

Women lawyers Journal

VOL. 86, NO. 1



SPRING 2000

new york annual meeting July 6 - 9, 2000

Second Edition of NAWL
Directory set for August

NAWL joins Supreme
Court challenge on
partial-birth abortion bans

— Margaret Drew

Professional Discipline: attorneys
who have sex with clients

— Ellen Pansky

Secrets of My Success

— Dixie Lee Laswell



Whose forensic team will help your case stand up in court?

Deloitte & Touche provides expertise in all phases and types of business disputes, including breach of contract, business interruption, construction, forensic and investigative services, intellectual property and securities. Our dispute consulting specialists include accountants, appraisers, economists, engineers, financial analysts, scientists and statisticians. For more information on our broad range of services, contact Marvin M. Levy in our Washington, D.C. office at (703) 251-1660.

the answer is

**Deloitte &
Touche**



© 1999 Deloitte & Touche LLP. Deloitte & Touche refers to Deloitte & Touche LLP and related entities.

In this issue of
Women Lawyers Journal

Published by the National Association of Women Lawyers / Vol. 86, No. 1, Spring 2000

New York

Be there at the special centennial Annual Meeting! **Page 4**

NAWL Joins Supreme Court Challenge **Page 7**

Recognizing Financial Control as Abuse
Margaret B. Drew **Page 9**

**Professional Discipline of Attorneys for
Engaging in Sex with Clients?**
Ellen Pansky **Page 11**

Senior Lawyers Division in Puerto Rico
Selma Smith **Page 14**

Female Offenders
Number of violent female crimes is on the rise
Linda D. Bernard **Page 15**

Attorney Certification
Mary Jo Cusack **Page 17**

Regular Features Secrets of Success **Page 22**
 NAWL Report **Page 24**
 Tech Practices **Page 26**
 Balancing Act **Page 30**

About NAWL

Founded in 1899, NAWL is a professional association of attorneys, judges, law students and nonlawyers serving the educational, legal and practical interests of the organized bar and women worldwide. *Women Lawyers Journal*®, National Association of Women Lawyers®, NAWL®, and the NAWL seal are registered trademarks. ©2000 National Association of Women Lawyers. All rights reserved.

How to contact NAWL

By mail: 750 N. Lake Shore Drive 12.4, Chicago, IL 60611-4497; by telephone: (312) 988-6186; by fax: (312) 988-6281; by e-mail: nawl@staff.abanet.org.

About Women Lawyers Journal

EDITORIAL POLICY *Women Lawyers Journal* is published for NAWL members as a forum for the exchange of ideas and information. Views expressed in articles are those of the authors and do not necessarily reflect NAWL policies or official positions. Publication of an opinion is not an endorsement by NAWL.

ARTICLES Book reviews or articles about current legal issues of general interest to women lawyers are accepted and may be edited based on the judgment of the editor. Editorial decisions are based upon potential interest to readers, timeliness, goals and objectives of the association and quality of writing. Unsolicited articles by nonmembers will not be published. No material can be returned unless accompanied by a self-addressed, stamped envelope.

TO ADVERTISE Contact NAWL headquarters for rate information

TO SUBSCRIBE Annual dues include a subscription to *Women Lawyers Journal*. Additional subscriptions or subscriptions by nonmembers are available for \$16 in the U.S. and \$20 international. Back issues are available for \$5 each.

NAWL Executive Board

President

KATHERINE J. HENRY
Washington, D.C.

President-Elect

GAIL SASNETT-STAUFFER
Gainesville, FL

Vice President

ELIZABETH K. BRANDSORFER
Grand Rapids, MI

Treasurer

LESLIE AUERBACH BLAU
Winter Park, FL

Treasurer-Elect

LINDA DIANE BERNARD
Detroit, MI

Recording Secretary

LORRAINE K. KOC
Philadelphia, PA

Corresponding Secretary

ELLEN A. PANSKY
South Pasadena, CA

Members-at-Large

CARYN GOLDENBERG CARVO
Ft. Lauderdale, FL

CYNTHIA HUJAR ORR
San Antonio, TX

REBECCA A. SPEER
San Francisco, CA

ABA Delegate

NANCY J. NICOL
Chicago, IL

Immediate Past President

SUSAN FOX GILLIS
Chicago, IL

Past President

JANICE L. SPEROW
San Diego, CA

Women Lawyers Journal

Editor

KATHERINE J. HENRY
Chicago, IL

Managing Editor

LISA L. SMITH
Chicago, IL

Women Lawyers Journal (ISSN 0043-7468) is published quarterly by the National Association of Women Lawyers (NAWL), 750 N. Lake Shore Drive, 12.4, Chicago, IL 60611-4497.

New York

Annual Meeting

Mark your calendar and plan now to meet in New York. Program Chair and Incoming President Gail Sasnett and NAWL members Christa Stewart and Donna Case have produced a brilliant slate of legal luminaries and notable topics for this very special Centennial Annual Meeting. The following hits the highlights. Check NAWL's web site for updates: <http://www.abanet.org/nawl>.



Paula Walker Madison

As the Vice President and News Director of WNBC, Ms. Madison is the first African American woman to hold the position in the New York media market. As Vice President and chair of the company's Diversity Council, she works to increase diversity in the newsroom. She has been awarded the Ellis Island Medal of Honor and the Ida B. Wells Award from the National Association of Black Journalists.

Elizabeth Schneider

Elizabeth Schneider teaches Women and the Law, Battered Women and the Law, Constitutional law and Civil Procedure at Brooklyn Law School and will be Visiting Professor at Columbia and Harvard Law Schools in 2000-2001. She was an Arthur Garfield Hays Civil Liberties Fellow in 1973 and a staff attorney at the Center for Constitutional Rights in New York City. She is on the executive committee of AALS and chairs its Section on Women in Legal Education. Professor Schneider's latest book, *Battered Women and Feminist Lawmaking*, will be published in 2001.

Beyond the Glass Ceiling for Women and Other Minorities

Hilton New York
ABA MCLE Centre
Madison Suite, 2nd Floor
9:30 - 12:00 PM

PANELISTS:

Georgina Verdugo, *Executive Director
of Americans for a Fair Chance*

Judge Sonia Sotomayor, *U.S. Court of
Appeals, Second Circuit*

Bernadette Grey, *Editorial Director,
Working Woman Network*

Paula Walker Madison, *News Director
and Head of Diversity Task Force at
WNBC*

Professor Elizabeth Schneider,
Brooklyn Law School



Bernadette Grey

Prior to becoming Editorial Director, Ms. Grey served as Editor-in-Chief of Working Woman magazine, the number one business magazine written for women executives, with over 3.4 million readers. Ms. Grey is a respected authority on women in business, technology and entrepreneurship. She is also the host of Working Woman, a syndicated daily radio segment for CBS Radio.

Georgina Verdugo

A leading civil rights advocate, Ms. Verdugo is Executive Director of the AFC, a nonpartisan consortium of six of the nation's foremost legal civil rights organizations: NAACP Legal Defense and Educational Fund, Lawyers' Committee for Civil Rights Under Law, the Mexican American Legal Defense and Educational Fund the National Asian Pacific American Legal Consortium, National Partnership for Women and Families and the National Women's Law Center.

Privacy and the Internet

Hilton New York
ABA MCLE Centre
Madison Suite, 2nd Floor
July 7
2:00 - 4:30 PM



Parry Aftab

Ms. Aftab is a specialist in cyberlaw, especially children's internet issues, author and Executive Director of Cyberangels.org.



Sonia Sotomayor

Judge Sonia Sotomayor exemplifies the outstanding contributions of women in the legal profession to the advancement of women and justice to minorities.

She became a circuit judge on the Court of Appeals in 1998 after serving as a U.S. District Judge for the Southern District of New York. She is also an adjunct professor at New York University School of Law.

Prior to her judicial career, Judge Sotomayor served on the Board of Directors of the State of New York Mortgage Agency, the New York City Campaign Finance Board and the Puerto Rican Legal Defense and Education Fund.

Judge Sotomayor continues as a member of the Puerto Rican Bar Association, the Hispanic National Bar Association and the Association of Judges of Hispanic Heritage.



Eliot Spitzer

Nawl is privileged to welcome New York State Attorney General Eliot Spitzer as the keynote speaker for our panel Privacy and the Internet.

As a former Assistant District Attorney in Manhattan, Mr. Spitzer rose to head the Labor Racketeering Unit where he prosecuted organized crime and political corruption. As New York State Attorney General, he is an aggressive public interest lawyer and tireless community advocate. Mr. Spitzer founded the Center for the Community Interest and served as a trustee of the Montefiore Medical Center and the Moshulu Preservation Corporation.

Lynne Anne Anderson

Ms. Anderson is an employment law expert, including employer internet security issues, anti-discrimination and sexual harassment disputes.

PANELISTS:

Caitlin Halligan,
Internet Bureau Chief,
New York State Attorney General

Parry Aftab,
Aftab & Savitt, P.C.

Gerry A. Fifer,
Morgan, Lewis & Bockius

Lynne Anne Anderson,
Sills, Cummis, Zuckerman,
Radin, Tischman, Epstein &
Gross



Gerry A. Fifer

Ms. Fifer's practice focuses on intellectual property with particular emphasis on internet and electronic information technology issues.

Reception to Welcome incoming NAWL President Gail Sasnett

Saturday July 8
5:00 - 6:30 PM
Warwick Hotel

Gail Sasnett



Associate Dean for Student Affairs
University of Florida Law School

Arabella Babb Mansfield Award Luncheon Honoring Judge Sonia Sotomayor & Installation of NAWL Officers

Saturday July 8
11:30 - 2:30 PM
Warwick Hotel

NETWORKING DIRECTORY 2ND EDITION

The National Directory of Women-Owned Law Firms
and Women Lawyers®

The first edition of *The National Directory of Women-Owned Law Firms and Women*

Lawyers® has been a resounding success. NAWL has distributed the Directory to Fortune 500 companies and small companies alike throughout the country. Hundreds of women lawyers and law firms marketed their legal services to numerous companies, including:

A.G. Edwards
American Home Products Corp.
Allegiance Healthcare Corporation
BASF
Baxter Healthcare Corporation
BellSouth
Coca Cola Co.
Compaq Computer Corp.
CUNA Mutual
The Dow Chemical Company
DuPont
Fannie Mae
General Electric Company
Hunter Douglas, Inc.
IBM
Intel Corp.

International Paper Company

Levi Strauss

Merrill Lynch

MCI

Motorola

Nabisco Inc.

Office Depot

Papa John's USA, Inc.

RBC Dominion Securities

Rite Aid Corp.

Smith & Nephew North America

Square D INC.

Steel Technologies, Inc.

Subaru of America

Tricon Global Restaurant

United Airlines

At the annual conference of American Corporate Counsel Association, NAWL also distributed the inaugural edition to

- 750 in-house counsel;
- over 200 law professors (85% of whom are in-house counsel who also attend the conference);
- over 500 sponsors, academics, guest speakers, judges,

representatives of local and national leadership; and

- VIPs from other national bar associations (e.g., the NBA, NAPABA, HNBA, and the Pro Bono Institute).

NAWL has also provided complimentary copies of the Directory to bar associations throughout the country.

Now that we have published our inaugural edition, NAWL has even bigger plans for the second edition. NAWL intends to distribute the second edition of the Directory more widely this year and to include more women lawyers and women-owned law firms.

If you listed last year, you should have already received your confirmation for this year's edition. If you didn't list last year, don't miss this opportunity. If you haven't already signed up for the Directory, now is the time to do so. Just access NAWL's Web site at www.abanet.org/nawl. We look forward to seeing your name in this year's Directory! ■

NAWL would like to thank the following firms for sponsoring the 2000-2001 Second Edition of *The National Directory of Women-Owned Law Firms and Women Lawyers*®.

Sidley & Austin

Nelson Mullins Riley & Scarborough, L.L.P.

Modrall, Sperling, Roehl, Harris & Sisk, P.A.

Dickstein Shapiro Morin & Oshinsky LLP

Holland & Knight LLP

NAWL Joins Supreme Court Challenge to Anti-Abortion Laws

In conjunction with 75 organizations committed to women's rights, NAWL has joined as amicus in a case now pending before the United States Supreme Court. In addition, 80 members of Congress and the U.S. Solicitor General signed onto a pro-choice Congressional brief. All of the organizations are dedicated to the principle that our right to control our bodies, especially reproductive rights, are central to women's liberty and equality.

The case now pending before the Supreme Court, *Stenberg v. Carhart*, addresses the constitutionality of Nebraska's law banning so-called "partial-birth abortions." In 1999, the United States Court of Appeals for the Eighth Circuit unanimously struck down the law as unconstitutional. The Eighth Circuit ruled that the law unduly burdens women who seek abortions by proscribing some of the safest and most commonly-used procedures. That victory was short-lived, however, because the United States Court of Appeals for the Seventh Circuit just a month later upheld Illinois and Wisconsin laws that imposed similar restrictions.

In addition, 30 states have enacted legislation banning "partial-birth abortion" or other abortion procedures. To date, these laws are being challenged in 21 states. In 18 states, courts have partially or fully enjoined the laws and in 13 of those, the courts have permanently enjoined the laws. States with such laws remaining unchallenged are: Indiana,

Kansas, Mississippi, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee and Utah (Michigan and Montana have similar abortion laws not yet in effect).

In *Stenberg v. Carhart*, the Center for Reproductive Law and Policy represents Dr. Carhart, an abortion provider challenging the constitutionality of the Nebraska law. According to the CRLP, the partial-birth abortion laws represent a calculated attack by politicians and anti-choice advocates on the rights and protections established under *Roe*.

CRLP lawyers say that opponents of abortion rights are pursuing a three-pronged strategy. They intend to undermine access to abortion and thus make abortions practically unobtainable even if constitutional. They also intend to destroy the central tenet of *Roe*, which places women's health above that of the fetus. Finally, they have been engaged in a broad political, legal and public relations campaign to redefine what constitutes an abortion. . . .[endorsing] the legal theory that *Roe* applies only to the 'unborn' in uterus, nowhere else in a woman's body.

NAWL's amicus brief argues that:

- The Nebraska abortion procedure ban criminalizes the safest and most common second-trimester abortion procedures and seriously jeopardizes women's health and liberty by forcing women to choose alternative methods of abortion that expose them to unnecessary medical risks.
- The impact of the Nebraska

procedure ban will be greatest on those women who seek second-trimester procedures due to unusual and special burdens such as rape, domestic violence, poverty, health problems or youth.

- The Nebraska statute and similar statutes violate women's privacy rights and violate the Fourteenth Amendment's promise of equality. Unwanted pregnancies and childrearing burden the participation of women as equals in society by imposing a duty on women that has no parallel for men.
- Criminalizing a safe medical procedure that only women require, at the cost of an increased risk to their health, subordinates women's health to fetal interests, a sacrifice nowhere exacted from men. Requiring that sacrifice offends women's dignity because it leads to severe incursions on women's freedom.
- Furthermore, and perhaps most dangerously, the Nebraska law at issue in *Stenberg* advances the premise that nonviable aborted fetuses accrue constitutionally protectible "locational rights." The "locational" fetal rights theory fragments women into certain body parts that are imbued with rights and certain others that the state may invade to serve its interests.

Sarah Weddington, the attorney who argued *Roe v. Wade* before the Supreme Court, hopes that the Court will not use *Stenberg v. Carhart* to drive a stake through the heart of *Roe v. Wade*, but instead limits its scope of review to the Nebraska statute's effect on pre-viability abortions:

"My understanding is [that] the Court granted certiorari only on the issue of how the Nebraska statute affects pre-viability abortions. I find that somewhat hopeful, because the Court has made it very clear that as to abortions after viability, the State can limit them, but must allow abortion even then for the life or health of the woman. These statutes do not have the health exception.

The statutes are very much like the

magazine sweepstakes ads, where if you just see the envelope you think you've just won [millions] and you just need to go to Florida and pick it up. But if you read it more carefully that's not at all what's it's saying. I think the reason these statutes are so confusing to the general population is that you have the impression that they apply to one kind of very late abortion, but in fact the statutes are worded so broadly that they apply to a good bit of the pregnancy months and to many abortion procedures, including the most common. So I am hoping that the Supreme Court will not allow the states to go as far as Nebraska has gone.

*If I look at the Supreme Court, what I see are votes that are three, three, three: three saying get rid of *Roe v.**

*Wade, three saying leave it alone and three saying don't get rid of it but weaken it. And the three in the middle are Connor, Souter and Kennedy. Now, in the past, they are the ones who voted saying you can limit after viability but you must allow exceptions for life or health of the woman. So this may be a time when we can see whether they really meant that or whether they're ready to change it. I am very concerned about the Court hearing but just based on what I know, I do not see this as the case that will overturn *Roe v. Wade*. . . ."*

The Supreme Court should issue a decision in the case by June. Portions of this article were reprinted from CRLP materials. For more information go to www.CRLP.org. ■

Member News

Dorothy Orsini Jones of Louisville, Kentucky passed away on February 6, 2000 at the age of 82. For many years, Ms. Jones fulfilled numerous important roles at NAWL. She served as Business Manager and

Editor of the Journal, as NAWL's Vice President and then as NAWL's President from 1962 to 1963. She received her license to practice law in Arkansas in 1938, became the Executive Director of the Arkansas Bar Association in 1961. Ms. Jones was

commended by her peers as having "quiet competence, tact and charm" and for devoting hundreds of hours as NAWL's Vice President as a Committee Chairperson. ■



Ruth Gentry Talley of Bogalusa, Louisiana died on December 29, 1999.

Ms. Talley joined NAWL in 1956 and served as NAWL's President from 1968 to 1969. She was not always a lawyer, however. At her father's urging, Ms. Talley began her career as a schoolteacher. After her father passed away, Ms. Talley enrolled in law



school, and graduated in a class that included only three women. She then joined the family law firm that her father had founded in 1908, where she enjoyed a successful practice in real estate and estate law. Ms. Talley was a talented painter, ceramicist and collector of Asian art. Ms. Talley is remembered as having been a generous mentor to many individuals over the years.

Although NAWL faced different issues during Ms.

Talley and Ms. Jones' tenures, NAWL has nevertheless maintained a persistent vision throughout the years.

During the 1950s and 1960s, when Ms. Jones was most active in NAWL, the interests of NAWL members, then as now, were strikingly international in scope. The Journal devoted pages to Communism, the cold war setting, the new space age and the growing concern with human rights under totalitarianism. The Journal included articles about the

courts and the law in Cuba, the Republic of China, Hong Kong, Thailand, Finland, Bermuda and the U.S.S.R.

In the mid to late 1960s and early 1970s, when Ruth Gentry Talley was most deeply involved with NAWL, our members addressed issues close to today's concerns including the sexual revolution, race and the schools, crime in the streets, violent vs. nonviolent methods of social change, abortion laws, civil rights and passage of the ERA. ■

RECOGNIZING FINANCIAL CONTROL AS ABUSE

an Introduction for Practitioners

By Margaret B. Drew

The overwhelming majority of abusive partners exercise financial control in their intimate relationships. As with many symptoms of abuse, this sort of control is often culturally accepted. Changing our perspective on what now may be considered merely annoying behavior could save a client's life.

For example, you are interviewing a married couple to determine an appropriate estate plan. The husband answers questions that you pose to the wife. You may be frustrated in conducting your interview, but have you ever wondered whether or not the wife is a victim of violence?

You represent a woman in a tort claim but her partner controls settlement discussions. He insists that he be present when she receives her settlement check. Is the financial control symptomatic of other forms of abuse?

There are many reasons for you to explore these relationships further. By taking just a few minutes of your time, you could prevent a client's financial ruin or even save a client's life. You could be the first person to ever tell a victim that the abuser's behavior is inappropriate and that she deserves better.

You also have an ethical obligation to address financial abuse. When representing more than one client in the same matter, you have an affirmative obligation to determine whether or not a conflict

exists. Most practitioners view couples (whether male/female or same sex) as one unit. Without personal knowledge of the relationship or separate interviews with each client, how can you determine whether or not a conflict exists? After all, in an abusive relationship, the victim is unlikely to contradict the wishes of the abuser in his presence.

This obligation is not restricted to lawyers who practice family law. Any lawyer can be charged with an obligation to understand domestic abuse. This very public issue is frequently addressed in the highest state court opinions. No longer can lawyers presume that domestic violence does not impact their practice field. For assistance in addressing domestic violence issues in every field of law, read the ABA Commission on Domestic Violence publication *The Impact of Domestic Violence on Your Legal Practice*.

You should also be aware of potential professional liability for failing to detect an abusive relationship. We are not far away from verdicts against counsel who fail to protect those clients who evidence symptoms of abuse. Lawyers who cooperate with abusive tactics that continue to harass the victim through legal proceedings or otherwise may soon be defending themselves in lawsuits for tortious acts against the victim. Zealous advocacy has its boundaries.

One symptom does not make an

abuser. If you observe one controlling behavior, however, be alert for other indications. If you notice a pattern of control, you are likely dealing with domestic abuse. The following is a sampling of financial controls that may signal that your client is in an abusive relationship.

- One partner has access to the family financial records, while the other's access is limited. For example, one partner may keep records under lock and key or password protected.
- One partner has no idea how much money the other partner makes.
- One partner turns over her paycheck to the other.
- One partner must account to the other for the use of funds, no matter how insignificant a sum.
- A couple of substantial means rarely takes a vacation. More commonly, the abuser takes vacations or spends money on himself while the other family members stay home or spend very little.
- One partner spends money only after the approval of the other.
- One partner receives an "allowance" from the other partner.
- One partner signs income tax returns either blank or without reviewing the completed returns.

- In estate planning, one partner constantly defers to the other in decision making.
- Income tax fraud by either partner.
- Excessive hoarding or spending.
- Expensive gifts routinely purchased for friends and family of one partner while friends and family of the other rarely are given expensive gifts.
- One party exclusively selects or negotiates major purchases such as cars and houses.
- One party is said "not to have a head for figures."
- One party has access to funds for attorneys' fees and the other does not.

What can you do if you are concerned with a client's safety?

If you are representing both intimate partners, you should insist in all cases upon at least one separate meeting to determine whether or not any conflict exists. In those

instances where you suspect abuse, use the meeting with the suspected victim to express your concern, provide safety planning and domestic violence hotline information. At a minimum, she would know that there is someone she could contact for help.

After the separate meetings, you must decide whether or not you can jointly represent the partners. You may need to consult a domestic violence expert. Be mindful that certain actions could inadvertently place a client at greater risk, however. In some situations, ethical considerations and safety concerns may not be compatible. For example, in a tax audit of a joint return, the wife may have a valid innocent spouse defense. It is a conflict to represent both parties in such a situation. What do you do if the wife insists that you continue joint representation out of fear for her safety if she attempts to retain separate counsel?

These situations are very difficult ones for practitioners. They

can no longer be avoided, however. Sensitivity to control issues and a willingness to take even minimal steps to address abuse concerns may not only ensure your client's safety but prevent years of regret and years of litigation over issues of lawyer responsibility. ■



Margaret B. Drew practices in the areas of family law, probate and residential real estate in Massachusetts.

Member News

Chicago NAWL
Member **Cheryl
Cesario**

On March 2, 2000, the John Marshall Law School awarded NAWL member Cheryl Cesario the Pearl Hart Award. Ms. Cesario, who serves as General Counsel of the Illinois Department of Children & Family Services, was one of several honorees at

the event celebrating the centennial year of the "birth" of the juvenile court. She received the award in a presentation held after she conducted a seminar on Restorative Justice.

Six law schools in all joined in the celebration. Chicago Kent College of Law, DePaul, Loyola, Northwestern, John Marshall Law School, Loyola and the

University of Chicago Law Schools jointly honored Ms. Cesario and the other "Juvenile Justice Pioneers." These schools did so consistent with their long history of supporting women lawyers. In 1890, for example, lawyer Lelia Robinson exclaimed "Chicago is altogether the banner city in the number of its women lawyers," explaining that

Chicago law schools were leading the country in the new practice of allowing women to pursue a course of legal study and conferring them with degrees. Many of these groundbreaking Chicago women lawyers used their legal expertise to found and perpetuate the Cook County Juvenile Court, the first such court in the country.

PROFESSIONAL DISCIPLINE OF ATTORNEYS FOR ENGAGING IN SEXUAL ACTIVITY WITH CLIENTS

Do we really need a new rule?

By: Ellen A. Pansky

In his recent article, *Dealing With the Profession's Dirty Little Secret: A Proposal for Regulating Attorney-Client Sexual Relations*, 13 Geo. J. Legal Ethics 131-160 (1990), William K. Shirey argues that an express disciplinary rule is necessary to discourage attorneys from engaging in improper sexual relations with clients. Professor Shirey points out that "potential coercive forces" that arise from the unequal balance of power in the attorney-client relationship and that the fiduciary nature of the attorney-client relationship results in unilateral authority residing in the attorney. He believes that there is the implicit possibility that a client will be emotionally vulnerable, particularly where the client discloses confidential information of a sensitive nature to their attorney. Professor Shirey also notes the possibility that the client may experience the psychological phenomenon known as transference. He further indicates that an intimate relationship may have a negative impact on the attorney's ability to carry out his/her professional responsibilities, including a loss of professional objectivity, and the development of a conflict of interest should such intimacy cause the attorneys to place his/her preference and personal desires over the best interests of the client. He opines that such a relationship may cause an adverse effect upon the "integrity of the legal profession." Finally, Professor Shirey expresses concern regard-

ing the lack of specific guidelines to educate attorneys as to the appropriate standards to be applied to attorney-client sexual relations.

Shirey concludes that a total ban on attorney-client sexual relations is not the best approach, not only because there may be numerous instances in which a consensual sexual relationship between attorney and client would not adversely affect representation, but also because such a ban is likely to be deemed unconstitutional (quoting with approval an article by Yael Levy, *Attorneys, Clients and Sex: Conflicting Interests in the California Rule*, 5 Geo. J. Legal Ethics 649, 668 (1992)). Shirey notes that the New York Code of Professional Responsibility, DR 1-102(A)(7) is much more limited:

"A lawyer or law firm shall not:

* * *

In domestic relations matters, begin a sexual relationship with a client during the course of the lawyer's representation of the client."

In the end, Shirey proposes a rule that is similar to California Rule of Professional Conduct 3-120, which precludes sexual relationships between attorneys and clients where the attorney demands sex as a *quid pro quo* for the provision of legal services, where the attorney employs coercion, intimidation or undue influence in entering into a sexual relationship with a client, or if the sexual relationship causes the

attorney to perform the legal services incompetently.

All this is well and good, but is there really any need for yet another disciplinary rule? Indeed, for young attorneys (or even not so young attorneys) who devote most of their waking hours to their profession, how many places other than work will one meet a likely social partner? Are women lawyers who wish to enter into sexual relationships with male clients (or female clients), actually in the same position of undue influence as male attorneys are presumed to be? And, how prevalent is the incidence of male lawyers engaging in sexual abuse of clients?

In fact, reported disciplinary case law does not reveal a substantial number of recent cases in which attorneys have been found to have engaged in improper sexual relationships with clients. While there are some egregious examples, most of them can only be described as despicable, sexually predatory criminal conduct, which would be improper no matter who undertook it. None of the reported cases involved a female lawyer.

As examples, consider the following reported cases:

1. *In the Matter of Disciplinary Proceedings Against Ridgeway*, 158 Wis.2d 452 (1990), in which a public defender initiated a sexual relationship with a female criminal defendant and encouraged her to violate the terms of her criminal probation. Six months

actual suspension was imposed for the attorney's conduct in preferring his own interests over those of the client;

2. *In re Complaint as to Conduct of Wolf*, 312 Ore. 655 (1992), in which an attorney was placed on 18 months actual suspension for providing alcohol and having sexual relations with a 16-year old personal injury client;
3. *In re Howard*, 912 S.W.2d 61 (1995 Mis.), in which an attorney engaged in sexually assaultive conduct toward one client and threatened to withdraw from representation of a second client unless she provided either sex or paid \$850 within 48 hours. A six-month actual suspension was imposed for the attorney's conduct in preferring his own interests over the client's and violating the duty to provide independent judgment and advice;
4. *In the Matter of Berg*, 264 Kan. 254 (1998), in which the attorney engaged in sexual misconduct toward three separate family law clients, one of whom was 18 years old and another of whom was 22 years old, resulting in disbarment for violations of traditional ethics rules, including using knowledge of a client's vulnerability to gain sexual favors and acting in a manner prejudicial to the administration of justice.
5. *In re Rinella*, 175 Ill.2d 504 (1997), in which an attorney received a three-year suspension for coercing three clients into sexual activity including unwanted sexual contact, while representing the clients in family law matters.
6. *Bourdon's Case*, 132 N.H. 365

(1989), in which an attorney was disbarred in a two-count disciplinary proceeding, one count of which involved sexual relations with a family law client, which the attorney should have known adversely affected his ability to engage in independent judgment on behalf of the client;

7. *Otis' Case*, 135 N.H. 612 (1992), in which an attorney was disbarred after engaging in a sexual assault against a client who had become his employee primarily for financial reasons, partly related to her dissolution of marriage case. After the publicity relating to this matter came forward, five additional female clients were identified who had also been the subject of unwanted sexual advances by Otis;
8. *In the Matter of Wood*, 265 Ind. 616 (1976), in which an attorney received a one-year actual suspension for having offered discounted legal fees to female clients, and the daughter of one of the clients, if he was permitted to take nude photographs of them. The attorney had sexual relations with one client in addition to taking nude pictures;
9. *People v. Zeilinger*, 814 P.2d 808 (1991), in which an attorney received a public censure for having engaged in a consensual sexual relationship with a family law client during the course of representation;
10. *Drucker's Case*, 133 N.H. 326 (1990), in which the attorney was suspended for two years for initiating a sexual relationship with an emotionally unstable marital dissolution client;
11. *People v. Gibbons*, 685 P.2d 168

(1984 Col.), in which an attorney was disciplined for having engaged in a covert sexual relationship with one of multiple criminal co-defendants, where the female client had only a ninth grade education and, although she was not forced into the sexual relationship, "may not have been able to exercise free will";

12. *Barbara A. v. John G.*, 145 Cal.App.3d 369 (1983), in which a client was permitted to maintain a traditional civil claim for deceit against an attorney who induced her into a sexual relationship on the false representation that he had had a vasectomy. The client later suffered an ectopic pregnancy.

As the above-referenced cases reflect, prosecuting agencies can effectively discipline attorneys who engage in improper sexual contact with clients, using traditional standards of fiduciary duty to the client, the duty of loyalty, the duty to avoid preference of the attorney's interests over those of the client, the duty to perform competent services, the duty to engage in professional and independent judgment, and so forth. This being the case, it is unclear what purpose will be served by adopting a new disciplinary rule. Indeed, the adoption of a new rule may suggest that the incidence of improper sexual relations between attorneys and clients is a serious and widespread problem that must be further addressed. Since neither the empirical nor anecdotal evidence supports the conclusion that sexual relation between attorneys and clients is widespread, ongoing or prevalent problem (two reported cases nationally within the past five years), do we really need to adopt a new disciplinary rule?

Regardless whether a new disci-

plinary rule is adopted, should attorneys become intimately involved with clients during the course of representation? The answer is a resounding "no," for obvious reasons, including but not limited to the practical difficulties which are inevitable when a break-up occurs. However, many female attorneys meet potential social and romantic partners through work. If a female lawyer and a sophisticated, experienced male client agree to date, is the lawyer always taking advantage of the client? I do not believe a lawyer —male or female— should automatically be deemed to have engaged in unethical conduct, purely because an attorney-client relationship then exists with the client when they form a personal relationship. Even if the relationship turns out poorly, the attorney may have provided perfectly competent, professional services to the client.

In my view, no rule is better than

an unfair rule, particularly where ample ethical restrictions already exist to regulate undue influence, lack of professional objectivity and incompetence. Therefore, as I have in the past, I will argue against a new disciplinary rule on the grounds that it is unnecessary, potentially unjust and because it sends a misleading message to the public that attorneys are unscrupulous (if not outright dangerous), and that the public needs to be protected from us.

Women lawyers should, at least, participate in the debate. It remains to be seen whether articles such as that written by Professor Shirey will prompt renewed efforts to adopt another disciplinary rule prohibiting sexual relationships between lawyer and client. Whatever one's position, I encourage women lawyers to make their views known when bar associations propose rules governing



Ellen A. Pansky practices in the areas of legal ethics and professional liability in Southern California. You may reach her at panskymarkle@earthlink.net.

Member News

Jo Ann Brighton
made Partner

Jo Ann Brighton is a new partner in the Bankruptcy Group at

the Manchester, New Hampshire office of Nixon Peabody LLP. Ms. Brighton has written many articles for publication in the areas of debt restruc-

turing, creditors' rights, lender liability and matters before the Bankruptcy Court. She is a frequent speaker at seminars sponsored by the

American Bankruptcy Institute and is on the committee to revise the local rules for the U.S. Bankruptcy Court.

ABA Senior Lawyers Division Meets in Puerto Rico

by
Selma Moidel Smith

The scene is San Juan, Puerto Rico. The time is November 1999. The occasion is the first visit of the ABA Senior Lawyers Division to this island Commonwealth.

In the accompanying photo, we are attending the elegant "Welcome" dinner given by our host Hector Reichard, Jr., a member of the Division's governing Council and a former attorney general for the Commonwealth of Puerto Rico.

The following days were filled with committee meetings, Council meetings presided over by Division Chair Ed Kallgren, and visits to important sites on the island.

Shipped specially for arrival at the meeting was the latest issue of *Experience*, the Division's magazine. The cover story, "The UnCommon Law of Puerto Rico," by Reichard, was illustrated by a photo of the Supreme Court of Puerto Rico. Happily, this included one woman, the Hon. Miriam Naveira de Rodón, who has served on the Court for the past 15 years.

A companion article presented four other leaders of the legal community which, in answer to my request, also included a woman, Superior Judge Rita Vélez-Borrás.

These women's careers offer us a glimpse into the lives of Puerto Rican women in the law, and the opportunities open to them today.

The Hon. Miriam Naveira de Rodón received a B.A. from Mount St. Vincent College in New York in 1956, J.D. from University of Puerto Rico Law School in 1960, LL.M. from Columbia University in 1969, fol-

Puerto Rico. Since 1992, she has served as president of the Judicial Commission on Gender Bias. She is married and has two children.

Judge Rita Vélez-Borrás was educated in San Juan. In 1972, she obtained her B.A. summa cum laude with a major in political science from the University of Puerto Rico in 1972. In 1976, she received her J.D. magna cum laude from the UPR Law School. Prior to her judicial appointment, Judge Velez-Borrás was in private practice and also served as attorney general for Puerto Rico. In 1988, she was appointed to her current position of Superior Judge.

She has served as a professor of law at the UPR, Inter-American University, and Catholic University. In her work with the Institute of Judicial Studies, she has offered seminars for judges and law clerks. She is also active in the training and orientation program for newly appointed judges. In the past she served as president of the Personnel Board of the Judicial Branch and president of the Judicial Appointments Commission of the Puerto Rico Bar Association. Judge Vélez-Borrás is married and has one daughter.



Chief Justice Hon. José A. Andréu García, Selma Moidel Smith, Hon. Miriam Naveira de Rodón, and Judge Rita Vélez Borrás

[See corrected photo caption in next issue, 86:2 (Summer 2000), page 5.]

lowed by postgraduate studies at Leiden University, Holland, and a LL.D. from Georgetown University School of Law in 1990.

de Rodón served as a law clerk at the Supreme Court of Puerto Rico from 1963 to 1971. In 1966, she assumed the position of assistant attorney general, which she held until 1973, when she became assistant solicitor general. She was also in private practice from 1976 to 1985, and at the same was a professor at the Inter-American University School of Law. In 1985, de Rodón was appointed to the Supreme Court of

Selma Moidel Smith is NAWL Liaison to the ABA Senior Lawyers Division, where she is a Council member and Chair of *Experience* magazine Editorial Board.

NUMBER OF FEMALE OFFENDERS EXCEEDS 2.1 MILLION

By Linda D. Bernard

The "Sisterhood" is in crisis. For decades women have been perceived as the kinder, gentler of the species. But recent statistics regarding violent offenses committed by women call this precept into question.

According to the U.S. Department of Justice, Office of Justice Programs, there are nearly 2.1 million violent female offenders (or about 14% of all violent offenders annually). An estimated 28% of violent female offenders are juveniles, according to the 1998 data, the most recent available. In other words, about 1 out of 7 offenders described by victims was a female.

In 1998, 3.2 million women were arrested on about 22% of all arrests that year. The facts are illustrative:

1. Three out of four violent female offenders commit simple assault;
2. Three out of four violent female offenders attack other women;
3. Two-thirds of these have a previous relationship with their victims;
4. Forty percent of violent female offenders were thought to have been under the influence of drugs, alcohol or both;
5. Since 1990, the number of female defendants convicted of felonies in state courts has grown at more than twice the rate of increase in male defendants;
6. An additional 3% of violent

offenders were women who attacked males.

Location of Offenses

In nearly half the cases, women victimizers committed the offense at or near the victim's home or at school. The 13.1 million violent male offenders commit only one-third of their offenses at home or school.

Female Prison Population

In 1998, there were an estimated 950,000 women under the care, custody or control of federal, state or local correction departments. This represents slightly less than 1% of the U.S. female population of slightly more than 119 million (or 51.6% of the overall population). The total equals a rate of about one woman involved with the criminal justice system for every 109 adult woman in the U.S. The vast majority of them, however, were being paroled in the community. Interestingly enough, these women had 1.3 million minor children.

Violent Crimes

Violent crimes typically fall into four categories: sexual assault, robbery, aggravated assault and simple assault. Nearly three in four violent victimizations committed by female offenders were simple assaults; just over half the violence of male offenders is described as simple assault.

Race

More than one-half of female violent offenders were described by victims as white and just over one-third were described as black.

About one in 10 were described as belonging to another race (Asian, Pacific Islander, Native Hawaiian, American Indian, Aleut or Eskimo). Black and white offenders accounted for nearly equal proportions of women committing robbery and aggravated assault; however, simple assault offenders were more likely to be described as white.

Murder

There is, however, an inverse racial disparity with respect to murder. Nearly six out of 10 female murderers are black.

Although violent offenses have declined overall, in 1998, the rate at which females commit murder was at its lowest level since 1976: 40% lower. The crime of murder clearly indicated the impact of the victim offender relationship. Of the 60,000 murders committed by women from 1976 to 1977, just over 60% were against an intimate or family member. Among the 400,000 murders committed by men over the same period, 20% were against family members or intimates!

Relatedness of the Parties

Perhaps the most striking difference set forth in the report was the "relatedness" of the parties victimized when comparing males and females. An estimated 62% of female violent offenders had a prior relationship with the victim as an intimate, relative or acquaint-

tance. By contrast, about 26% of male violent offenders were estimated to have known the victim.

Consequences of Violence

The consequences of female violence were generally less serious for the victim, in terms of weapon use, injury and out-of-pocket losses. However, the largest out-of-pocket cost item for victims of female violence was medical expenses, averaging \$1,127 – nearly \$550 less than victims of male violence. Lost pay due to injury to victims of violence averaged \$311 and lost pay for court appearances and other reasons cost victims an average of \$513 when the offender was female – both of these were less than half the losses victims experienced when the offender was male.

Economics and Health

From an economic and health perspective, female prisoners generally had more difficult economic circumstances than their male counterparts prior to entering prison. About four in 10 women in state prison reported that they had been employed full time prior to

their arrest. By contrast, nearly six in 10 male inmates had been working full time prior to arrest. About 37% of women and 28% of men had incomes of less than \$600 per month prior to arrest. While just under 8% of male inmates were receiving welfare assistance prior to arrest, nearly 30% of female inmates had been receiving welfare assistance at the time just before the arrest which brought them to prison.

In 1997, an estimated 2,200 women serving time in state prisons were HIV-positive, about 3.5% of the female inmate population. An estimated 20,200 male inmates (2.2%) of the male population, was HIV-positive. The percentage of female inmates who were HIV-positive peaked at 4.2% in 1993.

Physical and Sexual Abuse

About 60% of female state prison inmates reported having experienced physical or sexual abuse prior to their incarceration – about one-third had been abused by an intimate and one-quarter by a family member. An estimated 80% of the women in state prisons were either recidivists or had a

current conviction for violence.

Death Penalty

At the end of 1997, there were 44 female inmates under death sentences or 1.3% of the total death-row population. Between January 1, 1977 and December 31, 1977, 431 men and one woman (in North Carolina) were executed in the U.S. In 1998, two women were executed, one in Florida and one in Texas.

Sisters, as the majority of the population (51.6%), we must unite to save women from the dastardly position in which the Bureau of Justice Report characterizes us. After all, if we provide a "cradle for the civilization," we can provide healing and support for our sisters who, largely due to poverty and abuse, are caught up in the criminal justice system.

The full report may be obtained from the Bureau of Justice Clearinghouse at 1-800-732-3277 or on the BJS internet site at <http://www.ojp.usdoj.gov/bjs>. ■

Linda D. Bernard is President & CEO, Wayne County Neighborhood Legal Services

TRENDS IN LAW SCHOOL AND BEYOND

As reported in *Diversity and the Bar*, the Magazine of the Minority Corporate Counsel Association, surveys by the National Association for Law Placement show:

- Law school enrollment of women rose from 33% to 44% between 1982 and 1997
- Women and minorities represented 63% of all law school graduates in 1997
- While fewer minorities are entering private practice, by 1997 the percentage hired at large law firms increased from 21.3% to 35.9%

WAVE of the FUTURE

ATTORNEY CERTIFICATION

By Mary Jo Cusack

Attorney certification as the wave of the future? This is certainly not an outrageous idea. The body of knowledge we call "law" has grown too large for any one individual to be accomplished, or even competent, in all areas. The existence of de facto specialization is widely uncontested, our legal system is constantly growing in complexity, and the public continues to look for greater expertise. The fact that attorneys specialize in their practice of law is readily apparent with even a simple glance through the Yellow Pages. But how can one verify that an attorney advertising a particular specialty has the experience and knowledge necessary to insure truly qualified representation?

In the 1970's, a particularly tumultuous time for the American lawyer, more specifically the

Declining faith in our system of law stirred a variety of debates on how to maintain professionalism and rebuild the public's trust.

American trial lawyer, the public's declining faith in our system of law stirred a variety of debates on how to maintain professionalism and rebuild the public's trust. Conflicts arose over attorney advertising as both the disclosure of specialties and the use of superlatives were hotly contested. In 1973, then Chief Justice Warren Burger went so far as to comment that, "some system of certification for trial advo-

cates is an imperative and long-overdue step" and, furthermore, the absence of such a program, "has helped bring about the low status of American trial advocacy and a consequent diminution in the quality of our entire system of justice." Burger, *The Special Skills of Advocacy; Are Specialized Training and Certification of Advocates Essential to our System of Justice?*, 42 *Fordham L. Review* 227 (1973). How could the profession insure the consumer's free access to the names and abilities of possible representation while also insuring that false claims of quality would not corrupt the free flow of information?

Out of this tumult, Theodore I. Koskoff, a Senior Partner in the Bridgeport, Connecticut law firm Koskoff, Koskoff, and Bieder, endeavored to establish the first national certification board for trial attorneys. Creation of the National Board of Trial Advocacy would prove to contradict popular convention by acknowledging the necessity of an objective method by which to identify knowledgeable and experienced trial representation.

In 1976, while serving as President of the Roscoe Pound American Trial Lawyers Foundation, Theodore Koskoff convened the Foundation's Annual Chief Justice Earl Warren Conference on Advocacy in the United States with the innovative topic, "Trial Advocacy as a Specialty." Acknowledging the significant skill and expertise required to successfully try a complex matter, the conference recommended that trial advocacy

qualify as a specialty within the general practice of law.

Not content with merely clarifying the importance of designating trial specialists, in 1977 Theodore Koskoff established a non-profit organization, the National Board of

Conflicts arose over attorney advertising as both the disclosure of specialties and the use of superlatives were hotly contested.

Trial Advocacy, to maintain an objective set of standards for the designation of civil and criminal trial specialists. Theodore Koskoff organized a distinguished group of lawyers, judges, and educators to assist in the development of NBTA's standards for certification and to insure that the standards would identify an accurate representation of the skills required for trial representation. In 1980, NBTA certified its first group of trial specialists.

From the start, NBTA's certification procedures were recognized as exemplary. Among those to recognize the program for its efficacy in objectively classifying experience and expertise, the Task Force on Lawyer Competence of the Conference of Chief Justices reported that, "certification by the National Board of Trial Advocacy is an arduous process that employs a wide range of assessment methods..." Report with Findings and Recommendations to the Conference of Chief Justices, May

26, 1982 (Publication Number NCSC-021). The Supreme Court of Minnesota further recognized that "NBTA applies a rigorous and exacting set of standards and examinations on a national scale before certifying a lawyer as a trial specialist" in *re Johnson*, 341 N.W.2d 282, 283 (Min. 1983).

In June of 1990, in response to the Attorney Registration and Disciplinary Commission of Illinois, attempt to prevent an attorney from disclosing their hard-earned NBTA certified specialty designation, the Supreme Court of the United States declared that, "there is no dispute about the bona fides and the relevance of NBTA certification . . . Disclosure of information such as [NBTA certification] on petitioner's letterhead both serves the public interest and encourages the development and utilization of meritorious certification programs for attorneys" *Peel v. Attorney Registration and Disciplinary Commission of Illinois*, 110 S.Ct. 2281, (1990). The decision both affirmed that such certification is an objective measure of experience within the designated specialty and that to prohibit the disclosure of such certification is unconstitutional, violating First Amendment rights.

The Court's opinion in the *Peel* matter proved groundbreaking. Prior to the decision, states had two basic options concerning the disclosure of attorney certification designations: 1. states could (and many did) outright forbid the disclosure of certification designations under the broad umbrella of specialty bans (as per the ABA model rule prior to the 1992 revision), or 2. states would not regulate specialty designations, allowing a certified attorney to disclose their certification, but at the same time allowing any other attorney to claim a "specialty" without any objective basis for such claim.

Following the *Peel* decision, in the later half of 1992, the ABA revised its model rule 7.4, regulating the disclosure of fields of practice, to comply with the holding that the states may not constitutionally impose a blanket prohibition on a lawyer's truthful communication that he or she is certified as a specialist by a bona fide organization. The rule, as revised, made provisions for states to authorize appropriate regulatory authorities to grant certification or, to recognize the validity of outside certifying agencies.

"States could (and many did) outright forbid the disclosure of certification designations . . ."

While the states originally responded to the Court's opinion in a variety of manners, the general trend toward attorney certification is evident in the continuing evolution of the original response. Prior to the *Peel* decision, several states had already recognized the necessity of certifying legal specialists by developing state run certification programs. In 1990, when the Supreme Court issued the *Peel* opinion, Arizona, Arkansas, Louisiana, New Jersey, New Mexico, North Carolina, South Carolina, Texas, and Utah each had on record a rule permitting a state run certification body. At that same time in history, Alabama, Connecticut, Georgia, and Minnesota were the only states that formally recognized NBTA's national certification program without the accompaniment of disclaimer language.

In 1993, the ABA delved further into issues of attorney certification by adopting a national process to accredit specialist certification programs. NBTA was among the first batch of organizations accred-

ited by the ABA and NBTA remains the first and only national certification provider for trial law. Since that time, twelve states have recognized these ABA accredited certifying agencies thereby permitting disclosure of NBTA's attorney certification programs. An additional 15 states recognize NBTA's certification through the establishment of their own accreditation bodies. Of those remaining states several, including Alaska, Iowa, and New Hampshire, are in the process of adopting rule changes to permit disclosure of certifications granted by ABA accredited agencies, and several more, including Arizona, Kansas, Michigan, and Nevada, are in various preliminary stages of investigation or re-evaluation of approval mechanisms for the recognition of attorney certification programs.

Today the National Board of Trial Advocacy membership consists of over 2,300 board certified civil, criminal, and family law trial advocates. NBTA is accredited by the American Bar Association, praised

"The general trend toward attorney certification is evident in the continuing evolution of the original response . . ."

by both the U.S. Supreme Court and the ABA as objective and necessary, and is sponsored by eleven national and international organizations attesting to the diversity of our membership.

The growing acceptance toward attorney certification within the legal profession is apparent in both the increasing number of states that recognize attorney certification and in the changing rules regarding disclosure of certified specialty designations. In this age of the world wide web and instant access to information across the

nation, NBTA's national standards remain step above and beyond state promulgated programs by providing uniform requirements.

In the 70's, when Theodore Koskoff created NBTA, the organization was ahead of its time in acknowledging the value of an objective trial specialty designation. On the cusp of the 21st century, NBTA continues to be a forerunner, maintaining universal standards across the nation, thereby insuring that a NBTA board cer-

tified attorney in Maine has met the same high standards of involvement in trial law as a board certified attorney in Alaska. NBTA, and in turn the concept of national attorney certification, continues to build momentum as NBTA's trial certifications in civil, criminal, and family law trial advocacy are proven time and again as effective and necessary to insure the professionalism of those attorneys proclaiming trial law as their specialty. ■



Mary Jo Cusack practices in Columbus, Ohio at Cotruvo & Cusack. She is a past President of NAWL and current President of the NBTA.

[NOTE: for correction of author name - to Jennifer Povill - see the next issue, 86:2 (Summer 2000), page 5.]

Member News

Helen Viney

Porter, 64, died in her Northfield, Illinois home on Friday May 12, 2000. Mrs. Porter died mere hours after her return from a vacation in Wales where she had contracted pneumonia. Described as soft-spoken but strong-willed,

Mrs. Porter was a law professor, a past president of NAWL and the Women's Bar Association of Illinois and a member of the ABA Journal Board of Editors. A respected tax attorney, in 1961 she was the first female lawyer to work for the IRS anywhere outside Washington, D.C. According to the

Chicago Sun-Times, the former Helen Viney "was hired by the IRS, where her bosses first assumed she was a secretary because she was a woman, then said they didn't want a female attorney in their divisions." She went on to work for the EEOC's regional litigation center. Later

she switched to part-time private practice after losing her 3-year old son to a rare form of meningitis and her 7-year old daughter Alicia was diagnosed with a brain tumor. Mrs. Porter is survived by her husband Morgan Porter and daughter Alicia Porter.

Dallas



Louise Raggio, aka the “Mother of Texas Family Law” and NAWL distinguished Lifetime of Service Award winner.



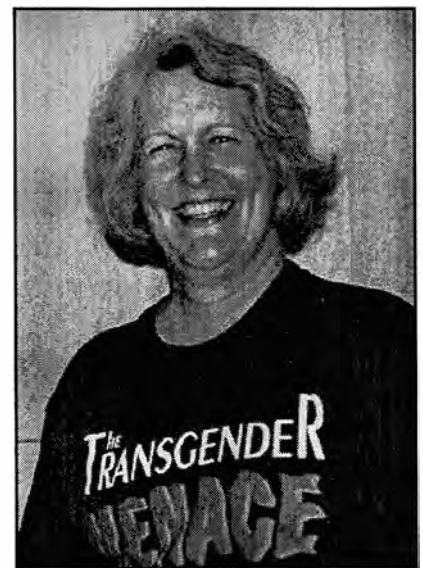
Gerald Goldstein, co-presenter with Cynthia Orr at their seminar on outstanding technology for legal practice.



Cynthia Orr, checks high-tech controls for “Shrinking the Globe with Technology” panel.



Charlye Farris receives Distinguished Lifetime Achievement Award from NAWL President **Katherine Henry**.



Trial attorney **Phyllis Randolph Frye** at NAWL’s “Breaking Barriers” panel. Ms. Frye is also an adjunct professor at Thurgood Marshall Law School and Director of the Bar Association for Human Rights of Houston.

HIGHLIGHTS

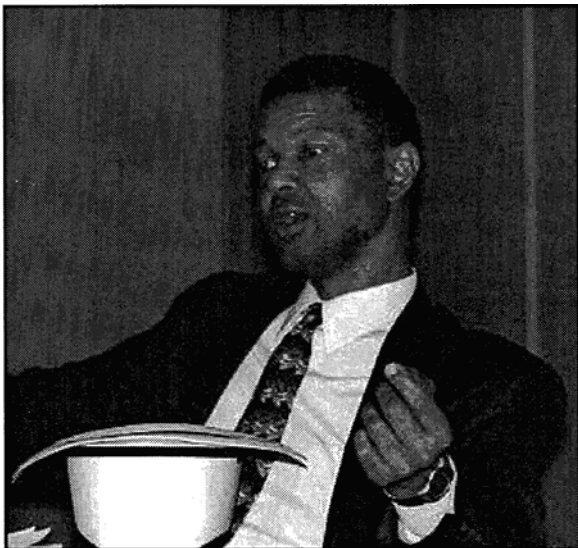


Stephanie Ertel, First General Counsel for Coca Cola in Texas, discussing communication differences between men and women at Glass Ceiling panel.



Elizabeth Bransdorfer and **LEXIS representative Nigel Roberts**

Award winner **Charlye Farris** chats with **Linda Bernard**, NAWL Treasurer-Elect and CEO of Wayne County Neighborhood Legal Services.



Gary Bledsoe, President of Texas NAACP at "Breaking Barriers" panel

LEXIS Publishingsm

**LEXIS®-NEXIS® • MARTINDALE-HUBBELL®
MATTHEW BENDER® • MICHIE™ • SHEPARD'S®**

NAWL wishes to thank LEXIS Publishing for underwriting our Dallas Luncheon Honoring Charlye Farris and Louise Raggio. LEXIS offered its sponsorship as part of its Grant to Advance Bar Initiatives Promoted by Lawyers for One America.

Lawyers for One America is a collaboration of legal professionals and organizations formed following a "Call To Action" by President Clinton in July, 1999. At that time, the president asked the legal profession to address two areas of interest to minorities: increasing pro bono resources and use of the bar's legal skills to help minorities advance economically, and increasing the diversity of the legal profession at all levels.

The LEXIS Publishing family of products and services meets the ever-changing needs of today's lawyers, law librarians, paralegals and law students. LEXIS Publishing is part of the LEXIS-NEXIS Group, a division of Reed Elsevier Inc. Information about LEXIS Publishing may be found at www.lexispublishing.com.

TIPS FOR BECOMING SUCCESSFUL RAINMAKERS

by Dixie Lee Laswell

1. Relationships

- Client development is based on relationships.
- It is important to establish one's professional reputation and to develop business relationships with people who have the potential of retaining lawyers.
- The better one's communication skills and her confidence in one's skills, the greater the likelihood of being called upon in the time of need.
- Broaden one's prospecting horizons when developing relationships; women lawyers should not exclusively prospect for female clients.
- Women in firms should directly approach to women inside corporate law departments for business.

2. Ability to Advise and Help Clients

- Intently listen to prospects and clients.
- Listen for details first, and wait to solve the problem later.
- Prospects want a forum to explain their concerns in addition to having their legal problems solved.
- If one tells one's client or prospect that she will receive a telephone call on a certain date, make sure to contact the client or prospect on that date to retain credibility.
- Competence is key to handling a legal problem effectively and efficiently.

3. Integrity

- When dealing with judges, colleagues, and subordinates, distinguish oneself as someone with upstanding character.
- Conduct oneself in a manner that

builds professional and personal credibility.

- A reputation of poor character will be a disadvantage and is difficult to lose.

4. Networking

- Get involved in local bar associations and community organizations.
- Networking with female attorneys in other legal fields may be an excellent way to develop contacts and leads for new business.
- Be active in as many different social and professional circles as practical.
- Display one's legal skills through volunteer work or by serving on boards.
- Developing and maintaining an active social life may pay professional dividends, exposing one to potential clients and opportunities.
- Keep in touch with former schoolmates.
- Take business cards with you always.

5. Marketing

- Engage in credibility marketing, including speaking and writing to obtain more visibility in one's area of concentration.
- After one speaks at a function, distribute a short hand-out covering important facts from the presentation.
- Direct marketing includes networking at meetings and visiting with clients.
- Look at clients who currently use the services one plans to market as guidance as to what kinds of companies might need such services in the future.
- Be prepared to concisely describe the specific services one offers.

6. Acknowledge Quality Is Better Than Quantity

- Client development is based on relationships.
- The more meaningful each contact is, the more impact it will have on prospective or existing clients.
- Clients want attorneys who will work to solve problems on a cost-effective basis.
- Utilize business relationships of recognition, listening, and proper questioning techniques.
- In discussing options with the client, be pragmatic and consider practical as well as legal issues.

7. Knowledge in a Specialized Area

- Each lawyer must determine the specific services for which she has the requisite experience and expertise to render efficiently deliverable and reliable advice.
- Having concentrated expertise enhances one's value to the client.
- Concentration increases the chance that potential clients and other lawyers will seek out one's services.
- Teach a course at a law school as a visiting professor in your area of expertise.

8. Efforts in Team Marketing

- Team marketing efforts are extremely crucial, whether within a firm or with other professionals.
- Rainmaking entails multiple influencers.
- Each person who knows someone in a company should be strategizing with one another and approaching potential clients in an organized manner.
- Form an informal women's roundtable to discuss legal issues and as an opportunity to generate referrals.

9. Rainmaking Is for the Long Term

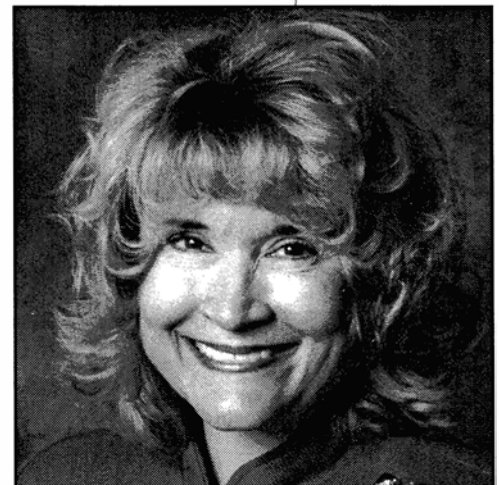
- Creating a consistent flow of new business is not developed overnight and requires sustained and constant effort over time.

10. Sales Training

- Through marketing and sales training, one will become a better rainmaker.
- Practice qualifying a potential client, gathering information, developing strategies, and making presentations.
- Recognize and overcome various objections to selection for handling a specific matter.

The best tip of all: **JUST DO IT!**

Ms. Laswell is a Partner in the Environmental, Safety and Health Practice Group of Seyfarth, Shaw, Fairweather & Geraldson and is located in its Chicago office. She gratefully thanks Jamie Markowitz, Second Year Law Student, IIT-Chicago Kent College of Law, for her assistance in the preparation of this article.



MARTHA BARNETT IN CHICAGO

NAWL MEMBER AND ABA PRESIDENT-ELECT

By Lisa L. Smith

In August, Martha Barnett, a partner at Holland & Knight, will assume the Presidency of the ABA. She will not be the first Holland & Knight partner to lead the ABA, however. Her mentor, former ABA President Chesterfield Smith, served as the ABA President in 1973-74. Both Ms. Barnett and Mr. Smith have devoted time and energy to high-profile pro bono cases and causes with strong civil and human rights implications. Not surprisingly, Holland & Knight invests \$6 million a year on pro bono efforts.

Ms. Barnett and Mr. Smith both attended the reception on May 18, held at the Chicago Historical Society to celebrate Holland & Knight's most recent merger. Never having met her, I snapped up the opportunity to talk to her for the Journal.

(The following comments are edited from interview transcripts.)

On Mentoring:

"The whole concept and idea of mentoring is important whether it's for young women or young men. It is important for the older generation to reach out and educate and train and provide opportunities to teach the young generation in our profession of the law, how to be good lawyers, what it means to be a good lawyer or professional to contribute to your community and to pass on institutional knowledge and traditions. So mentoring is very important.

Historically, young women have not been the beneficiaries of mentors as much as their counterparts. I personally had the world's greatest mentor — actually more than one in my professional career. I am absolutely certain that opportunities I have

had in my law firm and in the American Bar Association have been a direct result of people who went before me who had enormous credibility in those institutions and could make a way for me. Oftentimes, not only did they open doors for me, but stood aside so I could walk through those doors and take advantage of the opportunities. It makes all the difference in the world"

On Reparations to African American Descendants of Slaves:

The Chicago City Council recently voted unanimously in favor of reparations to descendants of slaves. Detroit, Cleveland and Dallas have passed similar measures. The issue is gaining national momentum and may eventually reach Congress. Asked where she or the ABA would stand on the issue, Ms. Barnett said she was not familiar with and therefore could not comment specifically on the issue of reparations to descendants of slaves. She was, however, sympathetic to reparations for victims of racial

violence and discrimination. Ms. Barnett was one of the Holland & Knight lawyers who worked on the Rosewood case and won compensation for descendants of the victims in Rosewood, Florida, an African American community where six people were murdered and the entire town was burned to the ground down by whites in 1923.

"I'm not aware that the American Bar Association has taken a position on reparations in general. I believe it has a position on reparations for Japanese Americans and was involved in that issue, but certainly if a member of the Association brought the



issue to the ABA House of Delegates, I think it would probably be debated and considered seriously and it's highly possible that the body would endorse some type of remedial action for victims of racial violence."

"Certainly the incidents of violence directed toward Jews during the Holocaust and our Japanese Americans during the war and our African Americans during a great deal of our country's history are all racially motivated and in my judgment some form of genocide."

"We all know there were many instances of racially motivated violence in this country that resulted in the loss of family, loss of property and loss of life . . . [these are issues that] I think the legal system and perhaps the political system should address."

On CEDAW (the Convention to Eliminate Discrimination Against Women):

"The ABA has urged Congress on more than one occasion to ratify CEDAW. We

have within the last several months had meetings with congressional delegations. There are efforts ongoing now as a result of the 4th World Conference on Women that was held in Beijing, it's called Beijing Plus 5, to actually kind of do a report card on the progress that was made. As a result of the Beijing conference, CEDAW is clearly high on the agenda . . . and I will be representing the ABA in strongly endorsing ratification of that treaty."

Ms. Barnett's agenda as the next ABA President focuses on the problems of children and violence, the future of the rapidly-changing legal profession, a call to action on the death penalty and continued support of the ABA's current diversity initiative. Her focus on gender issues will include a conference of women leaders to discuss what they should be doing with the power that comes with their leadership roles. ■

**ABA COUNCIL ON RACIAL & ETHNIC JUSTICE
NEW YORK ANNUAL MEETING
MCLE PROGRAM**

SATURDAY, JULY 8, 2000
9:00AM - 11:00AM
HILTON NEW YORK

**THE NEXT GENERATION:
"COLOR/RACIAL PROFILING"
CONFRONTS TECHNOLOGY**

This panel will address the issues raised by the Amadou Diallo case and similar "color/racial profiling" cases from a futuristic perspective. Panelists will conduct an examination of how technology might be utilized under the circumstances of "color/racial profiling." Their in-depth analysis will explore the impact technology has and will have on "racial/color profiling"; how the new technology might save the lives of police officers and innocent victims; and how the new technology fits into existing Fourth Amendment jurisprudence.

The panelists will consist of influential experts. Among the panelists will be:

Judge Nathaniel R. Jones of the 6th Circuit;
Kurt L. Schmoke, Chair of the Council; and
former Mayor of Baltimore, Maryland Prof. Samuel Walker
of University of Nebraska at Omaha;
Prof. David Harris of University of Toledo;

and a host of other professionals that are affiliated with the police departments, prosecutors, law professors, technology experts and civil rights lawyers.

TECH PRACTICES

by Cheryl L. Conner

There are now computers on almost every desk, most with e-mail capability and many with Internet access. E-mail and the Internet are becoming mandatory tools for conducting business. Clients, customers, and suppliers expect to be able to use e-mail as a means of communication that marries the ease of a telephone call with the immediacy, brevity and permanency of a letter or fax. E-mail is also useful within an organization to communicate information in much less time than it takes to distribute a memo.

The Internet provides an easy source of information. For example, the Secretary of State websites for most states provide all of the necessary information to reserve a company name, register a trademark or servicemark, register as a corporation or limited liability business entity, or check the standing of an existing company registered in the state. The Internet provides a firm with an enormous amount of free research, such as the laws of foreign jurisdictions or full text versions of recent cases by District Courts, Circuit Courts of Appeal, specialty Federal Courts, and the United States Supreme Court. The Internet allows the business to publish its own website that provides details about the product or service available and contact information to reach the company. The website also acts as a general advertisement that puts the company name in front of potential clients and customers.

The problem for employers and employees is that technology has advanced more quickly than the laws that govern it. The employer is understandably fearful that employees will spend vast amounts of time silently chatting with friends or entertaining themselves on the Internet, all the while appearing to be working diligently. Constant e-mails may slow the system because they are often given priority over other functions that may be running on the network at the same time. Employees who run internet-based music or video streams

can cripple a network server. The employer may also be concerned about its own criminal and civil liability for what an employee says in his or her e-mail.

Employees feel that there is more to be done in a day than time to do it unless some personal business is conducted during business hours. Many expect to be able to communicate periodically with friends and family during those hours. What used to be a quick telephone call, is now a quick e-mail. What used to be a trip to the bank during the lunch hour is now a trip to the bank's website.

The employee may be unsure of the level of monitoring that actually takes place. According to MacWorld, in 1993, 301 businesses in various industries, with almost one million employees, were surveyed to determine the level of monitoring. Twenty-two percent of the firms searched employee computer files, voice mail, e-mail and other forms of network communication. In the companies with more than 1000 employees, 30% of employers engaged in such monitoring. Only 18% of the employers had written policies regarding employee electronic privacy. An estimated 20 million workers in the United States were subject to electronic computer monitoring.

In 1998 the American Management Association conducted a survey of 1,085 corporations and found the percentage of "intrusive" employee monitoring had grown to 40%. The AMA included in its definition of intrusive monitoring: checking e-mails, voicemails and telephone conversations, recording computer keystrokes, and video recording. The percentage of employers with written policies was not reported.

The employer's network administrator has access to all of the information on the network in order to properly maintain it. The administrator must allocate resources on the network server and fix any problems that arise. The server is the actual physical space in which information is stored. Users access the information using an "employee

The employer is understandably fearful that employees will spend vast amounts of time silently chatting with friends or entertaining themselves on the Internet.

workstation;" the information is never physically present in the client computer unless it is downloaded. Even if the information is downloaded onto the workstation and deleted off of the network server, it is still accessible by the employer. The employer may have a backup copy of the information on its network that was made before the e-mail was deleted from the server.

Another method of access is the workstation itself. Computers are sometimes networked so that one computer can access the hard drive of another computer. Non-networked computers can be checked after hours or while the employee is away from the computer. An employer who knows where to look can find anything that was purposely saved to the hard drive, information that was deleted but has not been overwritten on the hard drive and cache files that are automatically stored on the computer that give details about the websites the user has accessed. Whether the employer monitors the employee from the server, from the back up drive or directly from the employee's computer, there is very little chance that the employee will know unless told.

Employers, attorneys and courts are searching for answers a way to balance the rights of employees and employers as they relate to e-mail and Internet access. As attorneys we are concerned about how to counsel our clients, as well as how to handle the issue within our own firms. At the present time there are few guidelines for employers, nor are there any real protections for employees. The following is the current state of the law in this area.

In the public sector, employees retain a certain amount of their First Amendment rights, but those rights are limited. The Court in *Waters v. Churchill*, applied a balancing that weighs "the employer's interest in accomplishing its mission" against "the public employee's interest in speaking on matters of public concern. These protections are largely unhelpful because they do not apply to most employee communications and they only apply to government employees. Private sector employees can only be protected through legislation.

There is a constitutional right to privacy

in the workplace; the cases that have come under it have tended to favor the infringers. The landmark privacy cases are *Katz v. United States* (389 U.S. 347 (1967)) and *Smith v. Maryland* (442 U.S. 735 (1979)), in which the Supreme Court delineated the parameters of the privacy right. The Court looks at the "reasonable expectation of privacy and whether the person being monitored "knowingly exposed" the information.

Like the Freedom of Speech, the Right to Privacy is only a protection against State action. The right to privacy does not exist for private employees in the absence of a private right of action against private parties.

Congress tried numerous times in the early 1990's to pass the Privacy for Consumers and Workers Act ("PCWA"), which would, among other things, protect private workers any time they attempted to exercise their First Amendment rights and provide notice to employees that they were being monitored. The Senate bill was unsuccessful in the 101st, 102nd, and 103rd Congresses; the House failed to pass a similar bill in the 102nd and 103rd Congresses as well. Plans to reintroduce the bill have not been successful. There are two existing sources of federal law - the Electronic Commerce Privacy Act and the tort of invasion of privacy.

Congress passed the Electronic Commerce Privacy Act in 1986 ("EPCA"), as an amendment to the Federal Omnibus Crime Control and Safe Streets Act of 1968 ("the Federal Wiretapping Act"). The Wiretapping Act prohibited the interception of wire and oral communications, but it was not adequate to govern e-mail. The congressional Office of Technology Assessment ("OTA") found that revolutionary changes in telephone communications, as well as the introduction of e-mail, fell outside of the scope of the Federal Wiretapping Act because the new methods of communication are not "aurally acquired," thus making the old statute obsolete. The EPCA inserted electronic communications into those sections where the Federal Wiretapping Statute referred to wire and oral communications. Penalties are both civil and criminal.

The EPCA protects the right to exam

There is a constitutional right to privacy in the workplace the cases that have come under it have tended to favor the infringers.

One obvious problem is information that is gained that would be of interest to the business, but is not a business call.

employee e-mail in most cases. The employer, as the network provider, has the authority to review all non-voice messages stored on the network if it is necessary to protect the employer. The system may be configured to store a copy of all messages that pass through it, so immediate deletion by the recipient does not prevent review by the administrator. The Act does protect against public disclosure of the private communication. A written policy statement that specifies the necessity of monitoring will be proof of such motive should a controversy arise.

The plaintiff has the burden of showing that there was an interception. The burden then shifts to the employer to rebut the evidence or prove an affirmative defense. The two most common affirmative defenses are the prior consent of the employee and the ordinary course of business exception.

Consent may be implied under the Federal Wiretapping Act. In *Griggs-Ryan v. Smith* (904 F.2d 112 (1st Cir.1990)), the First Circuit found implied consent when the person's behavior manifests acquiescence or a voluntary diminution of what would otherwise be protected rights. Consent may also be inferred from the surrounding circumstances indicating that the parties agreed to the surveillance. This is a lesser standard than the test set up in *Katz*, which based the existence of an invasion upon the reasonable expectations of the person whose privacy has allegedly been invaded.

The prior consent doctrine examines each dispute in a case-by-case basis, and so, has very little predictive value. Each case before the court will involve a factual dispute. The exception is in the case where the employer has obtained explicit consent through a written electronic monitoring policy, signed by the employee. This employer may very well succeed on summary judgment if the case progresses to that point — a very strong argument in favor of such written policies.

Communications related to the business of the employer may be intercepted under

the ordinary course of business exception. This exception is also called the "extension telephone exception" because most of the cases that have come before the courts relate to situations where the employer picked up another extension of the telephone and listened to the employee's telephone calls. The doctrine is equally applicable to employee e-mails. The purpose of private business networks is to allow employees to communicate with clients and other employees in the course of business. But, just as with telephone, it is also an easy way to communicate with the outside world while in the office. Courts have had difficulties applying the exception to the traditional phone situation and the advent of e-mail communication will not make the courts' job any easier when the e-mail invasion cases begin to come before the court.

Some of the cases that have arisen under this exception point out the problems that are associated with it. One obvious

problem is information that is gained that would be of interest to the business, but is not a business call. One example of such a case that has led to numerous lawsuits is when the employee makes a personal call in which he or she discusses looking for another job. In most cases, the business is angry and the employee is fired. *Watkins v. L.M. Berry & Co.* (704 F.2d 577 (11th Cir.1983)) was such a case.

During lunch, the employee received a call and talked with that person about a job interview she recently had with another company. She was called into the supervisor's office and fired.

The employee knew that personal calls were being monitored to the extent necessary to determine that they were personal. During lunch, the employee received a call and talked with that person about a job interview she recently had with another company. She was called into the supervisor's office and fired. The court held that, because the phone call was incoming, the company knew that it was not a sales call; that the call was made by a personal friend; and that the subject matter was personal. The company is only allowed to intercept a personal call to the extent necessary to determine that it is indeed a personal call.

The court also made it clear in dicta that when a call has a mix of business and personal communications, the employer is under a duty to stop monitoring when the conversation turns personal. The analysis would be no different has the communication taken place over e-mail. The only difference would be that the employer is reading rather than listening to the conversation.

The case is also important because it demonstrates that not everything that is important to the company can be defined as something to which the business has a legal interest. The fact that an employee is looking for other work is a prime example. The company may want to protect itself from an employee that is on the way out of the door or the company may actually want the opportunity to make a bid to keep a valued employee. The court held that the "ordinary course of business" exception does not entitle the business to listen to everything that is of interest to it.

The case also addressed what a reasonable amount of time would mean when the company is listening to detect whether it is a personal call. The court said that any time less than three minutes would seem appropriate. Here the difference between phone and e-mail communications is extremely important. The length of time that is reasonable to listen to a conversation is completely different than what would be reasonable when reading an e-mail. New definitions of reasonableness will have to be determined by the court.

The law surrounding this exception is uncertain and is likely to remain so. The courts have not been able to create clear and certain law for monitoring telephone calls; the addition of new issues will not make the task easier. The exception is also not as useful to the employer because it specifically

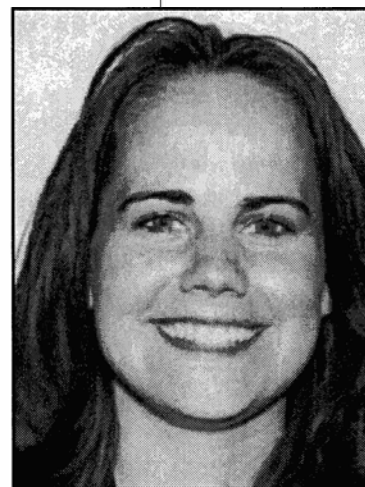
prevents the employer from monitoring personal communications. The business use exception should not be relied upon. Employers should get explicit consent.

The common law tort of invasion of privacy also offers some protection against all types of unreasonable intrusion on employee privacy. It also provides another reason for an open monitoring policy statement by the employer. If the employee continues to work after receiving notice in the invasions, the employer may successfully assert that the employee consented to the intrusion. If the employee receives notice of invasion, objects to the invasion and is fired as a result of the objection, the common law tort of invasion of privacy does not provide any relief for the employee because no invasion of privacy has actually occurred. There is no relief at all available for the employee if he or she is an "at will" worker.

The ability of the employer to move covertly through an employee's e-mail and computer files is the greatest deterrent to developing sound and enforceable policies for electronic privacy in the workplace. Employers must realize that a written policy is the only safe means of monitoring. First, it acts as an affirmative defense against actions under the Constitutional right of privacy, the EPCA, and the common law tort of privacy invasion. Second, it acts as a deterrent that prevents the some of the misuse that the employer expects to find through monitoring. Third, it opens a dialog with employee and gives the employer a chance to explain why some use of the network is harmful to the business. Employees are less likely to feel like that are not trusted when they understand the reasoning behind the policy than when they hear through the office grapevine that management is reading their e-mail. ■

The length of time that is reasonable to listen to a conversation is completely different than what would be reasonable when reading an e-mail.

Cheryl L. Conner is an attorney with Morris & Schneider in Atlanta. She was the 1998 NAWL Outstanding Law Student at the University of Richmond.



CREATING A LIFE YOU LOVE

Deciding What You Want and Creating a Plan are Key Steps

by Susan Ann Koenig

With the start of new century, there is no better time to begin having the life you desire.

Often we recognize the need for change in our lives but are so overwhelmed by every day events that it is hard to find a moment to stop and think about how to create what we long to have.

We consider the need to work on our marketing plan to attract new corporate clients, but are so busy answering phone calls that it never happens. We envy the neighbor who tells about her recent month at the beach, while we struggle to find time for a dinner with a friend.

We can replace frustrations about the quality of our lives and envy of others with satisfaction about our choices and gratitude for all of the wonderful aspects of our lives. It starts with our thoughts.

Desiring Change

The first step is to discern your desires. Is it really important to you to increase your income by 20 percent next year? Do you truly want to take off Tuesday afternoons to volunteer at your child's school? Is your desire to take tennis lessons a burning one?

You must next recognize those pieces of your life that require acceptance rather than change. After all, do you really want to show off washboard abs in a two piece swimsuit? If you do, go for it. If not, put this vision in the "letting go" category and instead consider the steps needed to develop healthy nutrition habits.

Be courageous in your thoughts. After all, at this point you are not required to share your outrageous dreams with anyone. Would you love to be sitting in a big office with a view of the city lights, heading up a big litigation firm? Can you imagine just working 25 hours a week at the office and spending the remainder of your days painting? This is your dream. Be brave. Until you

commit in your mind to the changes you seek, you cannot move toward them. Start thinking today.

Developing the Plan

Having a plan is like having a map. You begin by identifying your destination and then choose the route you will take. Remember the excitement you felt perusing travel brochures for an upcoming trip? Experience those emotions as you plan your life.

While it can be wonderful to envision the ultimate destination, perhaps you only need to determine where you want to be at the end of this hour, day, week, or month. The same principles apply whether you are planning a dinner party, your first book, your garden, your trial strategy, or your retirement.

The practice of law is complex. Most of us have experience in planning our work on cases or advising clients. Whether it is the steps needed to complete a complex corporate transaction or those needed to try a contested custody case, we understand about time lines, deadlines, and the order of events.

Consider how you can apply these steps to creating the life you want. Ask yourself:

- What information will I need?
- What types of resources will be important?
- Who are the people I can ask to help me?
- What am I willing to give up in order to have what I truly desire?
- How can I address the barriers to achieving my goal?
- What amount of risk am I willing to sustain to have what I want?

As your analytical lawyer mind begins to take over, you rapidly see the necessary actions appear before you. Possibilities you

had never imagined are revealed, and road-blocks you did not anticipate show themselves, too.

With each step you must return to the process of remembering the life you want to create, why it is important to you, and what route you must take to get there.

Attaching Time Frames

We know that if we have a trial date in six months that we cannot wait until the last month to send interrogatories. Any lawyer who has raced to file a brief on its due date knows the value of deadlines. They can be a great tool for meeting the deadline of having the life of your dreams. Similarly, in the plan of our lives we must look at the calendar and the clock to stay on track.

Remember what it was like planning for a vacation, a new home, or your first baby? While not without stress, it was filled with of wonderful expectation.

Enjoy that same feeling of expectation about your life as you set the agenda for your future. Recognizing that there is a purpose to the sacrifices you are making today can add meaning to your every day living.

Create the schedule for achieving your dream, and then review it regularly. Even if you are not "on schedule," feel the satisfaction of moving in the right direction.

Putting the Plan into Action While Remaining Flexible and Living Present Moments

We constantly strive for balance in our lives, and remembering the importance of it is critical when moving toward our goals.

Working 70-hour weeks to earn money to take your ill mother on a trip to the mountains will mean little if she dies before you make the time to pay her a short visit. If training to run a marathon leaves you with too little time to have coffee with your sweetheart, you may want to reexamine your priorities.

There will always be the unexpected. Death, serious illness, or other crises can mean our calendar of plans must shift. For most, there are few greater priorities than family and friends so we are more than willing to make adjustments to our personal plans during these times.

It is when we hear ourselves making excuses for our lack of action toward our goals, however, that it is time for reexamination. If week after week passes and we have taken no steps to put our plan in to action, it is important to revisit the question of what we really want, what we are willing to let go of, and what we will act on.

Commit to your life. Create your plan. This is your century. ■

Susan Ann Koenig is a lawyer in Omaha, Nebraska, where her general practice emphasizes family and juvenile issues. She is also an adjunct professor at Creighton University School of Law and at the University of Nebraska at Omaha School of Social Work.



The NAWL Networking Directory is a service for NAWL members to provide career and business networking opportunities within the Association. Inclusion in the directory is an option available to all members, and is neither a solicitation for clients

nor a representation of specialized practice or skills. Areas of practice concentration are shown for networking purposes only. Individuals seeking legal representation should contact a local bar association lawyer referral service.

Concentrations Key

Ad	Administrative
Adm	Admiralty
App	Appellate Appeals
At	Antitrust
AttMa	Attorney Malpractice
Ba	Banks & Banking
Bd	Bonds, Municipal
Bky	Bankruptcy, Creditors
Bu	Business
CA	Class Actions
Ch	Child; Custody; Adoption
Ci	Civil; Civil Rights
C	Collections
Co	Corps.; Partnerships
Com	Commercial
Comp	Computer
Con	Municipalities; Takings
Cons	Constitutional
Cs	Consumer
Cont	Contracts
Cor	Coops; Condos
Cr	Criminal
DR	ADR; Arbitration
De	Defense
Dis	Discrimination
Disc	Attorney Discipline
Ed	Education
El	Elder Law
Em	Employment; ERISA
Ent	Entertainment
Env	Environmental
Eth	Ethics
F	Federal Courts
Fi	Finance or Planning
FL	Family Law
Fo	Foreclosure, Creditors
Fr	Franchising; Distribution
GP	General Practice
GC	Government Contracts
Gu	Guardianship
H	Health
I	Immigration
Ins	Insurance
Int	International & Customs
IP	Intellectual Property (C-copyright; P-patents; TM-trademark; TS-trade secrets)
La	Labor
Ld	Landlord, Tenant
Le	Legal Aid, Poverty
Leg	Legislation
Li	Litigation
LU	Land Use
Mar	Maritime
M/E	Media & Entertainment
Me	Mediator
MeMa	Medical Malpractice
MeN	Medical Negligence
N	Negligence
NP	Nonprofit Organizations
PI	Personal Injury
Pr	Product Liability
Pro	Probate
Pub	Public Interest
RE	Real Property
RM	Risk Management
Sec	Securities
Sex	Sex Harassment; Assault
SS	Social Security
T	Tort
TA	Trade Associations
Tx	Taxation
U	Utilities—Oil & Gas
W	Wills, Estates & Trusts
WC	White Collar
WD	Wrongful Death
Wo	Workers' Compensation
Wom	Women's Rights

ALABAMA

Birmingham

Nina Miglionico

Miglionico & Rumore
Ste 1230, Brown Marx Twr,
35203
205/323-8957 Ch, FL, W,
Pro

Lisa B. Singer

Smith & Ely
2000 A Southbridge Pkwy,
Ste 405
35209, Li

Carol H. Stewart

Burr & Forman
PO Box 830719 35283
205/458-5219 RE, Bu, T, Li

Cary Tynes Wahlheim

Burr & Forman
PO Box 830719, 35283
205/458-5142 H, Li

ARKANSAS

Maumelle

Karon Lynch Martin

PO Box 13617, 72113
501/851-1644 SS

CALIFORNIA

Altadena

Phyllis N. Harris

1215 Sunny Oaks Cir. 91001
626/798-9047 Em, La

Beverly Hills

Nina Marino

9454 Wilshire Blvd,
Ste 500, 90212
310/553-5003 Ad, Cr De,
WC

Long Beach

Patricia A. Bellasalma

Fletcher & Bellasalma
301 E. Ocean Blvd, Ste 1200,
90802
562/901-4930 Ci, Dis, Em,
FL, Sex, T, Wom

Los Angeles

Rochelle Browne

333 S Hope St, 38th Fl,
90071
213/626-8484 LU, Ci, App,
Cons, Li

Leslie A. Cohen

Goldberg Scott
1925 Century Pk E, Ste 2200
90067
310/557-9700 Bky, Li

Robbin L. Itkin

Wynne Spiegel Itkin
1901 Av of the Stars
Ste 1600, 90067, 310/551-
1015 Bky

Dianna Gould-Saltman

Ste 510
4727 Wilshire Blvd. 90010
323/939-8400

Rochelle B. Spandorf

Shapiro Rosenfeld & Close
2029 Century Park East,
Ste 2600, 90067
310/975-7936 Co Fr, IP

Palo Alto

Marjorie Goux

Finnegan, Henderson,
Farabow, Garrett & Dunner
700 Hansen Way, 94304,
650/849-6600 TM

Palos Verdes

Kathleen T. Schwallie

Chevalier Law Firm
18 Encanto Drive 90724
310/530-0582
Bu, Me

Sacramento

Virginia S. Mueller

106 L St, 95814
916/446-3063 FL, Pro

San Diego

Janice L. Sperow

Ruiz & Sperow
3177 A St, 92102
619/235-6684 Bu, CA, Ci,
Com, Cons, Cont, De, Dis,
Ed, Em, IP, Li, Sex, T

San Francisco

D. Jan Duffy

50 California St, Ste 1500,
94111
415/439-5202 EmLi

Justine S. Juson

Schacher Kristoff
505 Montgomery St 94111
415/391-3333 Em, La

Jettie Pierce Selvig

465 California St, Ste 718,
94104
415/981-0150 Pro, Wo

Rebecca A. Speer

465 California St, Ste 200,
94104
415/283-4888 Pl, Pro, Wo

South Pasadena

Ellen A. Pansky

Pansky & Markle
1114 Fremont Av, 91030
213/626-7300 AttMa, Disc,
Li

Walnut Creek

R. Ann Fallon

Whiting Fallon & Ross
1500 Newell Ave., 5th Fl.
94596
925/296-6000

COLORADO

Denver

Jenny R. Mullennix

9085 E. Mississippi Ave.
No. N102 80231-2076
303/695-5212

CONNECTICUT

Madison

Rebecca Westerlund

52 Old Toll Rd. 06443
203/421-0918
Cont

DELAWARE

Wilmington

Gretchen Ann Bender
Morris James Hitchens &
Williams
P.O. Box 2306 19899
302/888-6806

DISTRICT OF COLUMBIA

Katherine J. Henry
Dickstein, Shapiro, Morin &
Oshinsky LLP
2101 L St NW, 20037-1526
202/785-9700 App, WC, Li,
DR, Ins

Anne Kornbau
Browdy & Neimark
419 7th St NW, 20004
202/628-5197 IP

Camilla C. McKinney
Cooper & Associates PC
1050 17th St, Ste 400
20036

Corrine P. Parver
Dickstein, Shapiro, Morin &
Oshinsky LLP
2101 L St NW, 20037-1526
202/775-4728 H

Diana M. Savit
Mendelsohn & Szymkowicz
1233 20th St NW, Ste 800,
20036
202/778-1238 Com, Em, Li

FLORIDA

Alachua

Kathleen C. Fox
PO Box 1930, 32616
904/462-5157 FL, PI, Sex

Boca Raton

Charlotte H. Danciu
370 W Camino Gardens Blvd,
Ste 210, 33432
561/392-5445 Ch, Surrogacy

Ellen R. Itzler
Osborne & Osborne
798 S Fedl Hwy, Ste 100
PO Drawer 40, 33429
407/395-1000 Ba, Cont, Ld,
RE

Ft. Lauderdale

Kimberly A. Gilmour
15th Fl, 110 SE 6th St,
33301
954/760-4911 La, Em, GP
Mary Jo Meives
Ste 1010, 515 E Las Olas
Blvd, 33301
305/554-5900 MeMa, PI

Jacksonville

Mary K. Phillips
Gentry & Phillips
6 East Bay St, Ste 400,
P.O. Box 837, 32201
904/356-4100 MeN, MeMa,
T, WD

Miami

Jennifer Coberly
Zuckerman, Spaeder, Taylor
& Evans
201 S Biscayne Blvd, Ste
900, 33131
305/579-0110 Com, Li

Karen A. Gievers
750 Courthouse Twr.
44 W Flagler St. 33130
305/374-0521

Orlando

Patricia A. Doherty
PO Box 568188, 32856
407/843-7060 MeN, Sex, N,
Li, MeMa, PI, WD

Plantation

Sonya L. Salkin
Malnik & Salkin, PA
Ste 216, 1776 N Pine Island
Rd, 33322
954/423-4469 Bky, Com, Ci,
Li

Reddick

Martha Johnston
11734 NW 90th Ave
32686

St. Petersburg

Ellen Neil Kalmbacher
Holland & Knight
PO Box 3542, 33731
813/896-7171 Con, LU, RE,
Tx Li, Env, RE

West Palm Beach

Victoria A. Calebrese
Lewis Kapner, PA
250 Australian Av So, 33401
561/655-3000 FL

GEORGIA

Atlanta

Kristine Smith Cavin
Smith Ronick & Corbin LLC
750 Hammond Dr, Bldg II,
30328
404/256-9000 RE, GP

Nora M. Tocups
1100 Peachtree St, Ste 2800,
30309
404/815-6213 IP, P

ILLINOIS

Chicago

Patricia A. Collins
Asher Gittler, Greenfield &
D'Alba, Ltd
125 S Wacker Dr, Ste 1100,
60606
312/263-1500 DR, Dis, Em,
La, Sex, Ci
Susan Fox Gillis
Fischel & Kahn
190 S LaSalle St, Ste 2850,
60602
312/726-0440 Cont, N, Pr, T

Jean M. Golden
20 W Wacker, Ste 1040,
60606
312/444-2489 Ins

Lydia R.B. Kelley
McDermott Will & Emery
227 W. Monroe St. 60606
312/984-6470 Tx

Dixie Lee Laswell
Seyfarth Shaw Fairweather &
Geraldson
55 E Monroe, Ste 4200
60603
312/269-8863 Env

Colleen McManus
Rudnick & Wolfe, 203 N.
LaSalle St, Ste 1800, 60601
312/368-7027 Bky, Com Li

Debra L. Suchor
Associate General Counsel
222 S. Riverside Plaza,
6th Flr 60606
312/648-7714

Schaumburg

Margaret Basch
850 E. Higgins Rd. 60173
847/240-1199

INDIANA

Valparaiso

Tina M. Bengs
Hoepfner, Wagner & Evans
103 E. Lincoln Way, 46384
219/464-4961 Li, De, Em,
Wo

Karen M. Read
Hoepfner, Wagner & Evans
103 E. Lincoln Way, 46384
219/464-4961 Ins, De, PI, Pr,
Wo

William F. Satterlee III
Hoepfner, Wagner & Evans
103 E. Lincoln Way, 46384
219/465-7005 Me, Li

NORTH CAROLINA

Raleigh

Lynne E. Barber
PO Box 6450
27628

IOWA

Des Moines

**Lorelei Heisinger
Brewick**
400 Homestead Bldg
303 Locust, 50309 Leg
515/282-6803

Roxanne Barton Conlin
300 Walnut St, #5, 50309
515/282-3329 PI, MeN, Dis,
Disc, Li, N, Sex, T, WD

KANSAS

Wichita

Amy J. Liebau
Hinkle Elkouri LLC
201 N Main Street, Ste 2000
62702
TaLi

KENTUCKY

Louisville

**Virginia Collins
Burbank**
Burbank & Collins
1st Trust Ct 600 N, 200 S
5th and Market St, 40202
502/585-5100

Maria A. Fernandez
Fernandez Friedman
Grossman & Kohn
2400 National City Tower,
101 S. Fifth St., 40202
502/589-1001 W, Tx, Pro,
Bu

LOUISIANA

New Orleans
Stefanie J. Allweiss
McCalla Thompson Pyburn
Hymowitz & Shapiro
650 Poydras St, Ste 2800,
70130
504/524-2499 La, Em
Lynn M. Luker
Luker, Sibal & McMurtray
616 Girod St, Ste 200 70130
504/525-5500 Mar, T, Dis,
CA

Megan Shemwell Nash
McCalla Thompson Pyburn
Hymowitz & Shapiro
650 Poydras St, Ste 2800,
70130
504/524-2499 La, Em

MARYLAND

Baltimore
Jana Howard Carey
Venable, Baetjer & Howard
2 Hopkins Plz, 1800
Mercantile Bk Bldg, 21201
410/244-7636 La, Emp
Bethesda
Carol Garfiel Freeman
6835 Tulip Hill
20816
202/354-3371
Cr, App

Enid Veron
7028 Mountain Gate Dr,
20817
Fi

Rockville
Jo Benson Fogel
5900 Hubbard Dr, 20852
301/468-2288 FL

MASSACHUSETTS

Dedham
Faith F. Driscoll
14 Carlisle Rd, 02026
508/294-6165 IP
Norwood
Margaret B. Drew
477 Washington St, 02062
617/255-9595 Pro, W, FL,
RE
MICHIGAN

Ann Arbor
Jean Ledwith King
277 E Liberty, 48104
313/662-1334 Ci, Cn, Dis,
ED, Em, Fo, GP, PI, Sex, WC,
WD

Detroit
Margaret A. Costello
Dykema Gossett
400 Renaissance Ctr, 48243
313/568-5306 Li, Int
Farmington Hills
Nina Dodge Abrams
30300 Nrthwstrn Hwy, Ste
112
48334, 810/932-3540 FL

Grand Rapids
Elizabeth Bransdorfer
Mika Meyers Beckett &
Jones PLC
200 Ottawa Av NW, Ste 700,
49503
616/459-3200 Li
Nancy Lynn Haynes
200 Ottawa Av NW, Ste 700,
49503
616/459-3200 Em, Li
Jennifer L. Jordan
Miller, Johnson, Snell &
Cummiskey
P.O. Box 306, 49501-0306
616/831-1778

Lansing
Janis L. Blough
3000 W Michigan Ave,
48917-2917
517/482-4815 Ch, FL, Cr
Lorraine H. Weber
Open Justice Consultant
306 Townsend 8933-2083
1-800-968-1442

Mt. Clemens
Jacqueline R. Wright
120 Market St, 48043
810/468-1090 FL, Co, Pro,
W

Oak Park
Michelle L. Gullet
PO Box 37456 48237
248/544-0655
Cr, Juv, Tx

MINNESOTA

Minneapolis
Susan A. Miller
Tomsche Sonnesyn &
Tomsche, PA
888 Lumber Exch. Bldg.
10 S. 5th Street 55402
612/338-4449
Heidi E. Viesturs
Robins Kaplan Miller &
Ciresi, LLP
2800 LaSalle Pl, 800
LaSalle Ave 55402
612/349-8500
Li, Tel

MISSISSIPPI

Biloxi
Clare S. Hornsby
Sekul, Hornsby, Tisdale &
Baker
PO Box 548, 39533
601/374-5566 Ch, FL, Gu,
Pro, W

Jackson
Kristina Johnson
Watkins Ludlam Winter &
Stennis, PO Box 427, 39205
601/949-4785 Bky, Li

MISSOURI

Kansas City
Jennifer Charno Nelson
Lathrop & Gage
2345 Grand Blvd, Ste 2500,
64108-2684
816/460-5820 Env
Teresa A. Woody
Spencer Fane et al
1000 Walnut St, Ste 1400,
64106
816/292-8107 Com, Env, At

Rosetta Robins
Blackwell Sanders Peper
Martin
2300 Main St, Ste 1000,
64108
816/983-8170 DR Em

NEBRASKA

Omaha
Susan Ann Koenig
319 S. 17th St, Ste 740,
65102
402/346-1132 FL, C, Wom

NEVADA

Las Vegas
Sandra Smagac
Alverson Taylor
7401 W Charleston Blvd,
89117
App, AttMA, De, Em, F, H, Li,
Pr
Lillian J. Sondgeroth
1509 S Eastern Av, 89104
702/382-2288 PI, FL, W, CP,
Ch

NEW HAMPSHIRE

Manchester
Jo Ann Brighton
Nixon Peabody LLP
889 Elm St, 03101
603/628-4000 Bky, No

NEW JERSEY

Cherry Hill
Stacy Alison Fols
Montgomery McCracken
457 Haddonfield Rd, Ste 600,
08002
609/488-7729 App, Li
Collingswood
Miriam N. Jacobson
900 Haddon Av, Ste 412,
08108
609/858-7775 Re, Bu, W,
Com (also Philadelphia, Pa.)
Haddonfield
Denise M. Keyser
Archer & Greiner
One Centennial Sq, 08033-
0968
609/795-2121 La, Em, Sex

Highland Park

Emily Arnow Alman

Alman & Michaels
611 S. Park Av, 08904
908/819-8444 FL, Ch, Ed,
Dis, Sex

New Brunswick

Lynn F. Miller

Miller & Miller, PA
96 Paterson St, 08901
908/828-2234 Bky, FL, Cont,
GP, Ent, RE, PI, N, Gu

Newark

Lynn Anne Anderson

Sills Cummis
One Riverside Plaza
07102
973/643-5686
Em, La

Roseland

Beth Hinsdale

Grotta, Glassman & Hoffman,
175 Livingston Ave, 07068
973/994-7523 Em, La

Geralyn G. Humphrey

Orloff, Lowenbach, Stifelman
& Siegel
101 Eisenhower Pky 07068
973/622-6200
Bky, Cont Co, Com

NEW YORK

New York

Lauren S. Albert

1633 Broadway, 46th Floor
10019
Li, At

Leona Beane

Rm 1100, 11 Park Pl, 10007
212/608-0919 Gu, W, DR

Robert L. Geltzer

Tendler, Biggins & Geltzer
1556 3rd Av, Ste 505, 10022
212/410-0100 App, Ba, Bky,
Bu, Ch, Co, Com, Cs, Cont,
DR, GP, IP, Li, M, Me, N, PI,
Pr, Pro, RE, T, W

Gloria S. Neuwirth

Davidson, Dawson & Clark
330 Madison Av, 35th Fl,
10017
212/557-7720 W, Tx, Gu

NORTH CAROLINA

Raleigh

Lynn E. Barber

P.O. Box 6450

OHIO

Columbus

Beatrice K. Sowald

Ste 101, 400 S Fifth St,
43215
614/464-1877 FL, Pro

Elizabeth M. Stanton

Moots Cope & Stanton
3600 Olentangy River Rd,
Bldg 501, 43214-3913
614/459-4140 Em, Ad, Dis

Hamilton

Barbara L. Morgenstern

Morgenstern & Gates Co,
LPA
604 First National Bank Bldg,
45011
513/893-6122 GP

Lancaster

Andrea G. Woods

Dagger, Johnston, Miller,
Ogilvie & Hampson LLP
PO Box 667, 43130-0667
Li, Em, Bu

PENNSYLVANIA

Bala Cynwyd

Nancy O'Mara Ezold

401 City Av, Ste 904, 19004
610/660-5585 Cont, Dis, Li,
N, PI, Sex, T, WC, WD

Norristown

Grace C. Kennedy

540 Swede St, 19401
610/279-8700 GP, Pro, W

Philadelphia

Jeanne Schubert

Barnum

Pelino & Lentz, PC
One Liberty Pl, 32nd Fl,
19103
215/665-1540 Li

Doris J. Dabrowski

1308 Spruce St, 19107
215/790-1115 Ad, App,
Cont, Em, FL, Pro, Cors, Li

Mary Alice Duffy

612 One E Penn Sq, 19107
215/568-2576 GP

Cecelia L. Fanelli

Duane, Morris & Heckscher
1 Liberty Pl, 19103
215/979-1126 Com

Miriam N. Jacobson

1528 Walnut St, 5th Fl,
19102
215/546-2400 RE, Bu, W,
Com (also Collingswood, NJ)

Leslie Anne Miller

McKissock & Hoffman, PC
1700 Market St, Ste 3000,
19103
215/246-2106 MeMa, Li,
App

Kathleen Mock

Mylotte David & Fitzpatrick,
1645 Market St, 9th Flr,
19103 215/751-9450 MeM

Beatrice O'Donnell

Duane, Morris & Heckscher
One Liberty Pl, Ste 4200,
19103
215/979-1113 MeMa, T,
Com, Ins, Pr

Victoria Page-Wooten

Pelino & Lentz
One Liberty Pl, 32nd Fl,
19103
215/246-3151 Bu, RE, Com,
Cont, Bd, Fi

Mary F. Platt

Montgomery McCracken
Walker & Rhoads
123 S. Broad St, 19109
215/772-7280 Li, Env

Linda Richenderfer

Saul, Ewing, Remick & Saul
3800 Centre Sq W, 19102
215/972-7116 Li, WC, Env

Mary A. Scherf

123 S. Broad St, Ste
1710, 19109-1098
215/790-9077 Ch, W, FL, EI

Elise E. Singer

Duane Morris Heckscher
One Liberty PL
19103

Pittsburgh

Marlene J. Bernstein

1133 Penn Av, 5th Fl, 15222
412/456-8105 Bky

Wayne

Susan F. Dubow

Kalogredis Tsoules &
Sweeney
995 Old Eagle School Rd, Ste
315, 19087
610/687-8314 H, Bu

RHODE ISLAND

Providence

Kimberly A. Simpson

Vetter & White
20 Washington Place
02903
401/421-3060

SOUTH CAROLINA

Columbia

Zoe Sanders Nettles

Nelson, Mullins, Riley &
Scarborough, LLP
1330 Lady Street, Third Floor
29211

Greenville

Linda Byars McKenzie

PO Box 2547, 29602
864/271-2270 SS, Wo

Mt. Pleasant

Kathleen McMahon Harelston

The Harelston Law Firm
909 Tall Pine Road 29464
843/971-9453
IP

TENNESSEE

Nashville

Nancy Krider Corley

20th Flr., 1st American
Center
PO Box 198525, 37219
615/244-5432 Em, Ins, T,
Wo

Kathryn Reed Edge

Miller & Martin
424 Church, Ste 2325,
37219
615/244-3119 Ba, Co

Marlene Eskind Moses
One Church St Bldg, Ste 500,
37201-1607
615/242-2521 Fl, Gu

TEXAS

Austin

Amie Rodnick
Cox & Rodnick
507 W 7th St, 78701
512/477-2226 FL

Dallas

Jeanne M. Huey
Donohoe Jameson & Carroll
1201 Elm St, Ste3400,
75270
BuLi, EmLi, Co, DeLi, Ins

Retta A. Miller
Jackson Walker
901 Main St, Ste 6000,
75202
214/953-6035 Li, Sec, Pr,
App, DR, F

San Antonio
Cynthia Eva Hujar Orr
310 S St. Mary's, Ste 2900,
78205
210/226-1463 Cr, App

UTAH

Salt Lake City

Patricia A. O'Rorke
6965 Union Park Center, Ste
450, 84047
801/569-3131 Bu, Em

VIRGINIA

McLean

William Thomas Welch
Barton Mountain & Tolle
1320 Old Chain Bridge Rd,
22101
703/448-1810 GovCont

WASHINGTON, D.C.

Washington, D.C.
Camilla C. McKinney
Cooper & Associates PC
1050 17th St, Ste 400
20036

WISCONSIN

Marinette

Dorothy Nelson Topel
PO Box 463
1851 Riverside Av, 54143
715/735-6633 Pro, RE

WYOMING

Powell

Jessica Loeper
PO Box 1152, 82435
307/754-3900 Ch, GP, Cr,
FL, W, Bu, RE, PI

Riverton

NettaBell Girard
513 E Main St, PO Box
687, 82501
307/856-9339 Bky, Bu,
FL, W, RE

CANADA

Toronto

Lori Duffy
Weir & Foulds
1600 Exchange Tower, 130
King St West, M5X 1J5
416/947-5009 ComRE, W

MEXICO

Estela Rodriguez Botello
Legarreta Y Asociados
Carpicacho Ajusco 130-503
Col Jardines en la
Montana
CP 14210



Don't miss NAWL's program at the London portion of the Annual Meeting. NAWL treasurer-elect Linda Bernard has assembled a panel of international analysts to look at an issue that is already transforming society and the law.

Government, Inc.? A Comparison of Public Service Megatrends in the United States and Great Britain

10:00 am – 12:00 pm
Church House Conference Center
Harvey Goodwin Room



Panelists: **Patricia Ireland**, *President of NOW, the National Association of Women*
John Blundell, *General Director of the Institute of Economic Affairs*
Henry Gibbon, *Editor of Privatisation International magazine*
Katherine Hagen, *Deputy Director General of ILO, the International Labour Organization*
Linda Bernard, *CEO of Wayne County Neighborhood Legal Services*

Privatization is in vogue in Great Britain and the U.S.A. This seminar explores the argument that the private sector can provide public services more effectively than government. Panelists will address the ramifications of the issue and how this trend may affect us from community, trade union, private business, government and legal perspectives.

THE YEAR 2000 NAWL **OUTSTANDING LAW STUDENTS**

These women have been selected by their law schools for the NAWL Outstanding Law Student Award as being the best and brightest. The criteria for the award is not merely academic excellence, but evidence of a personal commitment to improve the position of women in society and in the legal profession. They have earned the respect of their deans and inspired their peers by their motivation, tenacity and enthusiasm. NAWL is for women who want to change the world and for men who want to help them. By honoring their dedication to excellence, we encourage them to continue making a difference.

Rose Cuison
**Washington College of Law
American University**

Jennifer Corinis
Boston University School of Law

Adrienne Toomey
**University of California
School of Law, Berkeley**

Rachel Glitz
**University of California, Davis
School of Law**

Gina Bertolini
**University of California
Hastings College of Law**

Parrish Kathryn Hayes
**Campbell University
Norman Adrian Wiggins School of Law**

Susan Elizabeth Thompson
Capital University Law School

Becky M. O'Brien
**Columbus School of Law
Catholic University of America**

Sarina Turner
Thomas M. Cooley Law School

Michelle L. Knowles
Chapman University

Katherine Gallagher
**City University of New York School
of Law**

Jennifer K. Braman
Cleveland-Marshall College of Law

Wendy E. Millette
University of Connecticut School of Law

Stacy Lynn Smith
Cornell Law School

Winifred M. Boyle
University of Dayton School of Law

Marisa Amin
University of Denver College of Law

Tina Tiliks
DePaul University College of Law

Hope Barrett
**David A. Clarke School of Law
University of the District of
Columbia**

Cameron Gilreath
Emory University School of Law

Elizabeth E. Malang
Fordham University School of Law

Femeia Adamson
Georgetown University Law Center

Shelley Senterfitt
**University of Georgia
School of Law, Athens**

Sophie E. Bryan
Harvard Law School

Susan Dillon
University of Houston Law Center

Alecia Riewerts
**University of Illinois College of Law
Urbana-Champaign**

Kristina Martin
University of Iowa College of Law

Jennifer A. Fust
**Brandeis School of Law
University of Louisville**

Melissa M. Dulac
Loyola Law School Los Angeles, CA

Tasha Stockwell Simmons
Loyola University School of Law

Kristin M. Watson
Marquette University Law School

Marita K. Mike
University of Maryland School of Law

Penelope A. Dixon
**Walter George School of Law Mercer
University**

Vanessa Sloot
University of Miami School of Law

Lea Filippi
University of Michigan Law School

Tracey Holmes Donesky
University of Minnesota School of Law

Tammy L. Shaw
University of Mississippi School of Law

Ginger K. Gooch
**University of Missouri-Columbia
School of Law**

S. Carolyn Ramos
**University of New Mexico
School of Law**

Sara Cliffe
**Northern Illinois University
College of Law**

Maritza I. Reyes-Jandali
**Shepard Broad Law Center
Nova Southeastern University**

Stephanie M. Corley
**Claude Pettit College of Law
Ohio Northern University**

Heather L. Jones
Ohio State University College of Law

Laurie Allen Burton
**Oklahoma City University
School of Law**

Katherine Woodhouse
Pace University School of Law

Jennifer Bogar
**Dickinson School of Law
Pennsylvania State University**

Angela Taylor
Regent University School of Law

Dianne O. Woodburn
St. John's University School of Law

Demetra Lynn Liggins
**Cumberland School of Law
 Samford University**

Claudine Ruiz
University of San Diego School of Law

Kathleen Stimeling
**University of San Francisco
 School of Law**

Cameron Stubbs McKesson
Santa Clara University School of Law

Lara Herrmann
Seattle University School of Law

Patricia Shumaker
**University of South Carolina
 School of Law**

Paula McInerney-Hall
**University of South Dakota
 School of Law**

Chantel N. Jones
Southern University Law Center

Vanessa Eisemann
**University of Southern California
 Law School**

Michele Miller
**Southern Illinois University
 School of Law**

Elizabeth Bayless
**Southwestern University School
 of Law**

Andrea Michelle Kurak
Stetson University College of Law

Andrea L. Geiger
Suffolk University Law School

Carrie E. Archie
**College of Law
 University of Tennessee-Knoxville**

Gladys Osagiede
**Thurgood Marshall School of Law
 Texas Southern University**

Marisa Di Tillio
Thomas Jefferson School of Law

Melissa Stewart
University of Tulsa College of Law

Leah Guidry
**Jacob Fuchsberg Law Center
 Touro College**

Brenda Mesker
Washburn University School of Law

Desiree Lyonette
University of Toledo College of Law

Nancy B. Pridgen
Vanderbilt University Law School

Amy Hutchens
University of Missouri School of Law

Sungeeta Jain
**University of Washington
 School of Law**

Aphrodite T. Kavyas
Tulane Law School, Tulane University

Charla Hausler
Valparaiso University School of Law

Erin Naftali
Benjamin Cardozo School of Law

Patrice A. Hamilton
Quinnipiac College School of Law

Laura Hoppenstein
University of Baltimore School of Law

Allison R. Librett
University of Utah School of Law

Debra J. Lehman
Widener University School of Law

Margaret O. Darby
Vermont Law School

Tammy Lynne Grimm
Willamette University College of Law

Meghan McCormick
University of Wisconsin Madison

Devon O'Connell Coleman
University of Wyoming College of Law

Margaret Randolph Duval
University of Virginia School of Law

Maureen E. Flynn
University at Buffalo Law School

i see
not just the letter of the law...

i see the *humanity* of the law.



"Too many are not heard. I see the representation of these voiceless people as the highest and best calling for a lawyer, the only way to achieve the right to quality education, decent housing and a safe environment; the right to participate in the electoral process fully and to be treated fairly is the administration of justice; the right to significant opportunity in training, employment and economic development."

Elaine R. Jones
President and Director-Counsel
NAACP Legal Defense and Education Fund

LEXIS Publishing...whatever you see, we'll help you achieve by continuously developing new and better ways to be your best.

LEXIS Publishing[™]
LEXIS-NEXIS • MARTINDALE-HUBBELL
MATTHEW BENDER • MICHIE • SHEPARD'S

LEXIS, NEXIS and Martindale-Hubbell are registered trademarks, and LEXIS Publishing and MICHIE are trademarks of Reed Elsevier Properties Inc., used under license. SHEPARD'S is a registered trademark of SHEPARD'S Company. Matthew Bender is a registered trademark of Matthew Bender Properties Inc. ©2000 LEXIS-NEXIS Group. All rights reserved.



New York Annual Meeting REGISTRATION

July 6 – 9, 2000

Name: _____

Telephone: () _____

Address: _____

NAWL member registration for Annual Meeting (includes both programs): \$100.00 ☐

Non-member registration fees for individual programs (w/MCLE credit):

Beyond the Glass Ceiling for Women & Other Minorities - July 7, 9:45-11:45 am \$ 50.00 ☐

Privacy and the Internet - July 7, 2:00-4:30 pm \$ 75.00 ☐

Arabella Babb Mansfield Awards Luncheon - July 8, 11:30-2:15

(Price reflects New York costs)

Member: \$70.00 ☐

Non-member: \$75.00 ☐

Commission on Women in the Profession's Margaret Brent Awards Luncheon \$100.00 ☐

NASD Alternative Dispute Resolution training - : Thursday July 6, 1:00-5:00

Member \$75.00 ☐

Non-member \$100.00 ☐

TOTAL: \$ _____

NAWL registration fee includes Luncheon, General Assembly and program materials, refreshments, name tags and conference administrative expenses.

You may charge your registration and luncheon reservations or you may register on-line at our web site:
www.abanet.org/NAWL. VISA/MC or American Express are accepted. You may fax registration to: (312) 988-6281.

☐ Check

VISA ☐ Mastercard ☐ AmEx ☐

Account No _____ Expiration Date: ____/____/____

Signature: _____

Checks should be made payable to the National Association of Women Lawyers® and sent to:

NAWL®

American Bar Center, 12.4
750 N. Lake Shore Drive
Chicago, IL 60611

Alternative Dispute Resolution training fees should be sent to:

NASD Regulation, Inc.

Attn: Joyce Philius
125 Broad Street, 36th Floor
New York, NY 10004-2193

Registration & reservations must be received no later than June 26, 2000.

National Association of Women Lawyers
American Bar Association, 12.4
750 N. Lake Shore Drive
Chicago, Ill. 60611-4497

FIRST CLASS
U.S. Postage
PAID
American Bar
Association