerful committee assignments where, as a Black woman, she could blaze new trails and magnify her influence. Due to her connection to former President Johnson, she landed a seat on the House Judiciary Committee, where she served for her three terms.

In the summer of 1974, as the Judiciary Committee considered articles of impeachment against President Nixon for crimes associated with the Watergate scandal, Representative Jordan delivered opening remarks that shook the committee room and captivated the large television audience that had tuned in to the proceedings.

"My faith in the Constitution is whole, it is complete, it is total," she said. "I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction of the Constitution." After explaining why she supported each of the five articles of impeachment against President Nixon, Representative Jordan concluded by saying that if



[21] *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, "JORDAN, Barbara Charline." <https://history.house.gov/People/Detail/16031> (last visited June 1, 2025).

the Judiciary Committee did not find the evidence compelling enough, “then perhaps the eighteenth-century Constitution should be abandoned to a twentieth-century paper shredder.” Reaction to Representative Jordan’s statement was overwhelming. Back home in Houston, a new billboard read: “Thank you, Barbara Jordan, for explaining the Constitution to us.”²²

Watergate also helped shape Representative Jordan’s legislative priorities. In October 1973, shortly after Nixon fired special prosecutor Archibald Cox, who had been appointed to investigate the Watergate scandal, she joined colleagues in cosponsoring legislation that would have appointed a new special prosecutor who could not be arbitrarily removed from office. Representative Jordan also introduced a bill of her own that would have created a permanent system in which grand juries could choose to appoint a special prosecutor to take over a case if the jury determined that the original prosecutor had a conflict of interest.²³

During her career, Representative Jordan sought legislative remedies to expand the reach of the Civil Rights Act of 1964 and Voting Rights Act of 1965 (VRA). “The momentum of the 1960’s has run out,” Jordan declared. “Congress will be called upon to defend progress already made rather than undertake new initiatives.”²⁴

In 1973, she amended a reauthorization bill for the Law Enforcement Assistance Administration—an agency tasked with distributing grants to state and local law enforcement agencies—to require it to enforce Title VI of the Civil Rights Act of 1964, which prohibited racial discrimination in programs that receive federal funding. From her seat on the Government Operations Committee, she pursued

similar legislation to require the Office of Revenue Sharing to enforce Title VI when distributing funds to state and local governments. Representative Jordan also joined seven other members on the Judiciary Committee in opposing Gerald R. Ford’s nomination as Vice President after the resignation of Spiro T. Agnew, citing what they said was his mediocre civil rights record.²⁵

In 1975, a decade after the passage of the VRA, Representative Jordan supported legislation to extend the law’s provisions for an additional 10 years, noting that state and local officials had continued to implement policies aimed at suppressing voters of color. “The barriers continue,” Representative Jordan said. “And so must the Voting Rights Act—the most effective statute minorities have to guarantee that one day those barriers will come down.”²⁶ She introduced legislation to extend the VRA’s voter protections to language minorities, particularly Hispanic Americans. Under her bill, states and local jurisdictions in which more than 5% of the population spoke a single language other than English would be subject to VRA’s special provisions if officials only printed election materials in English. The bill also required areas covered by the VRA to seek approval from federal authorities before implementing changes to their voting procedures. Her legislation was incorporated into the VRA’s 1975 reauthorization.²⁷

In 1976, Representative Jordan became the first woman and the first African American keynote speaker at the Democratic National Convention, where her soaring oratory energized the audience. She campaigned widely for Democratic presidential candidate Jimmy Carter. He later offered her the job as ambassador to the United Nations, which she declined.



[22] *Id.*

[23] *Id.*

[24] *Congressional Record*, House, 93rd Cong., 1st sess. (31 January 1973): 2845.

[25] *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, “JORDAN, Barbara Charline.” <https://history.house.gov/People/Detail/16031> (last visited June 1, 2025).

[26] *Congressional Record*, House, 94th Cong., 1st sess. (2 June 1975): 16280; A bill to amend the Voting Rights Act of 1965 to extend its coverage, H.R. 3247, 94th Cong. (1975).

[27] Public Law 94-73, 89 Stat. 400 (1975); *History, Art & Archives, U.S. House of Representatives*, Office of the Historian, “JORDAN, Barbara Charline.” <https://history.house.gov/People/Detail/16031> (last visited June 1, 2025).

Representative Jordan also declined to run for what would have been certain re-election to a fourth term, stating she wanted to work more directly on behalf of her fellow Texans. Representative Jordan was appointed the Lyndon Johnson Chair in National Policy at the Lyndon B. Johnson School of Public Affairs at the University of Texas in Austin, where she taught until the early 1990s. She delivered speeches at the 1988 and 1992 Democratic National Conventions. In 1994, President Clinton appointed her to lead the Commission on Immigration Reform, a bipartisan group that delivered its findings in September of that year.

In 1990, Representative Jordan was named to the National Women's Hall of Fame in Seneca, New York. Representative Barbara Jordan died in Austin, Texas in January 1996. "She left Congress after only three terms, a mere six years," the editors of the New York Times wrote. "No landmark legislation bears her name. Yet few lawmakers in this century have left a more profound and positive impression on the nation than Barbara Jordan."²⁸



Barbara Jordan ca. 1975 (Library of Congress)



[28] <https://history.house.gov/People/Detail/16031>.



Alexandria Ocasio-Cortez

The youngest woman and youngest Latina ever elected to Congress

Alexandria Ocasio-Cortez (Franmarie Metzler, U.S. House Office of Photography)

While much of her history has yet to be written, **Alexandria Ocasio-Cortez** first came to national attention when she took on the Democratic party leadership by defeating Democratic Caucus chair Joe Crowley, a then-10 term incumbent in the June 2018 Democratic primary for New York's 14th congressional district. Representative Ocasio-Cortez went on to win the seat, resoundingly beating Republican Anthony Pappas.

Upon taking office in January 2019 at the age of 29, Representative Ocasio-Cortez was the youngest woman ever elected to Congress and the youngest Latina.

As a member of “the Squad” with Representatives Ilhan Omar (D-MN), Ayanna Pressley (D-MA), and Rashida Tlaib (D-MI), Representative Ocasio-Cortez has advocated for progressive policies appealing to many in the younger generations, including Medicare for All, the Green New Deal, and tuition-free college.

With her significant social media presence (over 9 million followers on Instagram, the first Bluesky user to have over 1 million followers, and 1.8 million followers on Facebook), Representative Ocasio-Cortez has a significant platform that she uses to champion progressive causes.

Her first speech on the House floor in January 2019 went viral, and within 12 hours, it became C-SPAN's most-watched Twitter video of a member of the House.

In her first term, Representative Ocasio-Cortez introduced a total of 23 pieces of legislation, including the Green New Deal resolution, the Loan Shark Prevention Act, and a group of bills collectively titled “Just Society.” Three of her amendments passed into law, despite Republican control of Congress and the Presidency. These bills dealt with increased funding for treatment for opioid addiction, funding for the cleanup of toxic bombardment sites in Puerto Rico, and creating a Funeral Assistance Program in the COVID-19 relief package.²⁹

Representative Ocasio-Cortez has also shown her effectiveness in committee hearings in which she has been able to elicit useful information and testimony from witnesses. She has continued her very public outreach to her constituents and nationally has become one of the more effective communicators in Congress.



[29] Alexandria Ocasio-Cortez, ocasio-cortez.house.gov/about (last visited April 6, 2025).



Each woman described above has had an impact on the nation through their service in Congress. Some passed critical legislation, while others broadened the view of what legislators looked like.

Each of them disrupted the status quo in their own way and made this country better.

The current composition of Congress still needs work to make it truly a reflection of our country, but significant progress has been made thanks to the six women profiled. One can only hope that we have many more disruptors on the way to a more perfect union.



Written by

Deborah Froling

Partner, Kutak Rock LLP

NAWL President 2013-2014

"It has been said that women constitute an absolute majority of the voters in every country in which there is equal suffrage. Were women to use their votes as women they could control every election as a solid block. They have it in their power to wield tremendous influence and should be made to realize it. They can be a potent force in the selection of those who represent us and not those who wear the robe of judgment."

From *To Young Lawyers* by Judge Birdie Amsterdam,
Published in Volume 36, Issue No. 1 of the *Women
Lawyers Journal*, Winter 1950.

• Breaking Barriers •

The Life and Legacy of the First Native American Woman Lawyer to Argue Before the U.S. Supreme Court

By Julia Jaremko

In 1910, **Eliza “Lyda” Burton Conley** became the first Native American woman to argue before the U.S. Supreme Court, representing herself in a case that sought to preserve her ancestral burial ground.¹ Her efforts, driven by personal loss and an incredible sense of duty, transcended the courtroom and inspired a decade-long battle to prevent the cemetery’s destruction. Conley’s legacy, marked by both her pioneering legal career and her unyielding determination to safeguard the resting places of her people, remains a powerful story of resistance and resilience. Her fight to protect the Huron Indian Cemetery in Kansas City stands as a testament to her courage, tenacity, and deep commitment to her heritage.

A Struggle for Identity and Land

To fully understand Conley’s legal and emotional battle, it’s important to consider the broader historical backdrop. In 1855, some members of the Wyandot Nation accepted U.S. citizenship after the federal government deemed them ready to assimilate into mainstream society.² Their communal lands in Kansas were divided and allotted to individuals. Those who resisted this assimilationist policy were forced to leave Kansas in 1867 and relocated to what is now Oklahoma, where they retained elements of tribal governance.³



Crucially, they maintained legal control over communal property, including the Huron Cemetery in Kansas City, which meant those Wyandots remaining in Kansas City had no say in the cemetery. As Kansas City expanded, the cemetery’s location became increasingly desirable.⁴

A Personal Mission: Family Loss and a Fight for Justice

Born in 1869 into a Wyandot family in Kansas, Conley experienced profound loss at a young age. Her mother, father, and one sister passed away and were buried in Huron Cemetery. Conley and her two remaining sisters were left to support themselves.

[1] Lyda Conley, *National Women’s History Museum*, <https://www.womenshistory.org/education-resources/biographies/lyda-conley> (last visited April 2, 2025).

[2] Lyda Conley: Saving Her People’s Heritage, *TBA Law Blog*, <https://www.tba.org/?pg=Articles&blAction=showEntry&blogEntry=88075> (last visited April 4, 2025).

[3] *Id.*

[4] *Id.*

Her eldest sister worked as a cook at the local jailhouse, allowing Conley and her younger sister to attend school, where they trained as telegraph operators. While working in downtown Kansas City, Conley learned that the Huron Cemetery was going to be torn down due to its lucrative location facing the river. She was horrified to learn that most members of her tribe, exiled to Oklahoma by the U.S. government, were willing to sell the property and exhume all the bodies. Her sole mission in life became to fight to save the burial ground and thus, Conley went to the Kansas City School of Law in Kansas City, Missouri.⁵ After graduation, she was admitted to practice in Missouri and became America's first Native American female lawyer and the first woman admitted to the Kansas bar.

Protecting Her People's Resting Place: A Courtroom Fight

Conley quickly put her legal training into action. She filed a petition in the U.S. Circuit Court for the District of Kansas to enjoin the government's authorization of sale.⁶ During this time, she and her sisters constructed a small frame shack at the cemetery where they lived and protected the grounds with muskets day and night.⁷ The District Court ruled against Conley and her sisters, so she appealed all the way up to the United States Supreme Court, where she was allowed to argue in *propria persona*. The Court ultimately ruled against the Conleys. However, the case drew national attention and garnered the support of U.S. Senator Charles Curtis of Kansas, who was himself of mixed Native American ancestry.⁸ He introduced a bill in Congress that would preclude the sale of the cemetery and designate it a national park. After the bill passed in Congress, the federal government entered into an agreement with Kansas City to maintain, protect, and ensure the cemetery was lit.

A Lasting Legacy: Recognition and Protection

Conley died on May 28, 1964, after she was assaulted by a pick pocketeer with a brick to the head while walking home from the library. She was laid to rest with the rest of her family in the very cemetery that she fought to save. On September 3, 1971, the cemetery was listed on the National Register of Historic Places and formally renamed as the Wyandot National Burying Ground.⁹ Kansas City listed the cemetery on its Register of Historic Kansas Places in 1977.¹⁰ Finally, in 1998, the Wyandotte Nation and the Wyandot Nation of Kansas agreed to use the cemetery only for religious or cultural activities, which led to it being designated as a National Historic Landmark in 2016.

Eliza Burton Conley's legacy is one of unwavering determination and profound impact, not only for her community but also on the broader fight for Native American rights. While she lost the legal battle before the Supreme Court, her relentless advocacy ultimately secured lasting protections for the Huron Indian Cemetery, ensuring that her ancestors' final resting place would remain untouched. Conley's story continues to inspire, showing that a single individual's voice—rooted in both personal conviction and cultural pride—can challenge the system and effect real change. Her contributions, though often overlooked, underscore the essential role of indigenous leaders in shaping American legal and cultural history.



Written by

Julia Jaremko
WLJ Board Member

[5] Lyda Conley: Wyandot Guardian and Lawyer, *Kansas City Public Library Kansas City History Blog*, <https://kchistory.org/blog/lyda-conley-wyandot-guardian-and-lawyer> (last visited April 5, 2025).

[6] Clare Cushman, Lyda B. Conley's Visionary Advocacy for Tribal Rights, *Supreme Court Historical Society* (Jan. 22, 2025), <https://supremecourthistory.org/scotus-scoops/lyda-b-conleys-visionary-advocacy-for-tribal-rights/>

[7] Celisa Calacal, 120 Years Ago, This Woman Occupied and Saved a Sacred Cemetery in Kansas City, Kansas, *KCUR* (Feb. 8, 2020), <https://www.kcur.org/community/2020-02-08/120-years-ago-this-woman-occupied-and-saved-a-sacred-cemetery-in-kansas-city-kansas>.

[8] *Id.*

[9] Lyda Conley: Wyandot Guardian and Lawyer, *Kansas City Public Library Kansas City History Blog*, <https://kchistory.org/blog/lyda-conley-wyandot-guardian-and-lawyer> (last visited April 5, 2025).

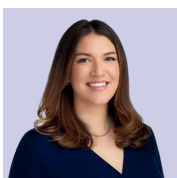
[10] Kim Dayton, "Trespassers, Beware!": Lyda Burton Conley and the Battle for Huron Place Cemetery, *Yale J.L. & Feminism* 28 (Oct. 23, 2015), <https://hdl.handle.net/20.500.13051/7208> (last visited June 7, 2025).

2025 NAWL Rising List

Since 2021, the NAWL Rising List recognizes early- to mid-career attorneys committed to NAWL's mission by either advancing women in the profession or advocating for women under the law. Honorees exemplify leadership and a steadfast dedication to equity and inclusion within the legal community.



Katelin Anderbery
Flexi-Van Leasing



Alexandria Casperson
Michigan Department of
Attorney General



Carla M. Castello
Dick's Sporting Goods



Jenn French
Lynch Carpenter LLP



Jasbir Kaur Khalsa
Microsoft



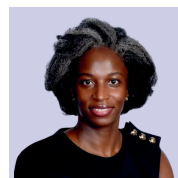
Janet J. Lee
Banner Witcoff



Anna Lloyd
Chicago Committee
on Minorities in
Large Law Firms



Melanie MacBride
The Chicago Bar
Foundation



Moya Novella
IBM & Albany Law School



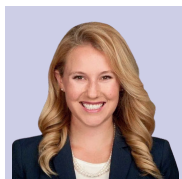
Avani Patel
Administrative Office of
the Illinois Courts &
Institute for Inclusion in
the Legal Profession



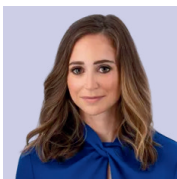
Michelle Pernicek
Kutak Rock LLP



Nikita A. Ramaswamy
Triangle Tweener Fund



Lauren Roseman
Fisher & Phillips, LLP



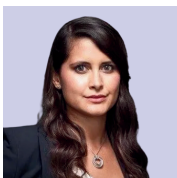
Roya Samarghand
The Chicago Bar
Foundation



Nicole M. Smithson
Oakland County Indigent
Defense Services Office



Marlow Svate
Barack Ferrazzano
Kirschbaum & Nagelberg
LLP



Karly Valenzuela
Amazon Web Services



Nicolle Vasquez Del Favero
Dept. of the Navy Office of
the General Counsel

Find past awardees and discover more about the NAWL Rising List on the [NAWL website](https://www.nawl.org).

Upcoming NAWL Events



2025 General Counsel Institute

October 15 - 17, 2025

InterContinental New York Barclay
New York, NY



2026 (un)conference

March 4 - 6, 2026

Rancho Bernardo Inn
San Diego, CA



2026 Annual Meeting

July 22 - 23, 2026

Hilton Chicago
Chicago, IL



Disruptor Spotlight

Diandra “Fu” Debrosse

By Emily Mollinedo

Diandra Debrosse, known by her friends and colleagues as “Fu,”

is a distinguished attorney and partner at DiCello Levitt, based in Birmingham, Alabama. A graduate of City College of the City University of New York, Fu received her J.D. from Case Western Reserve University School of Law. Fu is a powerhouse in the legal world, known for breaking barriers and leading high-stakes litigation with fearless determination and a commitment to justice.

In 2022, she made history as the first Black woman appointed co-lead counsel in a federal multidistrict litigation—just one example of her trailblazing impact. She was appointed co-lead counsel in a multidistrict litigation case, representing plaintiff families in a suit against Abbott laboratories and

Mead Johnson, alleging that their infant formula products were connected to a deadly neonatal condition, necrotizing enterocolitis.

Notably, Fu also is also:

- Co-lead counsel for plaintiffs in a suit against L’Oréal and other companies over cancer-causing hair relaxer products marketed specifically to Black and Latina women.
- A leader in several other multidistrict litigations, including actions again:
 - Chevron and Syngenta for their marketing and sale of the disease-causing herbicide paraquat; and
 - various social media platforms, including Meta, TikTok, and YouTube, for creating defective products that encourage addictive behavior, resulting in various emotional and physical harms, including in some cases death.



With nearly \$1 billion recovered for her clients, Fu's work spans mass torts, civil rights, consumer protection, and groundbreaking advocacy for diversity in legal leadership. Fu's work has focused not only on litigating product liability cases on behalf of classes of harmed consumers, but also on litigating key systemic civil rights cases to protect historically overlooked communities.

Representation in the law is important to Fu. She and civil rights attorney Ben Crump founded Shades of Mass—an organization dedicated to promoting the appointment of Black and Brown attorneys in national mass tort actions. Fu also dedicates her time as a board member of the Southern Trial Lawyers Association and of Public Justice, a nonprofit legal organization focused on access to justice for all that takes on issues ranging from sexual abuse and harassment to corporate corruption and environmental pollution.

In 2024, Fu was recognized as one of "America's Top 200 Lawyers" by Forbes, and was named Managing Partner of the Year by ALM Southeastern. Among other honors, in 2023 Fu was recognized as an Elite Woman of the Plaintiffs Bar by The National Law Journal. In 2022, 2023 and 2024, Lawdragon listed Fu as one of the 500 Leading Consumer Lawyers. The Birmingham Business Journal honored Fu with a Best of the Bar Award and Who's Who in Law recognitions in 2021, 2022 and 2023.

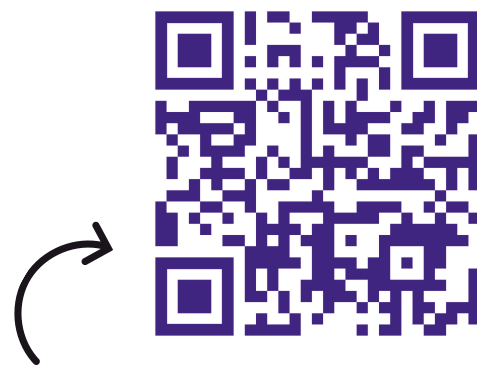
Fu's dedication to her work and relentless pursuit of justice and equality is motivated in large part by her experience as a mother of two young girls.

Written by

Emily Mollinedo
WLJ Board Member



New NAWL Affinity Groups



Get connected—scan to explore
NAWL's Affinity Groups!

Non-Profit

NAWL is proud to launch the Non-Profit Affinity Group, a vibrant and inclusive space dedicated to supporting legal professionals engaged in nonprofit work. Whether you serve as in-house counsel, a board member, an external advisor, or a dedicated volunteer, this group offers a collaborative community to navigate the unique challenges and rewards of nonprofit service.



Chair

Maria Di Lorenzo
Erikson Institute & Chicago History Museum

Flourishing After 50

Formerly known as “Women Revolutionizing Retirement,” NAWL’s newly renamed Flourishing After 50 Affinity Group continues its mission to support and connect members navigating midlife and beyond. This dynamic group offers a welcoming space to explore what’s next—whether that means advancing your career, transitioning from full-time work, or discovering new sources of purpose and fulfillment.



Chair

Kirsten Meneghello
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Leading in Law: Perspectives from Melanie L. Persich



Melanie L. Persich, Shareholder at von Briesen & Roper, s.c., shares insights into her dynamic legal career, the women who inspire her, and how she balances professional excellence with personal fulfillment.

How did you choose what to focus your practice on?

I was drawn to litigation because I have always enjoyed research and writing, and I continue to get a lot of satisfaction in articulating a strong argument backed by legal authority. Throughout my career, I have also had the benefit of continually learning because I haven't necessarily focused on any one area of the law. I have lived and worked in Wisconsin, Connecticut, Pennsylvania, New York and New Jersey, and practiced in a number of areas including workers' compensation, premises liability, products liability, toxic tort and commercial litigation. Although I currently live in Wisconsin, I continue to practice in a number of different areas of law and jurisdictions to assist clients when they are sued in jurisdictions where I am licensed.

What traits do you admire about the women in your professional life?

I feel fortunate to be practicing at a time when women have more opportunities to have it all - to be great lawyers, mothers *and* leaders within their firms and communities. I am honored to be a Shareholder of a firm that is led by a woman CEO and president.

I admire and respect her, both on a professional and personal level, for her ability to lead with strength and conviction while also being accessible and compassionate. I have admired other women leaders within von Briesen and throughout my legal career for their remarkable achievements within the field combined with the amount of time they give to mentoring and other causes that extend beyond the billable hour.

How do you stay balanced between your career and your personal life?

When things get very busy and I am feeling overwhelmed, I take matters one thing at a time and make a good old-fashioned hand-written list. I also make sure to carve out time to spend with my family and close friends, even if it is a lot less time than I would prefer. I delegate tasks when I can, and take comfort in knowing that everything is temporary.

Beyond your professional role, what more can you share about who you are and what drives you?

I am part of a large, loving and gregarious family that has always celebrated my victories – and kept me in line!

I think that they have taught me the perfect balance between wit, hard work, and accountability. Although they truly don't let anything slide, and I mean anything, I make an effort to take a moment every day to reflect on how lucky I am to be a part of such a great support system. I aim to bring the spirit of my family into the office with attempts at humor, but also by participating in some of von Briesen's many pro bono community outreach programs to assist with supporting others who are in need.

How do you define success?

Success to me means different things on different days. Professionally, it can be making a new connection with someone, finding the perfect legal precedent to argue a client's position, or winning a motion. Personally, it is in watching my daughter grow into an amazing little lady. Overall, I think it can be summed up as that feeling that the work you are doing is materializing into something that brings you joy.

If you were not a lawyer, what do you think would have been your other career choice?

I was a political science and history major in college, and have always had an interest in current events. My dream job was to be a television news anchor, analyst, or at least some role in journalism or television news reporting. It is funny to think of it now, considering I get the majority of my news through podcasts.

What do you like about being an NAWL member?

NAWL provides unparalleled opportunities for women lawyers to network, learn and motivate other women in the law.

I attended my first annual meeting last summer, and was impressed by the content of the presentations, the electricity of the atmosphere, and the notable achievements of the women presenters who spoke on the panels. I believe the NAWL affords women attorneys the opportunity to connect with each other, and find ways to inspire one another to advance in our careers both individually and collectively.

Best piece of advice you'd give to young women entering law today?

Be curious, ask questions, and take notes. No matter where you land, you will always be able to learn something from your colleagues and mentors. Paying attention to those lessons can help you mirror the attributes of success and avoid some major missteps. I would also say to those young women who don't want to choose between a family and a career, don't. Articulate your needs to your employer, and be strong in your conviction that you CAN do both.

What's one thing law school didn't prepare you for?

Interpersonal skills. All the legal education in the world cannot prepare you for the external forces that will affect your career. The economy changes. Law firms close. Family needs change. People move on. During major changes that will inevitably happen to everyone at some point during his or her career, character traits like resilience and adaptability are just as important as any lawyering skill.

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SHOOK

HARDY & BACON

A CULTURE OF LEADERSHIP AND COLLABORATION

Day in and day out, Shook, Hardy & Bacon is intentional in its support of women. Since 2017, the firm has been led by Madeleine McDonough, who is now in her second term as firm chair. When recognized by *Missouri Lawyers Weekly* as its Woman of the Year for 2024, McDonough noted that when she became chair, she joined a rather exclusive group of about nine or so other women chairing large law firms, a cohort that remains connected nearly a decade later.

“They suggested that we all get together and have dinner, and we continue to do that to this day a couple of times of year,” she told *Missouri Lawyers Weekly*.

That combination of leadership and collaboration also extends across Shook’s national platform, where, in addition to McDonough’s role as chair, women lead the firm’s Chicago, Houston, Philadelphia and Tampa offices. Women attorneys also provide critical leadership to some of the firm’s largest practice areas, including the Product Liability Litigation Practice, which is managed by partners Katie Gates Calderon and Hildy Sastre, along with Bill Geraghty.

Women partners also co-chair the firm’s Business Litigation (Carrie McAtee); Class Action & Appellate Litigation (Tristan Duncan); Art Law (Tristan Duncan, Channah Norman and Alicia Donohue); Corporate Services (Sandy Hawley); and Complex Litigation Strategic Counseling (Jennifer Stevenson) practice groups.

Initiatives for Women Attorneys

Shook supports women through initiatives within the firm, including the Women's Management Council and Junior Women's Management Council. The Women's Management Council was created in 2002 and is open to the firm's women partners. The group's purpose is to recruit, retain and promote the experience of women internally and externally in the marketplace. It holds seminars for women to discuss the challenges of work/life integration and leadership opportunities. It also provides forums to network with successful women attorneys and judges in the greater legal community.

The firm additionally supports Women's Leadership Edge Webinars, Women in the Law Seminars, the Diversity Lab Hackathon and conferences specific to women. Shook attorneys are members of a number of national women's legal organizations, including the Association of Women Attorneys, the National Women's Law Center and the Women's Bar Association, as well as local groups that support women attorneys. The firm is proud to support the National Association of Women Lawyers.

Firm and Attorney Accolades

The firm has received numerous accolades for its support, development, retention and promotion of women attorneys. For more than a decade, Seramont has included Shook among its list of "Best Law Firms for Women," and included the firm in its Hall of Fame.

The Women in Law Empowerment Forum (WILEF) has granted the firm Gold Standard Certification in recognition of the number of women equity partners, the number of women in firm leadership positions, and the number of women among the ranks of the most highly compensated partners.

Legal publications have also recognized Shook's dedication to women in the legal profession. In 2024, *Law360 Pulse's* Women in Law Report ranked Shook in 15th place for similarly-sized firms. According to *Law360 Pulse*, the firm has an above-industry average of women equity partners, with 29 percent equity partners, as compared to an industry average of 25.9%.

Shook's women attorneys have also received numerous awards and recognitions on an individual basis for their work on behalf of clients, including from *Benchmark Litigation*, *Chambers USA*, *Best Lawyers in America*, *Who's Who Legal* and *The Legal 500*. In addition, the firm's attorneys have been named Legal Lions by *Law360*, Trailblazers by the *National Law Journal*, Association of Corporate Counsel Value Champions, and BTI Client Service All-Stars.

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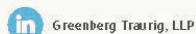
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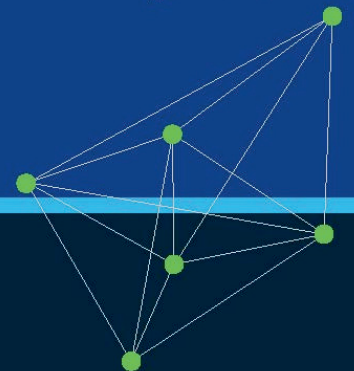
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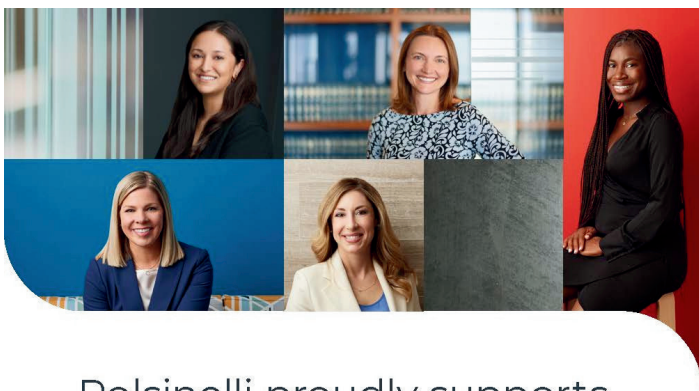
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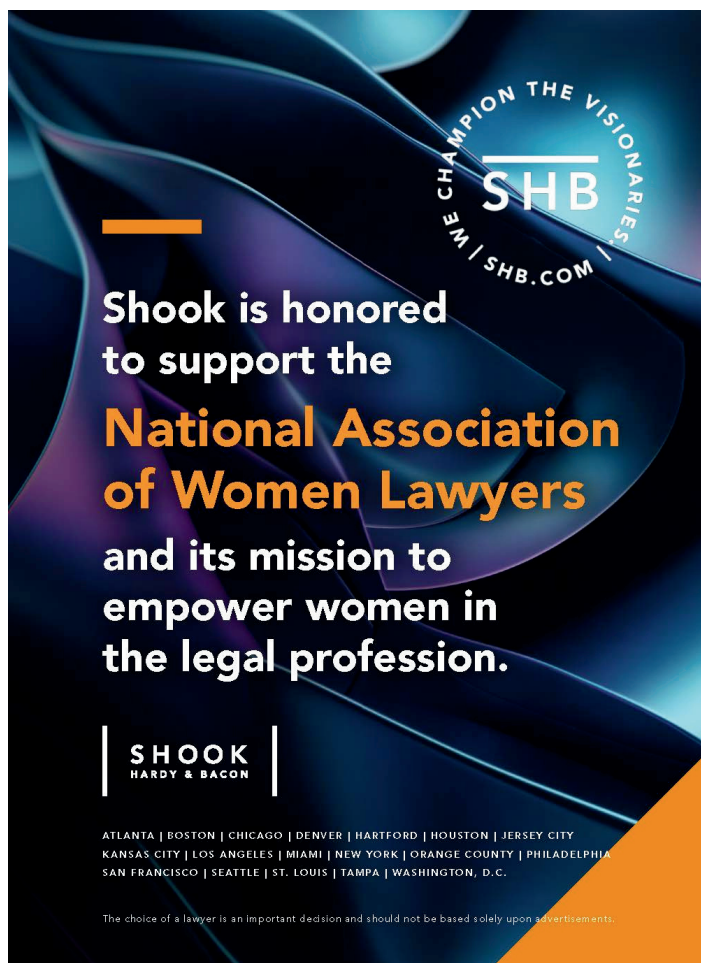
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