

THE BAR

NOVEMBER/DECEMBER 2001

Women's Bar Association of the District of Columbia

RAISING

"It Was A Night To Remember"

That was the comment of one new WBA member reflecting on the evening of September 20th. Some 250 women attorneys gathered downtown at the Homer Building for the WBA Fall Kick Off. The networking event provided a great entree for many non-members to join WBA and meet the WBA Board and committee and forum co-chairs. The brief program included remarks by Wilma Lewis, a partner at Crowell & Moring, and female soccer dynamo Mia Hamm of the Washington Freedom. There were also brief remarks and a moment of silence in honor of the local attorneys who had been taken from us just days earlier in the terrorist attacks. Over light fare and cocktails, both men and women gathered to snag autographs and photos with Mia, and to shake hands with the eloquent Ms. Lewis. To add to the fun, several great prizes were raffled that evening, including

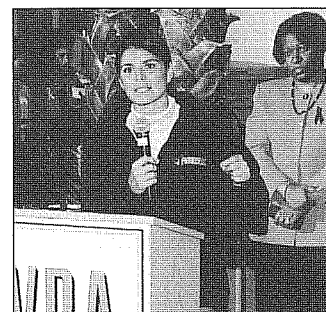
books and CD's from the downtown Borders Books & Music, and dinner certificates at trendy spots such as Butterfield 9, Old Ebbitt Grill, Red Sage, M&S Grill, Catalan West, and the City Club. The event was fun and, more importantly, it was hugely successful in exposing women attorneys to the WBA's great programs. Special thanks to White & Case, LLP, for hosting the event and providing logistical support. ■



Wilma Lewis, a partner at Crowell & Moring, LLP, gave brief remarks at the WBA Fall Kick Off.



Lyn Rahilly (right), Government Attorneys Forum co-chair, signs up new members at the Kick Off.



Mia Hamm of the Washington Freedom at the WBA Kick Off.

The Unfinished Agenda: Women and the Legal Profession

BY ELAINE FITCH

Women have been practicing law in America for centuries. Margaret Brent arrived in the Colonies in 1638, and is often considered to be the first woman lawyer in America. Ms. Brent was involved in 124 court cases over the course of eight years. She won every case. Yet over 200 years later, in 1869, Myra Colby Bradwell was denied admission to the Illinois Supreme Court, despite passing the Illinois Bar Exam with honors, because she was married.

Today, more than 50% of law students are female. Yet one quick look at the upper echelons of our profession reveals a startling discrepancy: women are sorely underrepresented at the top. In fact, women account for less than one third of the nation's lawyers, approximately 15% of federal judges and law firm partners, 10% of law school deans and general counsels, and 5% of managing partners of large firms. Women of color account for only 3% of our nation's attorneys. On average, female lawyers earn about \$20,000 less than male lawyers, despite having

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WBA RAISING THE BAR

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WBA Golf Tournament—Rousing Success

On a spectacularly beautiful day at South Riding Golf Course, some twenty-four foursomes with eighteen sponsors played golf on behalf of the WBA. Whether novice duffer or experienced golfer, there was something for everyone at the WBA's first annual golf tournament.

Generous goodie bags, door prizes, contest prizes and sponsor give-aways were awarded at the outdoor luncheon on the terrace after a beautiful day of golf. Companionship, good humor, and fun were the only rules for the day. Tournament Co-Chairs Grace Marie Maddalena, Paulette Chapman, and Trish Alatorre-Ridings, along with WBA Executive Director Kim Knight, organized a successful event. Please put it on your calendar for next year. ■

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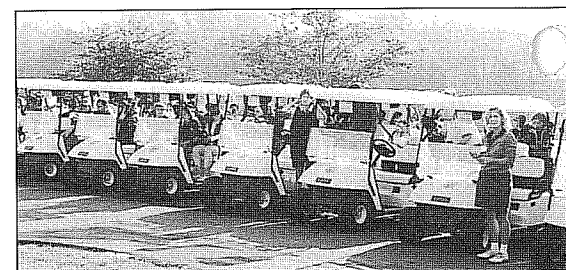
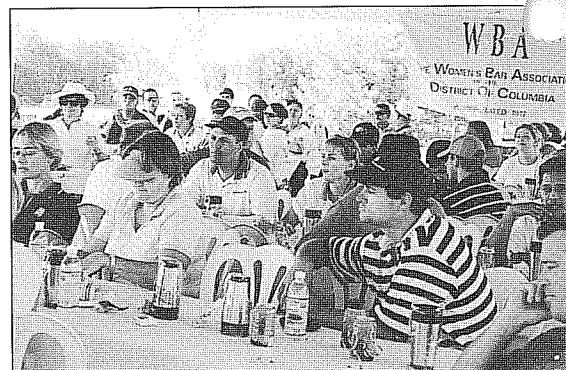
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WBA thanks Kelly Law Registry for generously donating a digital camera to the office. This camera will enable us to post event photos online more efficiently.

KELLY
LAW REGISTRY

WBA Hosts Taiwanese Delegation

On September 6, 2001, the WBA was pleased to host at the offices of Mintz Levin Cohn Ferris Glovsky and Popeo, PC, a group of women lawyers, judges, and social workers from the Awakening Foundation of Taiwan. The Foundation seeks to raise public awareness of women's issues, fight for women's rights, and improve the social conditions of women.

WBA Board members Alyza Lewin and Diane Brenneman organized the program. Ms. Brenneman presented an overview of family law practice in the District of Columbia and discussed briefly some of the provisions of the reauthorized Violence Against Women Act (VAWA). Ms. Lewin distributed a memorandum that analyzed and summarized the VAWA legislation. Amy Bushyeager and Carrie Nixon of Mintz Levin made presentations regarding the use of experts in child custody and domestic violence cases.

After a lively discussion, the consensus was that many women's issues are similar from country to country and that we can learn from each other's successes. At the conclusion of the discussion, Mei-Nu Yu, the President of the National Union of Taiwan Women, presented gifts to the WBA. The WBA presented a certificate of appreciation to the Awakening Foundation for its work on behalf of women and children. ■

New Members

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!

Sarira Alexander
Christine Axsmith
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Kristin Shepard
Kate Sinkins
Amy C. Sullivan
Rachel Tausend
Denise Taylor
Melanie Taylor
Elaine Tseng
Tina R. Tyson
Cynthia R. White
Pamela Wingood ■

JOIN THE WBA'S COMMUNITY PROJECTS COMMITTEE IN THE Help the Homeless Walkathon

The Community Projects Committee will be organizing a walking team to participate in the Fannie Mae Foundation's 14th Annual Help the Homeless Walkathon around the National Mall. The Walkathon benefits more than 200 homeless service and special needs housing providers in the Washington metropolitan area.

The 5K walk will be held on Saturday, November 17, 2001, rain or shine, beginning at 10:15 am at the National Mall between 7th and 14th Streets, NW. The Walkathon begins on the National Mall at 7th Street, proceeds to Union Station, then onto Capitol Hill and Independence Avenue, and concludes on the Mall. Registration opens at 8:00 a.m., pre-opening ceremonies entertainment

begins at 9:00 a.m. and the Walkathon program begins at 10:00 a.m.

The entry fee for individuals over age 25 is \$20 and \$10 for those 25 and under. On-line registration is available at www.helpthehomelessdc.org. Participants may also register by mail at Help the Homeless, c/o Laser Registration, 1200 G Street, NW, Suite 800, Washington DC 20005. Registration will be held the day of the Walkathon beginning at 8:00 a.m. on the lawn of the Department of Agriculture on the Mall at 12th Street NW. The event is accessible by Metro at the Smithsonian, Federal Triangle and Archive/Navy Memorial Metro stops.

For more information about the event or if you would like to join the WBA team, please call Jocelyn Fisher at (202) 467-2543 or Jennifer Duane (202) 585-1937. ■

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Worthwhile Work

A FEW MINUTES WITH NANCY GRUNBERG

BY KATE LINTON

RTB recently met with Nancy R. Grunberg, an Assistant Director in the Division of Enforcement of the Securities and Exchange Commission. Nancy received her undergraduate degree in history from Stanford University, and her law degree from Columbia University. She has spent approximately 8-1/2 years of her career at the SEC (not consecutive) and roughly 13 years in private practice.

RTB: Would you explain what an Assistant Director in the SEC's Division of Enforcement does?

NRG: I directly supervise two Branch Chiefs and one Deputy Assistant Director, each of whom has four staff attorneys under his or her supervision. The staff attorneys are the ones who do the line investigative work—the people who send out subpoenas, take testimony, review documents and put the case together. The Branch Chiefs and Deputy Assistant Director directly supervise the staff attorneys, but I also have a lot of interaction with the staff attorneys. It's not a rigid hierarchy; it's very fluid.

RTB: What is the nature of the investigations?

NRG: The investigations are of possible violations of the federal securities laws, including financial fraud, insider trading, broker-dealer misconduct, unregistered offerings of securities, market manipulation, and a variety of other matters.

RTB: How do these potential violations come to the Division for investigation?

NRG: Different ways: press reports of companies, for example, restating their financial statements; monitoring of the buying and selling of securities and observation of unusual trading activities, for example, prior to a major news announcement; or we may receive tips or complaints from the public. The Enforcement Division also receives referrals from the other divisions of the SEC, such as Corporation Finance, Market Regulation,

and Investment Management. An investigation can be opened rather quickly and, if necessary, on an urgent basis.

RTB: If a recommendation is made to commence an enforcement action, who handles that litigation?

NRG: The litigation is handled by the Trial Unit, a separate group within the Enforcement Division. Whenever possible, the staff attorney in the Enforcement Division who handled the investigation will litigate the case with the trial lawyer, to maintain that knowledge and continuity. Actually, I used to be part of the Trial Unit.

RTB: Why don't you explain your career path to where you are now.

NRG: Before this job, I was in the Office of International Affairs. That is a small office within the SEC, separate from the Enforcement Division. There I worked primarily to assist and advise enforcement personnel when international issues arose in their cases—for example, when they needed to obtain evidence from overseas or freeze assets in a foreign country. We explained the ground rules and helped them with the mechanics of getting what they needed. To make the process of obtaining information easier, the SEC has entered into Memoranda of Understanding with many foreign regulators, which provide a basis for the mutual exchange of information. These Memoranda have worked well to make the process less complicated and more direct—regulator to regulator—for us and for foreign regulators.

RTB: And where were you before the Office of International Affairs?

NRG: Before that, I was in the Trial Unit, litigating cases that had been investigated by the Division of Enforcement and filed by the SEC in federal court or in an administrative proceeding. I had some very interesting cases—a substantial microcap fraud case here in the District of Columbia and a market manipulation case that we tried out in Los Angeles. The only difficulty was that the job required a considerable amount of travel, which



■ Nancy Grunberg

caused some strain on my family and me. The SEC tries cases all over the country, so the Trial Unit lawyers are on the road a lot.

RTB: Your job now must be quite a change from that heavy travel schedule.

NRG: That's true. The line investigators, the staff attorneys and Branch Chiefs, do travel but I've done very little travel since taking this position. Most recently, I went to Oklahoma City for a settlement conference, but I was not acting as the trial lawyer.

RTB: And where were you before you were in the Trial Unit?

NRG: Actually, that was my second time with the Trial Unit. I had been in the SEC's Trial Unit earlier, from 1988 to 1992. Then I left for an opportunity with a small firm that had only been in existence for one year. The firm was looking for a litigator to take some of their cases to trial. I worked there for about four years.

RTB: Did you enjoy the small firm practice?

NRG: It was fascinating. I had never been in a small law firm. Previously I had worked in the Washington Office of a big Wall Street firm, Davis Polk & Wardwell for six years, and I had worked with a Philadelphia firm before that.

RTB: Was the small firm experience very different than working with large firms?

NRG: Very different. At Davis Polk, as an Associate, I didn't worry about my next paycheck, how we would pay the rent, or from where the next piece of business was coming. Joining a small firm was an eye-opening experience. I really saw what the business side of a law practice is all about. The firm did very well for a small firm, although it was a bit difficult to bring in business. All the partners had big firm experience and credentials, but it was hard to get the kind of business that would make us feel secure. As some general counsels of large companies told us, although we were very qualified, if something were to go wrong on the case, they could take some heat for choosing us over a big name law firm.

RTB: So after the small firm experience, you decided to return to the SEC. Why?

NRG: There are some very appealing things about the SEC. The colleagues I have here, as a group, have been the best colleagues I've ever enjoyed. The SEC always had a very collegial atmosphere, and that is extremely important to me. Also, the work is very interesting. In private practice, I found it to be more variable—sometimes you would have a great case but other times the work would be more mundane. Here the work is uniformly interesting and I feel that what I am doing is worthwhile. The agency also has a very good work ethic and high standards for performance; it's all around a good place to work. So I was very glad to come back.

RTB: Do you miss not being a litigator?

NRG: I do miss the Trial Unit, but I don't miss the negatives of the job—difficult opposing counsel, judges who are tough. In fact, I remember when I went to the Office of International Affairs after the Trial Unit how relieved I was that I didn't have to look at my in-box with dread each morning, waiting to see what hate letter or difficult motion or ruling I would have to respond to. It's nice not to have to worry about multiple crises or unpleasant interactions every day.

RTB: Is there anything that you miss from your days in private practice?

NRG: I would say the only thing that's difficult about government practice is the money. This job pays much less money than I earned in any of my jobs in private practice.

RTB: Does that make it hard for the SEC to retain good people?

NRG: Yes, people do get lured out of the SEC for the money, which is quite understandable. It happens at different levels too. I know people who were experienced trial lawyers here who really enjoyed the work, but their kids reached college age and there was just too much financial pressure so that they felt they needed to go to private practice to pay college tuition. I know younger people who have left because we can't compete with the big firms and offer the big salaries. If you're starting out and want to build a nest egg, private practice can be tempting.

RTB: Will you be thinking about college tuitions any time soon?

NRG: Yes, we have four children. The oldest is 15, then 12, 10, and the youngest is 7, so we have a lot of college tuition in our future.

RTB: What do your children think of mom's career as a lawyer?

NRG: My oldest daughter seems interested in topics related to law or government, and she particularly enjoys it when she and I work on a law-related project for school. But she probably sees me, and other parents who are lawyers, and figures that lawyers just work too hard.

RTB: What would you think of your daughter becoming a lawyer?

NRG: I think it would be great, as long as she found a practice area she enjoyed. It seems there are too many lawyers who don't enjoy their work. I would hope that the example I set for my kids is to find something you really enjoy doing, something that's worthwhile, and then do it. I've been very lucky to have found that here at the SEC. ■

MEMBERS ON THE MOVE

Carolyn B. Lamm of White & Case LLP has been elected to the Board of Directors of the American Arbitration Association.

Jack H. Olender was honored by Public Citizen at the organization's 30th Anniversary celebration for his "groundbreaking achievements in bringing accountability to American medicine" and his "tireless dedication to the welfare of the citizens of Washington" through advocacy and philanthropy.

Gracemarie Maddalena, co-chair of the Career Development Committee, has started as Sales Director with Kelly Law Registry. ■

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Unfinished Agenda: Women and the Legal Profession

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similar qualifications, experience, and positions.

Within this context, the ABA Commission on Women in the Profession has issued its third report on the status of women lawyers entitled, "The Unfinished Agenda: Women and the Legal Profession." (The report is available at <http://www.wbadc.org/unfinishedagenda.pdf>) The author of the report, Deborah Rhode, discusses several areas of the legal profession in which women continue to face significant obstacles and makes suggestions for overcoming them. One point that is strenuously reiterated throughout the report is that the hurdles faced by lesbians, disabled, and minority women are even greater, and because there are statistically so few lesbians, disabled, and minority female attorneys, it is virtually impossible to separate out the subclass of statistics.

I. ELLUSIVE EQUALITY

The report identifies six obstacles to achievement of full equality in the legal profession for women.

OBSTACLE 1: MYTHS OF MERITOCRACY

Despite the overwhelmingly obvious deficit of women in the upper echelons of our profession, only 25% of female lawyers and 3% of male lawyers believe that prospects for men are greater than prospects for women. That most lawyers do not recognize the gender inequities in our profession makes them especially difficult to combat. Thus, women attorneys today are still paid approximately \$20,000 less than male attorneys, and a significant gender gap exists between those with similar positions and experience. Moreover, men are at least twice as likely as similarly qualified women to make partnership in a large law firm.

OBSTACLE 2: GENDER STEREOTYPES

Women lawyers face a perpetual conundrum: traits that are valued in male attorneys are demonized in female attorneys. Traditionally, the stereotypical qualities associated with women were considered antithetical to the practice of law. Lawyers were expected to be aggressive, combative, and authoritative. These were considered "male" traits, beyond the grasp of the female, but integral to the practice of law. Yet when women exhibit those same qualities, they are negatively labeled and subject to invective.

In addition, women often do not receive the same presumption of competence as

men, and their work is viewed with closer scrutiny. Likewise, their commitment to the job is questioned, particularly when family and childcare issues are raised. The report found that women are less likely to be viewed as leaders and sometimes see themselves as less deserving of reward. When women do succeed, their accomplishment is often derided as luck or special treatment.

Significantly, approximately two thirds of black lawyers, but only 10% of white lawyers, believe that minority women are treated less fairly than white women in hiring and promotion. The majority of disabled and gay and lesbian attorneys believe that their disability and sexual orientation, respectively, have negatively affected their careers.

OBSTACLE 3: LACK OF MENTORING AND SUPPORT NETWORKS

Despite attempts to the contrary, the report finds that women still face inadequate access to informal networks of mentoring, contacts, and client development. This has many causes. Women of previous generations succeeded on their own without help or guidance from other women, and therefore, may believe that all women should likewise be able to single-handedly achieve success. Some women do not want to be pigeonholed by participating in activities for women. Others are just too over-committed to work and/or family to find time for junior colleagues.

Mentoring and networks cannot be underestimated. Ann Vickery, managing partner of Hogan & Hartson's D.C. office, firmly believes that "it is very important to have women role models in management positions." The legal profession is replete with informal alliances, and without them, an attorney can find herself floundering in her practice. Indeed, the report found that women who are not mentored are less likely to advance. In assessing her own career, Mary Cranston, Firm Chair of Pillsbury Winthrop, explained: "Pillsbury women partners who were senior to me . . . gave me advice on all kinds of issues, including how to conduct myself to be effective and powerful without seeming shrill and how to get my child care set up. I also was very fortunate to have women clients who gave me the chance to lead major litigation teams, and make a name for myself."

OBSTACLE 4: WORKPLACE STRUCTURES

Two of the greatest failings of our current professional structure are the institutional lack of support for individuals with families and the decreasing commitment to pro bono work in the face of increasing economic pressure. Marna Tucker of D.C.'s Feldesman, Tucker, Liefer, Fidell & Bank believes that the entire structure of the legal profession, from billable hours to rules of court, must be reassessed and adapted to accommodate our new two income, two professional families. Indeed, approximately two thirds of lawyers feel that family commitments are the greatest barrier to women's advancement in the profession.

Lawyers are expected to work excessive hours and part-time or flexible schedules are often unofficially frowned upon. Although 90% of surveyed law firms have policies permitting part-time or flexible schedules, those options are frequently viewed as jeopardizing promotional opportunities. Only about 3-4% of lawyers take advantage of these policies. Because of longstanding gender roles in this country, the burden almost always falls on women to accommodate their career goals and to raise children. Many employers reinforce these gender roles: "only 10-15% of surveyed law firms and Fortune 1000 companies offer the same paid parental leave to men and women." Remarkably, half of women in legal practice are unmarried—compared to only 15% of men.

OBSTACLE 5: SEXUAL HARASSMENT

Sexual harassment is still a common problem in the hallowed halls of justice, and almost 90% of complaints are made by women. "[H]alf to two thirds of female lawyers, and a quarter to half of female court personnel, report experiencing or observing sexual harassment." Identical to every other workplace, women do not report harassing behavior for fear of being retaliated against, labeled hypersensitive, or blacklisted.

OBSTACLE 6: GENDER BIAS IN THE JUSTICE SYSTEM

A 1999 American Bar Association study found that almost one third of Americans did not believe that the court system treats men and women alike, and almost half thought that groups were treated differently based upon race and ethnicity. Disrespectful

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treatment is one broad umbrella of bias which the justice system has yet to eradicate. For instance, people are still subject to disrespectful forms of address (e.g., "honey" and "little lady"), racial slurs, backhanded compliments (e.g., "being a credit to one's race"), homophobic jokes and comments, disparaging remarks, and lack of accommodations for disabled individuals. Disturbingly, women, especially women of color, are far more likely to be mistaken for support staff, and are thereby often ignored or interrupted.

II. GENDER ISSUES IN CONTEXT

Although women throughout the profession are confronted with many of the same obstacles and bias, the environments in which they practice can raise particular difficulties.

A. Law Firms

The statistics emerging from law firms are atrocious. The proportion of women of color who are equity partners in large law firms remains below 1%, and their attrition rate after eight years is 100%. Fewer than 15% of equity partners are women. Of surveyed firms, only 5% of managing partners are women. In 1999, Mary Cranston of Pillsbury Winthrop (then Pillsbury, Madison & Sutro) became the first woman in the country appointed to chair a large firm.

B. Solo Practice

The benefits of solo practice, comprised of approximately one-third of female attorneys, are fairly obvious: control over one's practice and life, increased flexibility, and greater independence. However, solo

practice also has its drawbacks: greater isolation, economic instability, lack of support, less prestige, and lower income.

C. Corporate Counsel

This professional area garners approximately 11% of female attorneys, though like law firms, they are disproportionately underrepresented at the highest levels. Some companies are committed to diverse workforces which portends a more inviting climate for minority women. Corporate environments also allow for more proactive problem solving. Yet Catalyst's 2001 survey of women in the legal profession, "Making The Case," found that women corporate counsel were not significantly more satisfied with the balance between work and family than women in law firms, nor did they feel that they could take advantage of alternate work schedules without jeopardizing their advancement.

D. Government and Public Interest Organizations

Many women enter law school with a desire to serve the public good. Consequently, about one-third of female law school graduates enter government, public interest organizations, or judicial clerkships, compared to approximately one-fourth of men. Women comprise approximately one-third of federal government attorneys. Six percent of minority female law graduates enter the public interest arena, compared to 2% of white men. Public sector jobs are often more family-friendly, with greater benefits and more regular hours. Public interest organizations are also deeply committed to diversity and more egalitarian management structures. Of course, the trade-off is that these fields pay significantly less than large law firms.

E. The Judiciary

Currently, women account for about 18% of federal district and appellate judges. Comprehensive data is not available for the states, but preliminary evidence suggests a similar, though somewhat uneven, trend. However, women are still underrepresented at the highest levels and overrepresented at the lowest. This is partly due to the inherent bias of the selection and confirmation process. For instance, individuals from public interest backgrounds are penalized as potential judicial "activists."

In addition, there is still significant evidence of bias in the judicial profession. Women judges are rated lower than male

JOB BANK

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267-0774, APippen@comdt.uscg.mil, U.S.
Coast Guard Ofc of Civ Per, G-WPC-1-3
HR Srv Ctr-HQ, Room 6228 2100 2nd Street,
S.W. Washington, DC 20593.

TRIAL ATTORNEYS

DOJ, Civil Division, seeking experienced attorneys to defend the United States in Toxic Tort Litigation, Tobacco Litigation and other areas of Civil Litigation. Salary commensurate with exp. (\$53,156 - \$114,224). DOJ is an EEO Employer. Background investigation and a drug test are required. Apply to: 1100 L Street, N.W., Room 9021, Washington, D.C. 20530, Attn: Towanna Williams. ■

An Agenda for Change

Unfinished Agenda closes with a series of suggestions for implementing change and rendering the legal profession a more equitable and hospitable environment for all of its members. Here is a sample.

Strategies for Legal Employers and Bar Associations

1. **Assessment of Problems and Responses: Policy Evaluation, Benchmarks, and Training.**
 - Conduct formal and informal surveys and confidential exit interviews in order to obtain systemic information;
 - Management training on diversity or enlistment of a diversity consultant to identify problems and responses;
 - Comparisons with similar organizations;
 - Guidance from best practices manuals;
 - Formal policies and education programs; and
 - Adequate investigation of complaints, appropriate sanctions, and protection against retaliation.
2. **Evaluation Structures, Leadership Opportunities, and Professional Development.**
 - Monitoring written performance evaluations for gender bias and stereotypes;
 - Placing greater reliance on objective outcome-related criteria;
 - Reviewing assignments to provide equal opportunity for career development;
 - Ensuring adequate diversity in leadership and key committee positions;
 - Educating attorneys about how to make and receive effective performance and compensation assessments;
 - Providing formal and informal training in professional development;
 - Reexamining an organization's leadership selection systems, criteria, and structures;
 - Rotating key decision-making positions;
 - Creating selection criteria that do not give excessive weight to business development;
 - Equalizing leadership opportunities by providing adequate support for women who assume them. ■

judges, especially by male attorneys. Bias surveys also reveal a significant amount of disparagement by male judges of their female colleagues and of the number of women on the bench in general.

F. Legal Education

Despite the prevalence of female law students today, only 20% of full professors and 10% of law school deans are women, and only about 5% of each are women of color. About two-thirds of women law professors describe work/family conflicts as a significant problem. Because of anti-affirmative action hysteria in this country, the increases of minority enrollment in law schools has grown less than 1% over the last five years. Yet research consistently shows that students who experience racial diversity in their education "show less prejudice, more ability to deal with conflict, better cognitive skills, clearer understanding of multiple perspectives, and greater satisfaction with their academic experience."

In the classroom, women often feel marginalized, and still contribute less to classroom discussion. This is especially true for women of color. Issues such as race, gender, class, and sexual orientation continue to be marginalized in many schools and classrooms, along with the professors and students who pursue those subjects. ■

TAX AND BUSINESS BROWN BAG SERIES

The Tax and Business forum continues its Brown Bag Lunch series with: "Hot Topics in Legal Technology: Tools Every Practitioner Should Understand" on November 8 from 12:15-1:30 p.m.

Our special package deal for WBA members includes all six brown bag lunches hosted by the Tax and Business forum for the 2001-2002 year for just \$30.

PLACE: Miller & Chevalier, 1450 G Street, NW Suite 900

PRICE: WBA members and students \$7. Non-members \$12

RESERVATIONS: Please call the WBA office at (202) 639-8880 at least a day in advance.

QUESTIONS? Call or email Jeanette Dayan at (202) 626-6037, jdayan@milchev.com or Helen Hong at (202) 744-1672, helen_y_hong@hotmail.com ■

WBA Litigation Forum Presents "Jury Selection"

**A BROWN BAG LUNCH WITH CAROLYN S. KOCH, J.D.,
ON DECEMBER 5, 2001**

The Litigation Forum is pleased to host trial consultant, Carolyn S. Koch, J.D. Ms. Koch is the principal of Jury Solutions (www.jurysolutions.com) and has worked with trial lawyers and in courtrooms all over the country, for both plaintiffs and defendants, on civil and criminal cases. She has created the CLE program entitled, Mastering Voir Dire: Learning Effective Jury Selection Techniques, which is designed to demonstrate techniques with live jurors and provide attorneys with a systematic methodology to improve their own skills. Koch will discuss how attorneys can use mock trials to develop winning strategies for both jury selection and trial and will identify the kinds of case factors and juror characteristics that can make or break a case. Please come to this session with many questions. Time: 12:30 p.m.-1:30 p.m. Location: Sidley, Austin, Brown & Wood 1501 K Street, NW 6th Floor. See calendar for more information. ■

Part One of a Three-Part Series

CLIENT DEVELOPMENT THE EASY WAY

BY MARY ADELMAN LEGG

If ever the metaphor "reaping what you sow" were apropos, it is in the area of client development. "Cultivating" clients is indeed a time-intensive process. You get out of it what you put into it. It is time intensive not only in the sense of the time one must invest to obtain clients—meeting prospective clients, following up, wining and dining, writing articles and making speeches—but also in the passing of time that it takes for a prospect to actually become a client. Prospects must give you their trust and confidence, wait for an appropriate matter to arise, and decide to give you their case.

Client development is difficult under the best of circumstances, but women attorneys face obstacles that most men attorneys do not. Gender, with its accompanying stereotypes, is clearly one. In addition, women who are juggling career and family or other care-giving responsibilities have constraints on the amount of time they can spend cultivating clients. As one female partner who devotes a significant amount of time to client development explains:

I think the best way for a woman to attract clients is to be considered knowledgeable and reputable in her field. I try to do that by writing a column for Washington Technology entitled "Info Tech and the Law" as well as giving periodic seminars on various topics. Beyond that, it's a combination of personality, tenacity and luck. You have to be pleasant, approachable and yet commanding and inspire confidence. You always have to be on the lookout for opportunities and hopefully be at the right place at the right time. I think it's particularly hard for women to attract clients because they have to work hard to establish their legitimacy, whereas for men it is presumed. Also, men have established and historical methods of attracting clients—a referral network based on school ties, golf games or the like. Since women enter the workplace under various conditions and for

various reasons, our "market connections" are less obvious and require more work.

Devon E. Hewitt, Partner,
Shaw Pittman, LLP

Truer words have never been spoken. Yet there are things that women do naturally and easily that can grow their client base. This article will provide some insights into meeting prospective clients. A future article will discuss turning prospects into clients.

Almost everyone knows people who could become clients—getting them to become your clients just requires looking at them a bit differently. Among your acquaintances are people who, as an individual, will need an attorney or who will have authority to hire an attorney for their company. Those acquaintances who do not fall into either category can refer you to someone who either needs an attorney or has authority to hire an attorney for the company. You have, if nothing else, friends, friends of your parents, relatives, former neighbors, former bosses, undergraduate and law school professors and classmates—all of whom can either become clients or introduce you to prospective clients.

Obviously, however, you cannot simply call these prospects out of the blue and inform them that you are "open for business" and expect them to throw any worthwhile work your way. Rather, you need to cultivate them. Just as a seed will not sprout the day after you plant it, you must tend to the seed you have planted by watering and fertilizing it before you see any fruits of your labor of planting. You must continue to put in time and effort, even though you do not receive a pay-off after your first round of work—planting the seed.

One action to obtain a particular client will usually not result in a bountiful harvest of legal work. Client cultivation takes time and patience. Additionally, enjoying what you do and enjoying working with people helps. Think twice about whether you want to make the multi-year commitment to obtain clients, as you will be wasting your time and money, and the time of

your targets, if you undertake your client development efforts half-heartedly.

Many people are uncomfortable contacting for professional reasons people whom they know on a personal basis. That reluctance is perfectly understandable. Many women do not want personal acquaintances to feel that they are merely business prospects, or that their value lies in their ability to pay fees. A shift in view is useful to combat this; once you see that you are offering to help them, to provide solutions to their problems, and not merely trying to get their money, you will feel more at ease about asking them for their business.

Of course, you will want to expand your circle of prospects beyond your acquaintances. In order to meet the right people, you must attend the functions they attend. In other words, you must network. Networking is not difficult and, in fact, can be a lot of fun. You have probably already worked and not even realized it. If you did not realize you were networking, you probably were not conducting it in an organized fashion, which diminishes the chances that you were successful in your networking.

In order to network successfully, in terms of obtaining clients, you must take a studied, organized approach to networking. So, what is networking? Networking is merely getting out and meeting one person, following up with that person, and from that one person, meeting one other person, and by following up with that person, meeting one additional person, and so on. Networking in this way can provide you with a bounty of valuable contacts, and even possibly friends. ■

Next: HOW TO NETWORK

Mary Adelman Legg, founder of Firm Advice, Inc., places attorneys in both law firms and corporations. She will be speaking on client development for the working parent at Howrey & Simon on November 7 and will expand on the information obtained in this article as well as provide guidance on how to establish a trusting relationship with people, which will ultimately reap both tangible and intangible rewards.

FALL 2001 CALENDAR OF EVENTS



Register for these events using the form below.

November 2001

Wed 7 Noon – 2:00 pm
WBA WORKING PARENTS FORUM LUNCHEON
“Client Development for the Working Parent”
 Speaker: Mary Adelman-Legg, President, Firm Advice, Inc.
 Howrey Simon Arnold & White LLP
 1299 Pennsylvania Avenue, NW
 \$10 for WBA members; \$13 for non-members
 Includes lunch if pre-registered by November 6th

Thur 8 12:30 – 1:30 pm
WBA TAX AND BUSINESS FORUM BROWN BAG LUNCH
“Technology in the Law Practice”
 Speaker: Kerry Adams, WBA Technology Advisor
 Miller & Chevalier
 655 15th Street, NW, Suite 900
 \$7 for WBA members and students;
 \$12 for non-members

Thur 8
Robert A. Shuker Scholarship Fund presents Wines and Food of Argentina
 Wine tasting event.
 The National Wildlife Building
 1400 16th Street, NW
 Contact: Donald Bucklin, President
 (202) 626-6816

Thur 15
WBA Corporate Counsel Reception
 By invitation only.
 Hosted by Baker & Hostetler
 Sponsored by Fannie Mae, AOL/Time Warner
 Kelly Law Registry, and CarrAmerica
 Contact: Pat Apfelbaum, ph: (703) 241-8688;
 email: apfelbaum@juno.com

Sat 17

WBA Community Projects Committee
14th Annual Help the Homeless Walkathon
 (sponsored by the Fannie Mae Foundation)
 Walkers needed to participate on the WBA team.
 Contact: Jocelyn Fisher, committee co-chair,

Tue 27 12:15 pm – 1:15 pm
Solo/Small Practice Forum Brown Bag Lunch
“Effective Marketing Techniques for Solo and Small Practice Firms”
 Group discussion. Bring articles and examples to share.
 The Lewis Law Firm
 805 15th Street, NW, Suite 200
 (McPherson Square metro)
 RSVP to Regina DeMeo, (202) 408-0655; email: reginademeo@yahoo.com

December 2001

Wed 5 12:30 pm – 1:30 pm
WBA Litigation Forum Brown Bag Lunch
“Jury Selection”
 Speaker: Carolyn S. Koch, Principal,
 Jury Solutions
 Sidley Austin Brown & Wood
 1501 K Street, NW, 6th Floor (McPherson Square metro)
 \$5 for WBA members and students; \$10 for non-members

WBA Holiday Networking Party
 Date to be announced.



RESERVATIONS

Please specify the programs for which you would like to register. Catered events must be registered for in advance and are refundable until five days in advance of the event. Make checks payable to the WBA or include credit card information on form. Thank you!

Name: _____ WBA Member: ☐ Yes ☐ No

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Reservations, with credit card information included, may be faxed to (202) 639-8889
 You may also register at the WBA website, www.wbadc.org

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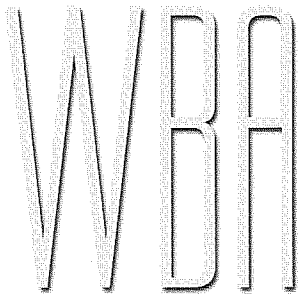
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