

THE BAR

SUMMER 2000

Women's Bar Association of the District of Columbia

RAISING

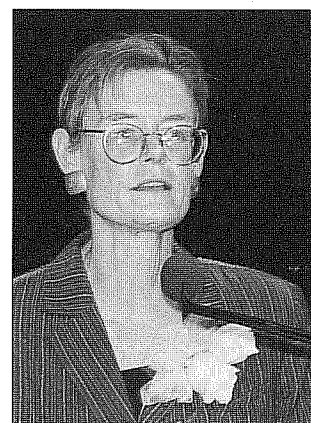
2000 WBA/WBAF Annual Awards Dinner *Mentoring is Work that Matters*

"If you spread some of your talent around by mentoring, you will not only be helping to remove one of the more subtle forms of discrimination that continues to hold women and minorities back, you will be helping society as a whole," Geraldine Ferraro told a crowd of approximately nine hundred attorneys from across the Washington, D.C. area at the WBA/WBAF Annual Awards dinner.

Ms. Ferraro was the keynote speaker at the dinner, which was held at the National Building Museum. The dinner honored Eleanor ("Eldie") Acheson as the Woman Lawyer of the Year, an award presented by Attorney General Janet Reno. As part of the theme for the evening, Hearts Full of Grace: A Celebration of Mentoring, the dinner also paid tribute to the seventeen individuals on the Honorary Committee. Each was a mentor nominated by a WBA member, resulting in a diverse group of honorees that included women, men, parents, siblings, lawyers and non-lawyers.

Outgoing WBA President Marguerite S. Willis set the tone for the evening by challenging the audience members to set their priorities and do what matters. She told the audience to picture a bus coming down the street and asked them for whom they would step in front of the bus. The person or people named are those who matter and should receive priority. Similarly, important work needs to receive

priority. "Mentoring is work that matters," she said. "The work of the WBA and its Foundation matters." She urged everyone in the room to remember his or her mentors and to be mentors, and introduced Ms. Ferraro as



*Woman Lawyer of the Year
Eleanor Acheson*

someone who has been a mentor and role model for many women.

Ms. Ferraro, a lawyer, is the current president of G&L Strategies, a former member of the House of Representatives, and a former vice presidential candidate. In her keynote address, she spoke about the impact mentoring has had on her life as well as its importance to society. She acknowledged that she could not have been so effective in the House had Tip O'Neill not taken her under his wing, and told stories of others who had guided her career. She said, "As a practical matter, mentoring makes sense. I believe that a mentoring program is not only good for the mentee, but it is also good business. It improves the workplace

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Annual Dinner Pictures

Pictures from the dinner are available for purchase. See page 15 for details.

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The Women's Bar Association and the Women's Bar Association Foundation thank the following for their support of the 2000 Annual Awards Dinner:

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The WBA Grows Women Lawyers

BY MARY KATE WHALEN

Why do we need the WBA? It's a fair question. After all, the WBA was founded in 1917 because women weren't

allowed to join the D.C. Bar Association, and now it's the year 2000 and women not only are members of the D.C. Bar, but have served as its President and on its governing board. In addition, women now comprise half of law school admissions and, in most cases, half of all starting associate classes in law firms. Women are partners in law firms, general counsel in corporations and in government agencies, members of Congress, Cabinet members and justices on the United States Supreme Court. So then, why is there a need for women's professional organizations like the WBA?

I asked myself the same question when I graduated from law school in 1990, and again before joining the WBA in 1994. As one of five daughters (no sons) in my family, I had never been told that I couldn't do or achieve something because of my gender. I had a job in a prestigious law firm and had not experienced overt sex discrimination or harassment. And, as a single woman, the WBA didn't seem to be the right place to meet men. So why did I join, let alone become President?

The simple answer is that the WBA grows women lawyers. It helps us in many ways to advance professionally and personally, giving us skills and opportunities to make it where we want to go. Here are but four of the ways:

1. A CLOSE LEGAL COMMUNITY

I used to be an associate in Boston. Similar to D.C., Boston has a large number of lawyers, but at the same time has a close legal community. Having gone to law school in Boston and practiced in Boston for 4 years, I rarely walked through the city or into a courtroom without running into someone I knew. For a novice litigator, my colleagues were an invaluable source of information about opposing counsel and the viewpoints and peccadilloes of various judges and their clerks (Ally McBeal is not far off in that respect). Also, it is just more fun, especially when you can watch your annoying law school class brown noser (and everyone has one) get a harsh reality check before a notorious judge.

However, when I moved to D.C. and started practicing with the Drug Enforcement Administration, I no longer had that sense of legal community. I knew very few lawyers in D.C. My practice litigating administrative cases

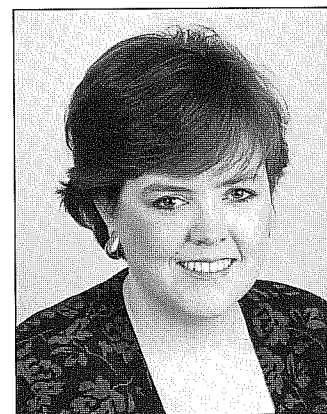
for the agency was spread throughout the country, so I rarely encountered the same lawyer or firm twice.

Now, having been actively involved in the WBA for six years, I have friends and contacts at many of the law firms in the D.C. area. When I, or a friend or a client (now that I'm back in private practice) need information or representation beyond my experience, I can easily pick up a phone or send an email to another WBA member and be sure of a response. Further, for many federal government lawyers whose offices are located in D.C. but whose practices in actuality are scattered throughout the country, the WBA offers a connection to the local legal community.

2. LEADERSHIP OPPORTUNITIES

When I started with the DEA five years ago, I had very little knowledge about federal drug regulation, aside from general commercial litigation experience. Nonetheless, within three years I was promoted from staff attorney to Associate Chief Counsel in charge of the section. While I would like to attribute my relatively quick ascent to my Mensa-like legal capabilities, in reality the leadership opportunities that I experienced with the WBA, at a relatively young age, provided me with the insight, management skills and, most importantly, confidence, that allowed me to stand out from the other candidates and to handle the responsibilities of the job.

Leadership opportunities are not hard to come by with the WBA. My first year in D.C., I volunteered to participate in the planning for the WBA/WBAF Annual Awards Dinner. That led to positions as co-Chair for the Litigation Forum, Secretary and Board member of the WBA, and now, WBA President—within the span of just five years. Each position provided me with invaluable management experience including planning and budgeting programs, contacting speakers, working with volunteers and staff members and working diplomatically



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WBA NEWS BRIEFS

NEW OFFICERS, BOARD MEMBERS ELECTED

Bushmiller, Calvert Step Down from Board

In April, Ann Bushmiller resigned her seat on the WBA's Board of Directors as part of her career transition to the White House counsel's office. Bushmiller had served the first year of her three-year term. Cynthia Calvert also submitted her resignation, due to relocation out of the area. She will remain the Editor of *Raising The Bar*. One year remained in her term. Successors for Bushmiller and Calvert were elected in the WBA's general election.

In the general election, Deborah J. Israel ran unopposed and was elected WBA President-Elect. She will take office as President for the 2001-2002 term. Heidi Sorensen was elected Treasurer, and Marina

Lyn Beckhard was elected Secretary. In accordance with WBA by-laws, Mary Kate Whalen assumed the office of President and Ellen Jakovic became Treasurer.

The following were elected to the WBA Board of Directors: Norma Brown Hutcheson (three-year term); Diane M. Brenneman (three-year term); Elizabeth Calderon (two-year term); and Marjorie A. Burnett (one-year term).

Mellie Nelson, elections chair, oversaw the election and the counting of the ballots, and we thank her for her efforts.

FROM THE OFFICE:

The WBA office will be closed on Fridays during the summer. Regular business hours will be Monday through Thursday, 9:00 a.m. to 5:30 p.m. Friday office hours will resume after Labor Day.

The WBA thanks Asa Moeller, an attorney from Sweden who provided invaluable office assistance to the WBA during the winter and spring. We wish her well as she resumes her practice.

Linda Bray Chanow's report about part-time work for attorneys in the District of Columbia has been posted on the WBA website since May (www.wbadc.org). The report has been very popular and has received many "hits." Thanks to a grant from the WBAF, the report was also printed in hard copy. Copies are available to be picked up in person from the WBA office.

Membership renewal forms have been mailed to all members. If you did not receive your renewal form, please contact the office. Please return completed renewal forms to the office as soon as possible.

FROM THE EDITOR

A Shot of Energy

BY CYNTHIA THOMAS CALVERT

One of the things I love about the WBA/WBAF annual dinner is the energized feeling it gives me to see a room full of accomplished women lawyers. I can feel our collective brilliance, vitality, and strength. We are a powerful force.

This issue was put together with some of that energy, and brings you snapshots of several very accomplished women—Ann Morgan Vickery, Agnes Powell, Tracy-Gene Durkin, Laurie Mintzer, and more. I hope you enjoy getting to know them as much as I did.

With the rest of the energy, I am making over my professional life. I have left the wonderful firm of Miller, Cassidy, Larroca & Lewin, L.L.P. to start my own practice. I will be concentrating in employment law, providing counsel to small businesses and startup dotcoms about employee contracts and manuals, protection of trade secrets, sexual harassment prevention, and the like. I will also be a co-director of PAR, the Project for Attorney Retention, which is a grant-funded project to develop a set of recommendations for D.C. law firms about providing meaningful

reduced-hours schedules for attorneys that aren't punitive "mommy tracks." (See "PAR Begins Operations" in this issue for more details.) Add to that my roles as editor and counsel for some websites and editor of *Raising The Bar*, and you'll see that my plate is quite full.

As I head out on my own, I realize that I need to market my practice much more than I ever have before. I know many of you have the same need, and I invite you to use RTB to let your WBA colleagues know more about your practice. Send us articles about your substantive area of practice, items for Members on the Move, and information about interesting matters you have recently handled. Whenever I am asked if I know an attorney who practices in a particular area, I think first of my WBA colleagues. If I know what you do and I can see evidence of your expertise from your writings or cases, it will be much easier for me to refer matters to you. Summer's slower pace gives you the perfect opportunity to pick up your pen.

You government lawyers should pick up your pens, too. RTB is still looking for a few

good members in government to write articles or columns. We have a lot of ideas for topics and we can help you with some terrific editing from our editorial board, but we need your experience and insights. Please call me to talk about how you can get involved.

We wish you all a relaxing and fun summer. Read in a shady hammock (check out our book recommendations), splash in some water, and restore your energy!

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Leading By Example

A FEW MOMENTS WITH ANN MORGAN VICKERY

BY CYNTHIA THOMAS CALVERT

WBA member Ann Morgan Vickery is the Managing Partner of the D.C. office of Hogan & Hartson L.L.P., and the Practice Director of the firm's Health Group. Her practice focuses on federal and state regulation of health care, and she represents manufacturers, associations and providers of health care products and services. Prior to law school, she served on the White House staff, and while in law school, she worked on the staff of the Secretary of the Treasury. She received her J.D. from Georgetown University Law Center. Here are some excerpts from our recent conversation about her role as managing partner:

RTB: When did you join Hogan & Hartson?

AMV: I came right out of law school (in 1978) and have been here ever since. I had government experience and I was looking for exactly the right way to use the law degree and the government experience. It took, quite honestly, several years to find the right niche. I disclose that to people because I think it's important for young people who aren't immediately finding what they want in the private practice of law not to give up and decide it isn't for them.

RTB: How did you come to choose health law?

AMV: The first couple of years here I bounced around quite a bit trying to find the right fit. Then one of those serendipitous things happened, and the firm decided to develop a health law practice. I started doing some projects with them and loved it and have been doing health law ever since. We were one of the first large firms to develop this kind of health law practice, which is primarily centered on Medicare and Medicaid and other health industry regulations except for food and drug regulations. I started doing it full-time probably around 1981 and have been doing it ever since. I feel still very privileged to have very interesting projects every day.

RTB: How many attorneys practice in the health group now?

AMV: We now have, depending on how you count, somewhere between 30 and 100 lawyers who do work that is health-related.

RTB: Are they all located here in D.C.?

AMV: No, we have lawyers in New York, Los Angeles, Baltimore, Denver and Miami who are routinely doing health work, in addition to the attorneys in Washington. And occasionally, and increasingly, in our international offices.

RTB: How do you maintain communication with the attorneys so spread out?

AMV: That's a good question because I do think communication is the key in a business like a law firm because we're all very busy and yet communicating among ourselves is important both for efficiency purposes and also for collegiality and team building. We do several things. For many years we have had a regular Monday morning practice group meeting and people who are in D.C. show up physically. The people who are outside D.C. call in through a conference phone and I find that to be extremely important.

Periodically at those meetings, or sometimes at lunch time meetings to try to accommodate people's schedules, we will have a training-type presentation. More often we share new matters that have come up since the last meeting, and catch up on new developments.

RTB: When did you become head of the practice group?

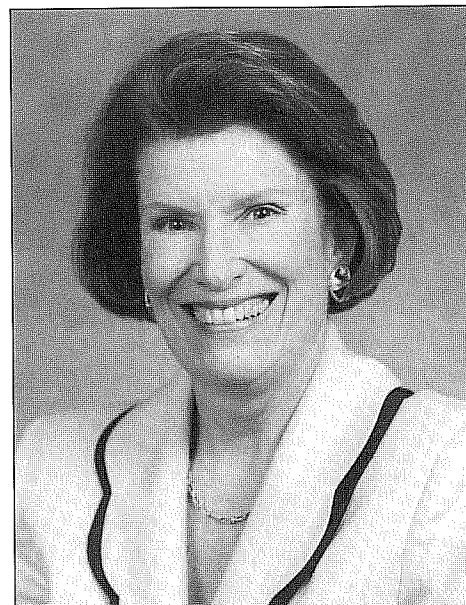
AMV: I would say it was somewhere around 1991, but I don't recall the exact date.

RTB: And when did you become managing partner of the D.C. office?

AMV: December 1 [of 1999].

RTB: Have you found that you're now spending more time on administrative matters than practicing law?

AMV: It is certainly taking up a lot of my time. I'll tell you a quote that I got from Regina Pisa, who is the chair and managing partner at Goodwin, Procter & Hoar LLP in Boston. She and I were on a panel of women managing partners at the Georgetown University Law Center Women's Forum this past April. She said she had planned to continue to practice half-time, but she has found that it ends up being 100%/100%. I had also planned to practice half-time, but I agree with her that it has ended up being full-time practice, plus the



Ann Morgan Vickery

other administrative responsibilities. It is a problem, but one that I'm just sort of juggling at the moment and seeking to find ways to bring under control.

RTB: How did you become managing partner of the D.C. office?

AMV: The firm didn't have a managing partner for the D.C. office before I took the job. The firm's managing partner is located here, so we didn't have one specifically for the D.C. office. But the need for the position became evident.

RTB: How is the work split between you and the firm's managing partner?

AMV: I would say it is an evolving split. We work together closely. I had been on the firm's five-person executive committee for two terms, and had a sense of his management style from that.

RTB: What are your areas of responsibility?

AMV: In addition to the managing partner of the firm, we have an administrative partner who deals with firm-wide issues and a non-lawyer director of administration. I deal with issues that aren't someone else's job. Mostly the issues relate to the D.C. office. They're things like practice development, helping practice directors, and planning. It also includes a lot of day to day things that come up, such as interaction with the press and

issues specific to the D.C. practice. I also deal with issues such as the Hogan & Hartson Academy and the firm's web site.

RTB: What is the Hogan & Hartson Academy?

AMV: It's an initiative that was several years in the development stage and now is actually happening. The intent is to pull together under that umbrella all of the training programs for the lawyers at the firm so that it's a coordinated effort with high priority. Much training is still left to individual practice units, but we will now also have opportunities that are coordinated and continually made available for lawyers at all levels to receive the training they want. The training will cover not just legal issues, but other kinds of broader issues such as how to work more efficiently, how to stay up on things that are going on and how to be the best lawyers we can be for our clients.

RTB: Hogan & Hartson has a very good reputation for providing a satisfying quality of life for its attorneys outside of the office. What an accurate reputation?

AMV: Well, I'm not sure we can provide the satisfaction outside of the office, but what we try to provide is the opportunity to have a life outside of the office. That is something that a number of us have felt for many, many years to be an essential part of our firm culture. All of us think that working with people who are compatible and interesting and fun to work with is a really important thing, and so we strongly encourage people to have interests that go beyond just the day-to-day client work. We have a very strong community services department and encourage lawyers to be involved in outside activities that interest them. It's a very diverse firm. Each of us wants to be able to do the things that we think are interesting outside of work, and we need to let other people be able to do that.

RTB: Does Hogan & Hartson provide alternative work schedules for attorneys?

AMV: Yes, we've always had, as long as I can remember, a part-time policy. Of course, one of the beautiful things about being in a private practice is that, as long as you get your work done and put in the number of billable hours that are required, you can usually be flexible in working out your own schedule. We have laptop subsidies, and all kinds of ways to communicate from wherever you are. That has helped a lot of people to work outside the office.

RTB: Do you have men as well as women who are working outside the office?

AMV: Yes. I'm not sure of the numbers at the moment, but we have had men who have been on part-time schedules and/or who are occasionally working from home. Sometimes it has to do with having a family, but it could also be that they have something else that causes them to want to be out of the office one day a week. Assuming that works with the people who need their services, that's fine.

RTB: In the last issue of Raising The Bar, Linda Madrid, general counsel for CarrAmerica, said that when hiring outside counsel, one of the things she looks at is whether women and minorities are in positions of responsibility and another is the quality of life the firm provides to its associates. Have you had clients ask you about things like the number of hours your firm expects associates to bill?

Management has to be something you like.

It doesn't work to do it because you think you would like to have it on your resume or have a different title after your name.

AMV: I can't say that I recall a specific request. In the health law area, maybe because of the subject matter, there have always been large numbers of women as clients and lawyers. It helps younger women lawyers to see senior women in the practice group. Informally, I know women clients care about quality of life issues, particularly when they are themselves trying to find balance.

I have to say I am a little bit alarmed by the recent phenomenon that I call the "new economy work habits." I'm hearing about 24/7 availability requirements of some of the newer companies. This could be a problem. If they want 24/7, we will provide it. We are a client service business. But these requirements make it much more difficult to achieve balance in our lives.

RTB: When you first became managing partner of the D.C. office, did you get a lot of publicity because you were a woman who had become a managing partner?

AMV: No. We didn't put out any press releases. The word just sort of eased out. I took on the challenge because I felt it needed to be done. Also, I did consciously think that doing it would provide some evidence that there is no glass ceiling here, which is important to show.

RTB: Perspectives, which is the publication of the ABA Commission on Women, recently wrote that while women are making it into firm management, they are not progressing to the next level, which is chairing law firms. Do you think that is true?

AMV: No, it is not true here. The only thing beyond the firm managing partner is the executive committee. I served on the executive committee, and there is a woman (Jeanne Archibald) on the executive committee now. We have a one to five ratio of women to men in the partnership and on the executive committee. I don't know what else women have to do to show that they can be wherever they want to be.

RTB: At firms in D.C., on average, fewer than 12% of the partners are women.

AMV: I would say that we are doing a bit better than that average. The last time I checked, about 46% of our associates were female, and

about 22% of our partners. Obviously, there is still that gap between the 46 and the 22. Some of that is generational and the percentages will change as new partners are added and older partners retire. My own personal observation is that the numbers will always be influenced by women making choices such as to stay home with their children. When they come to me and say they have made the decision to stay home, I tell them that that is one decision I won't argue with them about. One thing that we, as women, need to do is to make those women feel less guilty about their choice. The most important thing is that you be satisfied with the decision that you make. I think it is increasingly becoming possible to be a successful woman attorney in the private practice bar, but now we are being told that there is some big problem unless we are running all the law firms. That will be a phenomenon that will happen when enough women want to do that. I certainly think it is a rational decision not to want to do that.

RTB: Have you had a male attorney come to you and say that he wants to spend more time with his kids and wants to cut back on his hours?

—continued on the next page

AMV: It is starting to happen. I have been preaching for a long time, and our experience is bearing it out, that the next generation of associates will not have the luxury of a stay-at-home spouse to take full responsibility for their kids. Much to my great satisfaction, I am seeing young parents sharing that role and finding alternative ways to handle their responsibilities.

RTB: Do you have any advice for women attorneys who want to get into firm management? What should they do?

AMV: We talked about that a good deal at the Georgetown Women's Forum. We agreed that you really can't campaign for it or set out to do it as a discrete thing. In many ways, it is the result of excelling at what lawyers mainly do—practice law, nurture associates, bring in new business, and have good relationships with our clients. As you become known as someone who is a good lawyer, who does all these things well and has an interest in management, you will get sought out to be on firm

committees and to take the lead on special projects. If you can be depended on to do some dreaded nonbillable job, and do it well, then the next time around you'll get volunteered for something else. As far as my being elected to the firm's executive committee, I give entire credit for that to Jan McDavid, one of my partners who is probably well-known in the Women's Bar Association, who said that we have to have a woman on the executive committee and no one else will do it, so you have to do it. So I said all right. Once you've done it, and if you find it interesting—which I did—then one thing leads to another. Management has to be something you like. It doesn't work to do it because you think you would like to have it on your resume or have a different title after your name.

RTB: Are personal relationships important for getting into management?

AMV: Absolutely. "Management" is not really the right word, because the thing that good law firm managers do is help other lawyers to

meet their goals. Law firms generally are not governed like corporations. We are people who are delivering services, and we all have different goals and different competitive influences. A good manager needs to hear what an individual lawyer wants to do and help that lawyer fit it in with what the other lawyers are doing.

RTB: How would you describe your management style? Are you autocratic, collaborative . . .

AMV: Not autocratic! I hope not autocratic. Autocratic wouldn't work around here. We are a very democratic firm. At the moment, my style is, probably inappropriately, fire-fighting. I am trying to get on to things that aren't so urgent but need to be done. I would like to spend more time collaborating with people and bring a few more hours to bear on problems that they have. And, of course, I would like to also have time to practice law. ■

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The WBA welcomes the following new members, approved by the Board of Directors. We encourage your active involvement in the WBA and look forward to seeing you at upcoming WBA events!

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IP FORUM IS ALL ABOUT SUCCESS

What's young, hot, and definitely legal? Give up? It's the Intellectual Property Forum, the WBA's newest and trendiest forum. It presents cutting-edge programs that have attracted hundreds of participants, draws in new members to the WBA, and operates in a cooperative mode that spreads the opportunities to develop leadership skills. It is little wonder that the IP Forum consistently draws praise from WBA leaders. Who are the movers behind this forum, and how did they get so good?

The IP Forum didn't exist until 1997. Intellectual property, as a practice area, grew phenomenally in the 1990s, and the rise of the Web and e-commerce in the mid-1990s made it one of the most highly recruited specialties. WBA members who practiced IP law felt a strong need for their own forum. One IP lawyer, who had been a member since the early 1990s, attended WBA programs put on by the Litigation Forum and the Tax and Business Forum, but never felt that they quite addressed her needs. "Nothing in the WBA at that time really fit my practice," she said. Nothing, that is, until WBA member Karyn Ryan worked with the WBA President at the time, Nancy Long, to develop a proposal for a new IP committee. In January, 1997, the WBA Board of Directors approved the creation of an "Intellectual Property Law Project" with Karyn Ryan as chair. The fledgling group began to hold brown bag lunches and planning meetings, and soon became a full-fledged forum.

The lunches and meetings turned out to be a popular way for women IP attorneys to network and discuss current legal developments. A solid core developed: Ryan; Laurie Mintzer; Tracy-Gene Durkin; Linda Alcorn; Vicki Allums; Monica Richman; Andrea Reister; Lisa Dunner; Laura Sherman; Kathleen Cooney-Porter; and Carole Ganz Brown. The group brainstormed a list of topical subjects for programs, many involving the internet. Unlike many WBA committees and fora, in which the co-chairs do most of the program planning and execution, the IP Forum spread out the programming responsibilities. A different member had responsibility for each program, and the chair oversaw the planning process. The system worked so well, preventing burn out and sharing opportunities to develop contacts and event-

planning skills, that the system is still in use.

The first programs were hugely successful and quickly established the Forum as a major player in the WBA community. "Opening Your Business to the Internet" (May 1997), "Changes in Intellectual Property Law" (September 1997), and "Getting Women Wired for Global Electronic Commerce" (September 1998) were just a few of the well-attended offerings. The highlight of Ryan's 1997-98 term as chair was a judicial program arranged by Monica Richman and co-sponsored by the Litigation Forum and the D.C. Bar's IP Section ("What Judges Want: Effective Advocacy in Technology and Intellectual Property Cases" (February 1998)). It featured a powerhouse panel of noted IP judges from four jurisdictions and drew a crowd of more than 125, including a substantial number of male attorneys.

Laurie Mintzer and Tracy-Gene Durkin, both instrumental in the early development of the Forum, have co-chaired the Forum for two years and are looking forward to continuing on in the coming year. Each has a fascinating practice, featuring headline-making issues.

Durkin is a director (the equivalent of "partner" at professional limited liability law firms) in the 25-year-old intellectual property boutique Sterne, Kessler, Goldstein & Fox P.L.L.C. She began her career in 1983 at the U.S. Patent & Trademark Office as an Examiner, where she continued to work while going to law school. In 1989, J.D. in hand, she became an associate at Sterne, Kessler. At the time, the firm was quite small, with fewer than ten attorneys. Durkin fit in well, despite being the first female associate in her practice group. She quickly learned her craft, and within three years, was promoted to director. In 1994 she became the firm's first female Equity Director and in 1998, the first woman to serve on the firm's Executive Committee, a position she currently holds.

Both Sterne, Kessler and Durkin's practice have grown exponentially in the past 12 years. The firm now has 50 attorneys (including 16 directors, four of whom are women). Much of the firm's growth has been spurred by biotechnology and internet clients. Despite the growth, Durkin reports that through the hard work of her fellow directors, the firm still maintains the



Name: Tracy-Gene G. Durkin
Position: Director, Sterne, Kessler, Goldstein & Fox P.L.L.C.
Degrees: B.S. in Textile Science, Philadelphia College of Textiles and Science; J.D., National Law Center of the George Washington University
Practice: Client counseling in patent, trademark and copyright matters and related litigation and licensing.
Personal: Married, two children

comfortable and collegial atmosphere it had when she started.

Durkin is in the firm's Mechanical and Design practice group. Her individual practice includes primarily litigation and client counseling in patents, trademarks and copyrights. Clients routinely seek her advice in clearing new products and trademarks for market and in protecting their own intellectual property. She has extensive experience in intellectual property litigation. It is not surprising that an increasing amount of her work is for internet clients. In addition to her busy practice and her WBA activities, Durkin is an adjunct professor of law at George Mason University Law School where she lectures on Intellectual Property.

Mintzer's career path shows a directedness similar to Durkin's. She spent a year in Moscow writing for an English-language newspaper, from which she gained her interest in copyright issues. She entered law school knowing that she wanted to study

intellectual property. She interned at the United States Patent and Trademark Office while studying for the bar, which gave her an edge when the PTO began hiring several months later. She worked as a Trademark Examining Attorney for several years before joining the Washington, D.C. office of New York's Kenyon and Kenyon. At the firm, she focuses on trademark, copyright and internet-related issues. Mintzer is very active in Kenyon and Kenyon's Trademark Practice Group and Internet and Information Technology Practice Group. In addition, Mintzer has given presentations about trademarks to groups such as the American Intellectual Property Law Association and the Women's Bar Association of the District of Columbia. She also served as a panelist at a trademark law seminar at George Mason University Law School. About half her time is spent prosecuting, and the other half counseling. Her clients tend to be high-tech startups, and she finds their internet issues fascinating.

Kenyon & Kenyon is a 120-year-old, full service intellectual property law firm with offices in New York, Washington, D.C., Frankfurt and the Silicon Valley. Kenyon provides litigation, prosecution, licensing and counseling services relating to patents, trademarks, copyrights, trade secrets and related matters, such as false advertising and other unfair business and trade practices. Mintzer states that work at Kenyon & Kenyon is both interesting and challenging. The firm's clients include domestic and foreign businesses, multinational corporations, growth companies focused on emerging technologies, universities, research institutes, and individual inventors.

Both co-chairs see the advancement of women in Intellectual Property law as a priority for the Forum. IP law has traditionally attracted more men than women, perhaps due to the technical background it usually requires, but Durkin and Mintzer note that they see the number of women in the IP field increasing. Future programming will continue to focus on issues that are relevant to women IP lawyers in private practice, the government, and corporate law departments. Members who are interested in becoming more involved with the Forum are encouraged to attend programs and planning meetings. ■



Name: Laurie Mintzer
Position: Associate, Kenyon & Kenyon
Degrees: B.A., Barnard College, Columbia University; J.D., Brooklyn Law School
Practice: Prosecution and counseling on trademark, copyright and internet-related issues
Personal: Married

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Cool Reads for Hot Times

When you take your well-deserved break from work this summer, you may want to relax with one of these terrific books:

Recent selections from Oprah's Book Club:

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Daughter of Fortune by Isabel Allende

Gap Creek by Robert Morgan

A Map of the World by Jane Hamilton

Vinegar Hill by A. Manette Ansay

River, Cross My Heart by Breana Clarke

Tara Road by Maeve Binchy

Mother of Pearl by Melinda Haynes

White Oleander by Janet Fitch

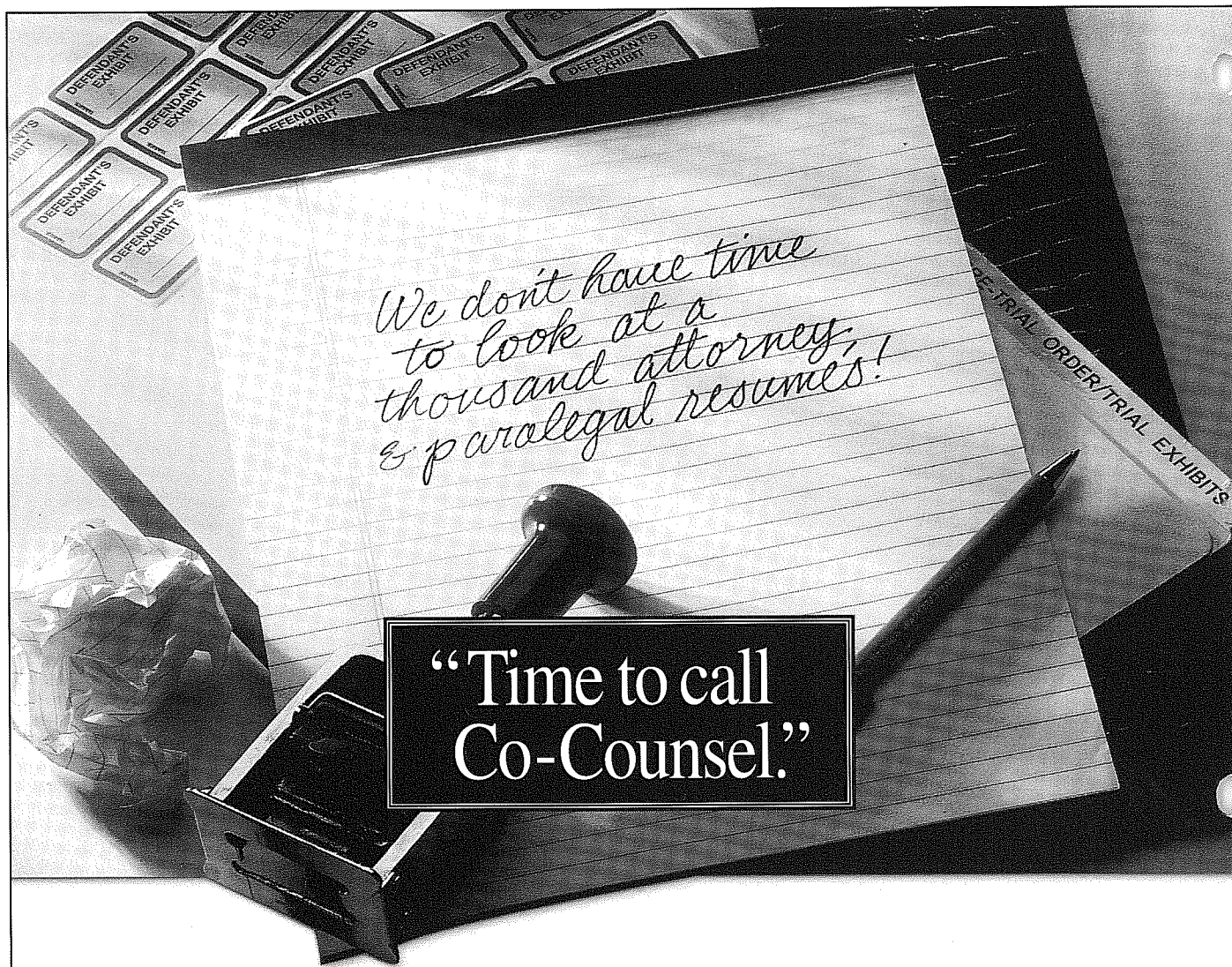
OTHER GOOD BOOKS TO READ:

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 by Melissa Bank

The Red Tent by Anita Diamant

Big Stone Gap: A Novel
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MEET OUR BOARD

SPOTLIGHT ON AGNES POWELL

Agnes Powell has just completed the first of her three years on the WBA Board. She has a solo practice in Greenbelt, Maryland, focusing on estate planning and estate administration. She received a J.D. and an LL.M. in taxation from Georgetown University Law Center. Agnes has extensive experience working with women's bar associations, having served in a number of roles, including President of the Prince George's County Women's Bar Association, and on the Board of Directors, Membership Committee, and Judicial Selection Committee of the Maryland State Women's Bar Association. She is also a member of the Montgomery County Women's Bar Association and is a long-time member of the Greater Washington Area Chapter ("GWAC") of the Women's Division of the National Bar Association. We asked Agnes the following highly relevant questions:

For how long have you had your own practice?

A: I've been in private practice for approximately 10 years. When I went to law school at age 39 after having spent 20 years in the workforce, I knew that I wanted to work for myself. I had already changed careers once by that time and had learned that it wasn't wise to completely start over, so I thought I wanted to be a real estate lawyer (I'd had a real estate license for some time and enjoyed that). However, Georgetown didn't have many real estate law courses and since I knew that tax drives real estate, I took lots of tax courses. I settled on estate tax when I learned that estate planners don't do much litigation. So when I set up my practice, I knew what I wanted to do. Since then, I've worked very, very hard to shape my practice such that I have lots & lots of work doing what I want to do—estate planning and estate administration.

Q: Does your work leave you any time for recreation?

A: I've been a tennis addict for 15-20 years, and I play every Saturday morning. I've just had my first golf lesson—actually took the first off 3 of my new clubs—and am looking forward to becoming engrossed in this sport. I also have several timeshares which I'm learning how to use: (a) my trip to Arizona; (b) my Mom's family reunion will be in Edisto

Island, S.C. in late July; (c) as I've always wanted to go to Santa Fe, N.M., I've got a week there in late September; (d) I just got on a waiting list to get into New Orleans during Mardi Gras ...want to do this at least once. I recently bought a timeshare in Charleston, S.C. during Spoleto. So yes, always time for recreation. It makes me more focused in my work, which is very important to me.

Q: What is your favorite music?

A: A gospel song, "I Won't Complain"; anything by Kenny G; I work with soft, classical in the background.

Q: What is your favorite cuisine?

A: Seafood, the bread pudding at Roxanne Peyote in Adams Morgan.

Q: What have you found rewarding in your work with women's bar associations?

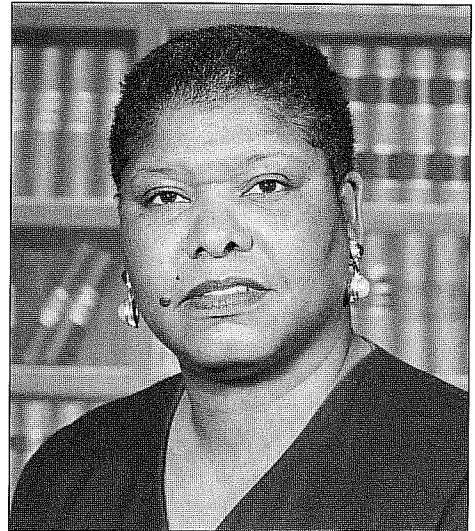
A: I prefer Women's Bars because I'm most comfortable with women attorneys. When I first started my practice and there was MUCH I didn't know, I felt more comfortable asking my "stupid" questions of women. I also identify more with women solos than male solos. I just assume that the professional world is easier for men than women, and that women will better understand my struggles. I've been very

I ALWAYS try to treat prospective and long-time clients as I want to be treated. I'm empathetic when empathy is needed, bluntly honest when blunt honesty is needed...

active in the Prince George's County Women's Bar, the Maryland State Women's Bar, GWAC, and now the WBA. The WBA assigned me a mentee earlier this year, and it's just a joy to be able to give back some of the wonderful encouragement I've received.

Q: Is there anything you would like to see the WBA change or do based on your experience with other women's bar associations?

A: Compared to other women's bars I've been active in, of course, the WBA of the District of Columbia is miles and miles ahead. The NYWBA recently met in D.C., and I would have really liked to have attended some of their sessions just to see how they operate. But having said that, the WBA is out in front. I



Agnes Powell

became active in the WBA because it was addressing the issue of race, which I think is the next frontier. I've been disappointed in the last couple of years that this head-on confrontation has faltered and gone nowhere in my opinion. I'm not sure why, but I am sure of my assessment of recent progress in this area. However, I've not given up hope.

Q: Do you have a favorite tip for getting and keeping clients?

A: Getting clients—network, network, network. For example, I belong to a litigation-focused Inn of Court even though I'm not a litigator; I belong for networking purposes, and it works. Keeping clients—I ALWAYS try to treat prospective and long-time clients as I want to be treated. I'm empathetic when empathy is needed, bluntly honest when blunt honesty is needed, and never hesitate to let those clients who I want to keep know that I appreciate their business. I also don't hesitate to apologize profusely and ingratiatingly when I've unintentionally mistreated a client—which I did recently when I just forgot an appointment. I was very, very grateful when my profuse but sincere apologies got the client to give me another chance. ■

PAR PROJECT BEGINS OPERATIONS

Your Help Is Needed

The Project for Attorney Retention, a program to help law firms recruit and retain attorneys by offering meaningful reduced-hours schedules, opened its virtual doors on June 1. The Project is funded by a grant from the Sloan foundation and is supported by the WBA and the American University Washington College of Law. Its goal is to create a set of recommendations for D.C. law firms that will allow attorneys to have satisfying lives outside of the office while still succeeding professionally.

Joan Williams, co-director of PAR and author of *Unbending Gender: Why Work and Family Conflict and What To Do About It* (Oxford University Press, 2000), says that the high attrition rates at law firms are having an enormously detrimental effect on the firms' bottom lines. She points to evidence that attorneys are leaving primarily due to their inability or unwillingness to work the long hours demanded by law firms, despite the fact that many law firms have part-time policies. Most part-time policies as they exist currently, she says, do not allow attorneys to work fewer hours and still advance professionally. Part-timers are viewed as less committed to the law or to their firms, often receive less desirable work and less client contact, and typically miss out on business development opportunities. In many firms, attorneys will not work part-time because to do so is viewed as career suicide.

Cynthia Calvert, Williams's co-director, observes that there is nothing inherent in the practice of law that makes it impossible to work a reduced-hours schedule. Attorneys typically have more than one client, she notes, and thus are not available to each client 24/7 even if the attorneys work full-time. Attorneys travel for meetings, depositions, or conferences, and are not available if in trial. Moreover, as attorneys near retirement, they frequently cut back on the number of cases they have and work fewer hours. In reality, she notes, lawyers already have the models for working reduced hours and firms need to adjust

their cultures to permit more attorneys to work fewer hours without being penalized.

Williams has noticed, while she has been traveling around the country and talking with attorneys who work in law firms and law firm administrators, that there is a clear difference between the way law firms view their part-time policies and the way attorneys in the firms view the same part-time policies. She has also noticed that attorneys, particularly male attorneys, tend not to tell law firms if their reason for leaving their law firms is because of scheduling issues. One of the first objectives of the PAR project, therefore, is to gather information about how D.C. law firms' present part-time policies are working, and to serve as a conduit for information about why D.C. attorneys are leaving their law firms. The PAR project will then discuss with law firm managers the business needs and objectives of D.C. law firms and obstacles the firms see to providing better reduced-hours programs that more attorneys will use. Finally, the PAR project will draft a comprehensive set of recommendations for reduced-hours programs and follow up with firms to see if the recommendations are being implemented.

Your help is needed with the first phase of the project. The co-directors request that you send them your comments and experiences about law firm part-time schedules and attrition at law firms, and that you ask your colleagues to do the same. The PAR project has a website, www.PARDC.org, which includes a survey and an area for comments. Alternatively, you can reach the PAR project by phone ((202) 274-4494, shared with the Gender, Work and Family Project), mail (PAR, c/o Gender, Work and Family Project, American University, 4801 Massachusetts Avenue, N.W., Washington, D.C. 20016), or email (PAR@PARDC.org) and request a short survey form to fill out. Your comments will be kept confidential unless you expressly authorize their disclosure.

Look for programs this fall sponsored by PAR about reduced-hours policies, and reports on the project's progress. ■

QUICK STATS

- National data for the last ten years show that 25% of associates quit after two years at a firm, and **43% quit by the end of their third year**. The trend is toward a higher attrition rate; for the class of 1988, 39.8% of associates left after three years, but for the class of 1994, 45.8% had left after three years (*National Association for Law Placement 1998 Survey*).
- **More female** than male associates are leaving law firms. (*Chanow, Results of Lawyers, Work & Family: A Study of Alternative Schedule Programs at Law Firms in the District of Columbia, 2000*)
- Law firms spend **about \$200,000 to replace one associate**. (Davis, "Associate Flight Has Firms Rethinking the Pyramid," *New York Law Journal*, May 23, 2000)
- The high billable hour requirements at many firms have influenced associates' decisions to leave law firm practice. (*Facing the Grail, Report of the Boston Bar Association Task Force on Professional Challenges and Family Needs, 1999*)
- Almost all large law firms offer part-time policies, and **yet only 1.6% of partners and 4.1% of associates work part-time**. (*National Association for Law Placement and ABA Commission on Women*) Lawyers are four times less likely to work part-time than American workers generally. (*National Law Journal*, November 16, 1998)
- Reported reasons for not working part-time under policies that currently exist are stigmatization, loss of professional development opportunities, inability to make partner, poorer quality work assignments, and inevitability of working more hours than agreed. (*Results of Lawyers, Work & Family, supra*)
- When effective reduced-hours schedules that encourage professional development are implemented, and organizational culture is modified to eliminate stigmatization retention rates increase dramatically. (*Results of Lawyers, Work & Family, supra*)

Wave Riders

WOMEN IN COMMUNICATIONS LAW

BY BRAD HENDRICKS

When you think of communications law, do you think of front-page legal issues involving new technologies, exciting debates about the nation's social and economic policy, and a woman-friendly environment? If not, you may want to rethink your image of communications law—and scan those want ads again.

"Communications law" encompasses a wide range of substantive practice areas beyond FCC license applications: wireless mobile services, radio and television broadcasting, internet, satellite, telephone, and more. Communications law attorneys may have regulatory, transactional, legislative, or litigation practices. They may work in law firms, trade associations, corporations, or the government. These brief profiles of some WBA members who practice in this expanding and challenging field show its diversity and its receptivity to women.

Mary Beth Richards, Deputy Bureau Chief, Office of the Managing Director of the Federal Communications Commission, is responsible for deciding the strategic goals and mission of the FCC. The FCC is the primary organization in charge of regulating the nation's wireless, wireline, cable, and broadcasting industries.

Richards came to the FCC in January 1984 after working at a patent and trademark firm. At the FCC, Richards has held a variety of positions. She started out as an attorney in the Commission's Private Radio Bureau. She has been Deputy Bureau Chief of the Common Carrier Bureau. The Common Carrier Bureau is the bureau responsible for regulating telephony. Richards has been the Deputy Managing Director for the past two years.

The Office of Managing Director "tries to figure out the resource needs of the agency," Richards said. These areas include, 1) enforcement, 2) authorization of services, and 3) long-range strategic planning. Richards expressed satisfaction with her job and noted that the only major drawback was managing the agency with limited resources.

Richards said, "Government is a great place to work, even with reduced salaries as opposed to law firms... There is a lot of responsibility here and the issues are very

challenging," Richards added that the FCC allows its attorneys to move from bureau to bureau, leading to a more diverse practice.

A number of women are present in senior management positions at the agency, Richards said. There are two women commissioners at the agency: Susan Ness and Gloria Tristani. In addition, two women are bureau chiefs: Cable Services Bureau Chief, Deborah Lathen and Consumer Information Bureau Chief, Lorraine Miller.

Marilyn Mohrman-Gillis as Vice-President of Policy and Legislative Affairs for the Association of America's Public TV Stations has the responsibility of ensuring that public television stations thrive. APTS "represents the voice of public TV stations, what stations are doing in the community." She added that APTS also formulates policy positions which are presented to the FCC and Capitol Hill.

Mohrman-Gillis has been vice president of the organization for four years. She said her challenge is "working with limited resources." The current issue of digital television presents new funding challenges for the organization, she added.

Despite these concerns, APTS serves a lot of her professional goals. She said she has found "the balance between a professional person and a working mother." Mohrman-Gillis said that when her children were growing up, she told them that she worked for Big Bird.

Jennifer Warren has held positions in both the private and public sector. Warren was formerly the Assistant Wireless Bureau Chief at the FCC. Currently, she is Senior Director of Telecommunications, Trade and Regulatory Affairs for Lockheed Martin. At Lockheed Martin, Warren works on a broad range of issues: 1) export policy, 2) satellite launch policy, and 3) general trade policy.

Warren said the challenge of her job was balancing corporate business policy and public policy. "Being in a corporation allows you to affect public policy." It also allows a person to see the "reality of the business world, that's what is different, that's what is fun."

Warren said women are making great strides in the area of Communications law. "Extraordinary numbers of women are in coalitions, industry associations. Women are flocking to it." She noted that the immediate past president of the Federal

Communications Bar Association, Jean Kiddoo, is a woman as is the current president, M. Anne Swanson.

Amy Weissman is a recent lateral associate at the firm of Arnold & Porter. She practices in the areas of telephone, wireless and the internet. Weissman said that she enjoyed her work at the firm and the team approach that her firm fosters.

Weissman said she thought that women bring a different perspective to communications law. "Women can see aspects of transactional, regulatory decisions that men might not see." A team that has both men and women increases attention to all aspects of the problem," she said.

Weissman said communications law presents novel challenges. "Researching communications law can be difficult since there are not clear precedents. Also, the history of telecommunications is vast, so intricate and not intuitive. In communications law, there is so much policy, it is hard to see a clear line of authority. A lot of things that happen don't result in reported decisions," Weissman said.

Theresa Fenelon Falk is a senior attorney at Pillsbury, Madison & Sutro specializing in wireless, cellular and paging transactional deals. Falk has been at Pillsbury for the past twelve and a half years. In this position, she manages a complex communications practice and the demands of raising a family by working a part time schedule. Falk described her job as helping businesses comply with regulatory changes. She noted that one of the disadvantages of a communications law practice was the enormous time deals can take to be brought to completion. She worked on a recent case involving cellular licenses in Portland, Oregon, which took close to twelve years to complete. Falk said it was easier for women to get to the top of the communications law field than other fields of law.

Pamela C. Cooper, a senior attorney at Davis, Wright and Tremaine, also is able to balance her professional and personal life by working a part time schedule. She describes her practice as combining both regulatory and transactional aspects involving both wireless and broadcast industries. Cooper echoes Falk's comment that the "communications bar is a close-knit bar, lawyers know each other and are civil to each other." ■

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Mentoring is Work that Matters

continued from the cover

atmosphere, it increases productivity, and it impacts on employee retention."

Congresswoman Connie Morella (R-Md.) was a special honored guest speaker. She invited the attendees to lead by example: "As lawyers you have a special responsibility as mentors. You have the responsibility not only to think of your billable hours, but to make sure that some of those hours are used for community service." Morella also discussed the importance of not only mentoring each other as adults but the importance of mentoring children: "When you touch a young person you touch the future."

A highlight of the evening was the introduction of the Woman Lawyer of the Year Award by U.S. Attorney General Janet Reno. She presented the award to her friend and colleague, Eldie Acheson, who serves as the Assistant Attorney General at the Department of Justice, Office of Policy Development. Acheson has, among other things, been responsible for implementing policies regarding violence against women, privacy, and civil rights. Reno said Acheson, "In the seven plus years we have worked together at the Department of Justice, the enormous contribution she has made to the many missions of the Department are remarkable." Regarding Acheson's successful work to get women appointed to the judiciary, Reno observed that Acheson has "given women all across the country, women who will never work with her—or even know her name—dozens of...mentors and role models."

As a special surprise for Ms. Acheson, WBAF President Deborah Costlow presented a letter sent for the occasion by President Bill Clinton. In the letter he praised Acheson and said that this award is "a fitting recognition to your commitment to the law, equality, and justice."

Acheson attributed her achievements to the wonderful example of mentoring she received from her mother and father at an early age, as well as the continued support she has received from friends, family, and her colleagues at the Department of Justice. She said, "For me as I have experienced mentoring, I think of it as including three basic pieces: example, opportunity, and what I thought of as getting as good as you give." She has mentored others, and noted that she has learned much from those she mentored.

The culmination of the evening's festivities was the official passing of WBA presidential duties for the 2000-2001 term to Mary Kate Whalen of Hyman, Phelps & McNamara, P.C. ■

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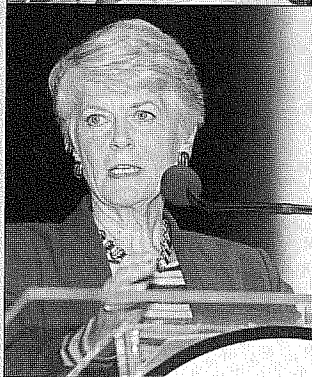
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THE WORD FROM STANLEY GREENSPAN

BY JESSICA LERNER

"Give more. Expect more." That was the word from Dr. Stanley Greenspan, a leading expert in child development and featured speaker at the April 5 Lawyers at Home Annual Showcase. Greenspan offered this two-pronged approach as the antidote to impersonal schools and parents with less time to spend with their children. He spoke to a packed audience of WBA members and supporters who attended the LAH Forum's annual fund-raising evening at the Washington College of Law at American University. Hold kids to high expectations, Greenspan urged. But give them the support they need to meet those expectations by talking to them, listening to them, and getting on the floor to play Legos.

Decades of research have convinced Greenspan, a child psychiatrist and professor at George Washington University's medical school, that emotional human relationships are the key to cognitive development. All rational thought, and, most importantly, the ability to generate fresh ideas, Greenspan said, "arise from a child's lived emotional experience." "We need a major revision of our concept of intelligence and development that puts affection and emotion at the center." Unfortunately, he warned, "our education system puts very little emphasis on a child's abil-

ity to generate new ideas." This makes unscheduled time when parents play with and just hang out with their children all the more crucial to developing thoughtful, creative kids, he said.

A number of frustrated parents in the audience asked Greenspan how they could spend time with their children when the kids are inundated with hours of homework. The current homework frenzy, said Greenspan, is another example of our move toward more impersonal ways of teaching and learning. Free time with parents or friends, where kids learn by playing, talking, creating and exploring, is much more important than completing two hours of math or grammar worksheets. So talk to your kid's teacher, he said, or get together with other parents to press schools to go easy on at-home make work. Dr. Greenspan says that "floor time" with parents, not homework from teachers, is the best prescription for growing minds.

Greenspan also warned that in focusing on racial and ethnic diversity, we may be ignoring the "true diversity" among children—the vastly different ways in which individuals process information. Some children, for example, may be hypersensitive to touch and sound—which could mean that thrusting such a child into a loud, crowded kindergarten class amounts to unintentional torture. Other kids might be "under-reactive," craving

touch and sensation, which could lead to discipline problems in a new, stimulating classroom. If we are aware of this kind of diversity, Greenspan explained, we can do better to bring out the differing strengths of our children and to help them negotiate situations that, for a particular child, may be particularly challenging.

Another facet of Greenspan's new concept of diversity is what he calls the "functional developmental level" of an individual. This is where his most recent book, *Building Healthy Minds: The Six Experiences That Create Intelligence And Emotional Growth In Babies And Young Children* (Perseus Books, 1999), comes in. Greenspan's core developmental milestones, which apply to all ages, include: the ability to focus and attempt; the ability to form trusting relationships; the ability to read simple and then more complex emotional signals; the ability to use ideas creatively; and, finally, the ability to build bridges between different concepts and ideas. All of us are at varying stages in each of these domains.

How can parents do their best to ensure that kids or others in our lives achieve their potential along these developmental milestones? "Give more and expect more," repeated Greenspan. And one of the best ways to do that, with a child, a spouse, a colleague, even an opponent, said Greenspan, is to "bring out the best in the other person." ■

President's Column

—continued from page 2

with a myriad of personalities. These opportunities are not as readily available through larger organizations such as the D.C. Bar.

3. NETWORKING

The WBA's close community and its leadership opportunities, combined with its location in Washington, D.C., make it a prime networking organization. During my time with the WBA I have had the opportunity to meet and speak with justices of the United States Supreme Court, representatives of Congress, the United States Attorney General and leading judges and attorneys. Through these contacts, I have formed friendships that have helped me in many aspects of my career. WBA colleagues relate similar experiences.

Further, the WBA offers networking opportunities to showcase our talent. Through the Women-In-the Law Cable Series, the WBA Speakers' Bureau and here in

Raising the Bar, experienced attorneys have a unique forum for publicizing their expertise. In addition, each year the WBA Judicial and Executive Endorsement Committees provide endorsements for many positions on the local and federal bench, and in the White House administration. I have heard a number of stories from WBA members who attribute new employment and new clients to networking through the WBA.

4. ADVANCEMENT OF WOMEN IN THE PROFESSION

As immediate past-President Marguerite Willis has said so eloquently, the work of achieving true equality for women in the legal profession is not finished. Yes, we have women partners in law firms, but fewer than 15% of law firm partners are women. Yes, we have women in government, on the bench, and in legislatures—but very few. Women attorneys often do not have access to the same professional and business development

opportunities as men, and face other subtle and not-so-subtle discrimination in a number of ways. When an attorney joins the WBA, she or he is strengthening the WBA and increasing its ability to work for the advancement of women in the profession.

These are but four ways the WBA grows women attorneys—strong, capable, and smart women attorneys. Of course, you must get involved in order to grow. If you are looking for ways to become more active, contact me.

If you still wonder about the continued relevancy and impact of organizations such as the WBA, please be sure to read the next President's column in the fall edition of Raising the Bar where I will address the plans and goals of the WBA for the year 2000-2001. This year's theme is "Having it All," which focuses on alternative work arrangements for women lawyers to provide a reasonable and necessary balance to work and family life. ■

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THE WBA HELPS JOB SEARCH A Networking Success Story

BY MARCIA A. AUBERGER

Naomi K. McLaurin, Membership Committee Co-Chair, is the new Assistant Director for Diversity at Georgetown University Law Center's Office of Career Services. "I have the Women's Bar Association to thank," said McLaurin, "I made great contacts in my role as WBA liaison to area law schools. I feel like everything has come full circle and Georgetown is where I belong."

In November 1998, McLaurin decided that it was time for a change. She had practiced at both large and small law firms, and as a sole practitioner, but had yet to find her niche. Antoinette Young, a Georgetown Law Center Alumna, suggested that she join the Women's Bar Association. "My experiences with the WBA have always been positive," said Young, "I knew that they maintained job listings, and held weekly brown bag meetings where job seekers shared tips and supported each other during career transitions."

Young also suggested that McLaurin seek reciprocity at Georgetown's Office of Career Services in order to access the Law Center's job postings. In December 1998, McLaurin met with Nan Simpson, Georgetown's Resource Librarian & Reciprocity Manager. Like Young, Simpson had also had favorable experiences with the Women's Bar Association. "In my first weeks at the Law Center, I discovered a brochure produced for the Lawyers at Home Committee," said Simpson. "Alumnae who were struggling to combine the demands of their personal lives with their professional goals were delighted to find 'something in print' that addressed their needs. I sent them off with that brochure in hand. And then, as I recommended Women's Bar programs as a resource for women job seekers generally, I began to get wonderful feedback. 'I found a job through the contacts I made'... 'it's the first time I've introduced myself to a group as a job seeker and they didn't draw back.' " According to Simpson, the feedback she received about the Women's Association was so wonderful, that she decided that she should start attending programs too!

Over the course of the next year, McLaurin and Simpson stayed in touch.

Simpson continued to recommend WBA programs to students and alumnae, while McLaurin became an active participant on the Membership Committee. In March 1999, McLaurin met with the Women's Legal Alliance, a Georgetown student organization, to talk about the many advantages of WBA membership and the Mentoring Program in particular.

In January 2000, at Simpson's invitation, McLaurin attended an Office of Career Services staff meeting to discuss ways in which the WBA could benefit Georgetown law students and alumnae. Sue Sung Farley, Assistant Director of Programming, attended the staff meeting. The following month, Sue was asked to Chair the Search Committee which was formed to fill the recently vacated Assistant

Director for Diversity position. "I became aware of the Women's Bar Association because of Naomi's visit," said Farley, "and when the job became available, I decided to list it with the WBA." In March 2000, McLaurin saw the position posted in the Women's Bar Association job bank. She remembered meeting Farley in January and called to inquire further. As they say, the rest is history... "I often tell students about the importance of networking," said McLaurin, "and I use my personal experience as an example."

Marilyn Tucker, Georgetown's Director of Alumni Career Services summed it up best when she said "[t]he Women's Bar Association and networking go hand in hand. Not only does the WBA provide opportunities for practitioners to meet, learn about legal trends and hot practice areas—but also to get the inside scoop on job openings. So many women owe their current positions to their WBA colleagues!!" ■



Naomi McLaurin

MEMBERS ON THE MOVE

Misti Mukherjee has become a shareholder in the firm of Odin, Feldman & Pittleman, P.C. in Fairfax, Virginia. Ms. Mukherjee practices in the firm's Labor & Employment practice group where she is a management-side labor and employment lawyer.

Ann Bushmiller has left the firm of Sidley & Austin, where she was a partner, for the White House counsel's office.

Cynthia Thomas Calvert has left Miller, Cassidy, Larroca & Lewin, L.L.P. to set up her own practice. She concentrates in employment law, advising small business owners and startup dot-coms about compliance with employment laws, employment contracts and non-compete clauses, sexual harassment prevention, and the like.

Amy Berman Jackson, formerly a partner at Venable, Baetjer, Howard & Civiletti, L.L.P., has joined Trout & Richards, P.L.L.C. as a member of the firm. She handles complex criminal and civil trials and appeals.

The Honorable **Patricia Wald**, U.S. judicial representative on the International Criminal Tribunal for the former Yugoslavia at the Hague and former judge and chief judge of the United States Court of Appeals for the D.C. Circuit, received a "Heroes in Law" award from the Bar Association of the District of Columbia. Judge Wald has been a long-time member and supporter of the WBA. The award was presented by BADC President and WBA member **Jack Olender**.

Don't be shy—let us know about your promotions, career changes, honors and awards. Send items for Members on the Move to Cynthia Calvert or the WBA office.

The Language of Confidence

BY CYNTHIA THOMAS CALVERT

"I want to be the attorney CEOs think of when they have a bet-the-company case," announced WBA immediate past president Marguerite Willis at a board meeting last year. Women attorneys she knew were getting clients, but the cases tended to be small. Clients have to have confidence in us, and we have to have confidence in ourselves, she asserted, so we can play starring roles in the big leagues.

Anyone who knows Marguerite even casually recognizes her as a strong, take-charge kind of person. She has experience as an attorney, she has developed expertise as a litigator, and she presents herself in a manner that inspires trust. A young associate once told me that she wanted to be more like Marguerite, and so we discussed what made Marguerite successful. She signals confidence in a number of ways: good posture; nice clothes; direct gaze; firm handshake. A key

way she projects her competence is through the use of powerful language.

Word choice and verbal mannerisms can enhance or undermine the information women attorneys impart. Consider statements by two attorneys who know the law and are good litigators. The first says "Under the law, the judge has to take your finances into account." The second attorney says "I think one of the things we maybe should argue is that you don't have much money." The first attorney made a definite statement of fact, which suggested that the attorney is going to fight for the client's position. The second attorney made a statement of opinion, which suggested that the attorney is uncertain of the law and indecisive. A client is going to feel more secure with the first attorney, and with good reason. The first attorney is going to be perceived as more competent and powerful by judges and opposing counsel, and is more likely to be successful. Women who want to be more successful, therefore, need to look closely at how they speak.

Women are typically raised to get along with others and to achieve their ends without confrontation. When talking among themselves, women will often use modest or equivocal language that is designed to create harmony. We may preface our remarks with phrases like "I think," "I feel" or "I'm not an expert on this, but it seems to me." We may also frequently apologize, even if an apology is not called for by the circumstances. While these verbal mannerisms may work well to smooth personal relationships, they undermine a woman's effectiveness at work. Deborah Tannen, in *Talking from 9 to 5* (William Morrow and Company, New York, 1994), says "When women use conversational strategies designed to avoid appearing boastful and to take the other person's feelings into account, they may be seen as less confident and competent than they really are." The challenge for us, then, is to eliminate phrases that undermine our success.

Phyllis Mindell, author of *A Woman's Guide to the Language of Success* (Prentice Hall 1995), says that women often start their



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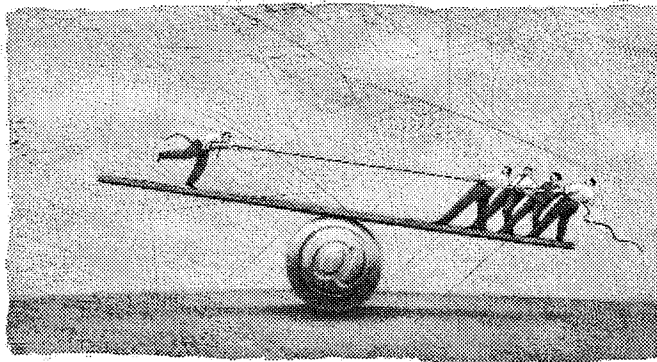
sentences with "the indecisive I." That is, we begin our sentences with the word "I" even when we do not intend to speak about ourselves. For example, instead of saying "The law requires," we say "I know the law requires" (or worse, "I think the law requires"). We are not the subject of the sentence, "the law" is. Mindell observes that "I" statements weaken the speaker by implying uncertainty, permitting dismissal of ideas as just the speaker's perception, and making the speaker appear immature and childlike. "I" statements may even further weaken the speaker by allowing blame to be laid inappropriately on her; for example, a complaint about a secretary that starts out with "I have a problem with my secretary" focuses on the speaker's problem and not what the secretary is doing or not doing. Mindell recommends that women not start sentences with "I" unless they are the true subjects of the sentences.

Other types of language Mindell advises women to drop include words that inject emotion ("feel," "like"), hedges ("shouldn't

really," "in my opinion," "sort of"), and short question tags at the end of sentences ("don't you?," "isn't it?," "right?"). She suggests substituting active and direct language that isn't laden with modifiers ("really very important") or excess clauses. Knowing what you want to say and saying it forthrightly is the key to success.

Here are some quick tips for projecting confidence through language:

- Eliminate "I think" and "I feel" from your vocabulary.
- Make statements in an active and direct voice. Instead of saying "A resolution of the tax issue is needed," say "We need to resolve the tax issue."
- If you know what you are talking about, don't undermine the impact of your message by hedging. "I guess" makes you sound uncertain. On the other hand, if you have a true doubt about what you are saying, words like "may," "likely," "should," and "apparently" acknowledge the uncertainty without sounding weak.
- If you are citing a source, be sure to name it. Phrases such as "they say" sound as if you do not know what you are talking about.
- Don't use emotional or touchy-feely words. Rarely does someone in a business setting care about what you feel, want to know if you feel comfortable, or appreciate that you want to "share."
- Use simple words that get right to the point. Contrary to popular belief, using big or fancy words does not make you sound more knowledgeable. Similarly, avoid long clauses and use modifiers only if they add to the meaning of your statement.
- Never say "you know," "um," or the valley girl "like."
- Finally, power up your speaking by planning what you will say, and by using stories and metaphors to make a point. ■



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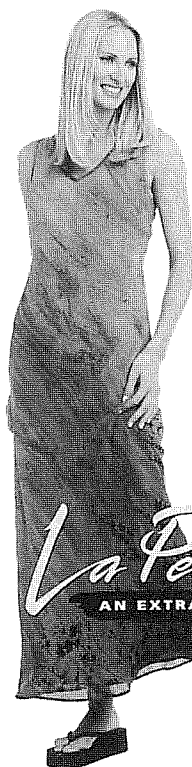
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■ The New York Times Women's Health site —
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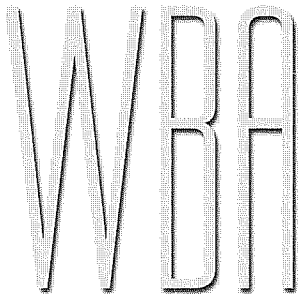
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