THE BAR

Women's Bar Association of the District of Columbia

PRESIDENTIAL APPOINTMENT PANEL

n October 14, 2004, the WBA hosted its second very successful bipartisan panel on the Presidential Appointment Process at the City Club. As with the panel hosted before the 2000 election, WBA members gained insight into the complex appointment process of Washington, which some call Washington's best kept secret. All of the stellar panelists emphasized that in addition to qualified skills and experience, obtaining an appointment requires effective networking and wise mentors.

After welcoming remarks by WBA President, Joanne Young, the moderator, Lark McCarthy, Anchor for Fox 5 Morning News, opened the discussion with lively and inquisitive questions. The panel presentation began with Dina Powell, who is presently serving as Assistant to the President for Presidential Personnel. Ms. Powell spoke of the importance of government service. She underscored the value of working as a public servant. She explained that every President makes up to 4,000 appointments.

Serving is an incredible, yet very competitive,

opportunity. Certain presidential appointments require Senate approval while many do not. Ms. Powell noted that the guidelines for appointments are specific and include exemplary qualifications, management experience and that there is an emphasis on diversity.

The next speaker was Elizabeth Frawley Bagley, US Ambassador to Portugal during the Clinton Administration. Ms. Bagley spoke of her position as the overseas representative of the President - an incredible way to serve the country. The road to an Ambassadorial appointment, however, is not easy. An elaborate network of contacts and mentors is the only way to navigate the complicated path to an appointment. Ms. Bagley explained that since the Ambassador positions are the last positions filled, the process is long so patience is required. In addition, the Ambassador position requires Senate confirmation, which she warned can place your personal life and financial arrangements under intense scrutiny.

The next speaker was Harriet Miers, Assistant to the President and Deputy Chief of Staff for

CONTINUED ON PAGE 8

HIGHLIGHTS 2 President's Column 3 Women Partners' Dinner 4 Stars of the Bar 6 Ath Annual Golf Classic 8 Presidential Appointment 10 Federal Sentencing Guidelines 12 Members On The Move 13 New Members 15 Calendar



WBA President Joanne Young, Panelists Dina Powell, Ambassador Elizabeth Frawley Bagley, Harriet Miers, Helen Kanovsky, Moderator Lark McCarthy, and Panelists Hon. Rosemary Collyer and Eleanor Acheson.

RAISING THE BAR

A Publication of

THE WOMEN'S BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA

1717 K Street, NW, Suite 503
Washington, DC 20036
[202] 639-8880
Fax: (202) 639-8889
E-mail: wba@wbadc.org
http://www.abadc.org
Nancy Long
Executive Director

Copyright 2005 The Women's Bar Association of the District of Columbia. All rights reserved.

WBA OFFICERS & BOARD

Joanne W. Young	President
Karen M. Lockwood	President-Elect
Barbara A. Burr	Treasurer
Maureen Kerrigan	Treasurer-Elect
Hon, Janet James Mahon,	

Board of Directors

Kathlees A. Behan Angela Fisher Jaffee Jennifer A. Duane Mary W. Legg Lisa A. Dunner Bonnie J. Pinzel

Paulette E. Chapman, Immediate Past President, Ex-Officio

WBA FOUNDATION OFFICERS & BOARD

Hon. Diane M. Brenneman	President
Victoria McEneney	
Heidi Sorensen	Treasurer
Tracy Graveline Durkin	Recording Secretary
Norma Brown Hutcheson	Corresponding Secretary

Board of Directors

Ann Bushmiller Consuela Pinto
Paulette E. Chapman Diana M. Savit
Jocelyn Fisher-Perkins Lorelie Masters
Ellen M. Jakovic Susan Kovarovics

Karen M. Lockwood, WBA President-Elect, Ex-Officio

Raising The Bar is published by the Women's Bar Association of the District of Columbia, Subscription rate is \$100 annually. Materials for publication may be submitted to the Editor, Raising the Bar, 1717 K Street, NW, Suite 503, Washington, DC 20036

PRESIDENT'S COLUMN

By Joanne W. Young

appy New Year! January is an excellent month to reflect on our goals and aspirations for the New Year. I hope that you will include the WBA in your resolution planning. Our full calendar of educational, networking, professional and personal development events provide opportunities to turn those resolutions into reality.

turn those resolutions into reality.

Recently, I was asked to address a luncheon hosted by the Women's Leadership Initiative of the United Way of Greater Cincinnati in my capacity as President of the Women's Bar Association of the District of Columbia. The Women's Leadership Initiative is a part of the Alexis de Tocqueville Society - leadership donors who are investing their resources to build the community. I was invited to share the WBA's experience in philanthropy and active volunteering. In my remarks, I noted that for 86 years the

and active volunteering. In my remarks, I noted that for 86 years the WBA has worked to advance the interests of women in law by creating leadership and mentoring opportunities, by providing forums in which women can discuss issues of importance and honor the leadership achievements of their peers. I encouraged the Cincinnati Women's Leadership Initiative -- as I challenge all WBA members – to:

- Show your commitment with time, leadership and whatever resources you have to offer.
- Expand your professional network.
- Develop your leadership potential.
- Do what you could never do alone and what the association could never do without you.

Surprisingly, Cincinnati does not have an active women's bar association. After my remarks, women approached me, impressed by the work of the WBA and asked how to create an association in Cincinnati. I described the formation process, feeling honored to do so. This experience reminded me how fortunate we are to be part of such a thriving association, founded by women for women, rich in history and leadership opportunities.



Denise Kuprionis, V.P., Corp. Secy., Director of Legal Affairs, E. W. Scripps Co.; Vivian Schwab, Co-chair 2004 United Way campaign; Joanne Young, Partner, Baker & Hostetler LLP; Robin Harvey, Partner, Baker & Hostetler LLP; Cynthia Gibson, Partner, Katz Teller Brant & Hild

If you haven't already, I encourage you to take an active role in the WBA - join a committee or volunteer to assist with Showcase programs, such as the Women Partners' Dinner coming up on February 16, 2005 the Annual Awards Dinner on May 17, 2005! We are here to welcome you!

WBA TO AGAIN HOST A WOMEN PARTNERS' DINNER

the elegant City Club, February 16, 2004, 6:30pm-8:30pm

The WBA Board is pleased to announce the first WBA Women Partners' Dinner since 1999. One of the key showcase events of the WBA year, the dinner features an exciting program that will forecast a WBA initiative for the 2005-06 WBA year.

The WBA's new initiative for 2005-06 will seek to involve the community of law firms in an ongoing forum on the role of women in DC area law firms. Karen M. Lockwood, President-Elect, summarized the goals of the initiative as "a project that will yield concrete results to benefit all firms and women lawyers." She explained, "We hope to enroll the creative and caring lawyers who make up our DC practice community, including men and women, law firm partners and knowledgeable consultants, managers and aspiring women, to create on paper the ideas that are working the best to retain and advance women lawyers in DC." The initiative will feature multiple sessions starting in June 2005.

Law: Making the Case.



Anne C. Weisberg

Anne C. Weisberg, JD, Senior Director of Advisory Services at Catalyst Inc. in New York City, will speak in an interactive program on the theme of the retention and advancement of women in law firms. Catalyst is one of the nation's leaders in the objective study and publication of statistics and trends in diversity. Many of its accomplishments appear at www.catalystwomen.org. Among other projects, Catalyst was tapped by the ABA mmission on Women to provide the statistically valid demographic research and polling for the ground breaking report "The Difference Difference Makes," available at www.abanet.org. Ms. Weisberg has been at the forefront of Catalyst's endeavors regarding women in law firms, and led the project that produced Women in

The Partners' Dinner, in addition to reaching out to women partners who are mentors on this important subject, will be a warm environment in which to circulate among friends, renew acquaintances, and welcome new women partners.

The WBA is pleased to announce the kind support of this event through a grant by the Women's Bar Association Foundation. Additional sponsorship opportunities will be available.

Nominations Sought for WBA Woman Lawyer of the Year and WBA Torchbearer

Nominations are sought for the 2005 WBA Woman Lawyer of the Year (WLY) and WBA Janet Reno Torchbearer Award. The WLY Award recognizes a woman for her exceptional achievements in the legal profession and/or for her extraordinary contributions to the advancement of women in the profession. The 2005 WLY Award will be presented at the 2005 WBA/WBAF Annual Awards Dinner on May 19, 2005 at the National Building Museum. The Torchbearer Award, named in honor of Janet Reno, the first woman to serve as U.S. Attorney General and the first recipient of the Award, is presented at the Annual Awards Dinner odically, rather than annually, to an attorney who has blazed trails to open the path of opportunity to, and forever changed the world for, women. Please send your nomination to the attention of: WBA Past President Ellen M. Jakovic via email (ejakovic@whitecase.com), fax (202-639-9355), or first class mail (c/o White & Case LLP, 701 Thirteenth Street, NW, Washington, DC 20005) by February 11, 2005.

The "Stars Light up the Homer Building"

On September 23rd, the WBA hosted its very successful annual Fall Networking Reception at the Homer Building Atrium. This year twenty-one outstanding women lawyers from academia, area corporations as well as government and private practice were honored as "Stars Of The Bar" for their accomplishments. More than 450 members of the WBA, attorneys and law students from across the Washington Metropolitan area attended the reception at no charge for the exciting opportunity to meet and network with the "Stars." In addition, attendees were able to mingle with the WBA leadership, including Board members and the Committee and Forum co-chairs.

Introductory remarks were made by Joanne W. Young, President of the Women's Bar Association and she introduced each Star with great wit and style. Following Joanne, Henrietta Holsman Fore, the 37th Director of the United States Mint, presented wonderful remarks to the very attentive crowd.

This reception is always a much anticipated event because of the unique networking opportunity that it provides to meet women attorneys of distinction. The WBA proudly hosts this reception to recognize particular women for professional excellence, and to provide members and non-members with the opportunity to make valuable business and professional connections. Lawyers who attended the reception were provided with the opportunity to meet and talk with other women in the profession who may be more experienced and able to provide advice and informal mentoring or who are at a similar stage in their career. This event furthered the WBAs goals of honoring the accomplishments of women lawyers while simultaneously providing its members with networking and mentoring opportunities.

We wish to thank all of our "Stars"!!!!!



WBA President Joanne Young and WBA President-Elect Karen Lockwood with the Stars!

J. WEILI CHENG

Vice President and Assistant General Counsel Marriott International, Inc.

LAURA A. MILLER

Partner Nixon peabody LLP

DEVARIESTE CURRY

Principal Curry Law PLLP

RHONDA D. ORIN

Managing Partner, D.C. Anderson, Kill & Olick, LLP.

JUNE DEHART

Partner Manatt, Phelps & Phillips, LLP

LESLIE V. OWSLEY

Assistant General Counsel Verizon Communications

ANDREA BEAR FIELD

Managing Partner, D.C. Hunton & Williams

LLOYD LEVA PLAINE

Partner

Sutherland, Asbill & Brennan, LLP

PAMELA J. GARVIE

Partner

Preston Gates & Ellis, LLP

MARY ELLEN POWERS

Partner-in-charge, D.C. Jones, Day, Reavis & Pogue

ELIZABETH SARAH GERE

Partner

Ross, Dixon & Bell, L.L.P.

VIRGINIA PATTON PRUGH

Lt. Col., U.S. Army, Attorney Adviser U.S. Department of State

TARA K. GIUNTA

Managing Partner, D.C Coudert Brothers LLP

KARLYN D. STANLEY

Managing Partner Cole, Raywid & Braverman, LLP

JUDITH L. HARRIS

Managing Partner, D.C. Reed Smith, LLP

SUSAN STEWART

Chairman and President Charter Financial Group, Inc.

ANN KAPPLER

General Counsel Fannie Mae

BARBARA WALL

Vice President and Associate G.C. Gannett Company, Inc.

MARY E. KENNARD

Vice President and General Counsel American University

CYNTHIA CLARKE WEBER

Managing Partner Sughrue Mion, PLLC

MARTHA JP MCQUADE

Managing Partner
McQuade & Hite, PLLC



Honoree Elizabeth Sarah Gere with Executive Director Nancy Long



Intellectual Property Co-Chair Rebecco McNeill and Community Projects Co-Chairs Helen Hong-George, Linda Donaghy and Helen Hight



Honorees J. Weili Cheng, Lloyd Leva Plaine, and Karlyn Stanley with WBA President Jaanne Young



WBA Board Member Angela Fisher Jaffee with Honoree Martha JP McQuade



WBA Board Member Kitty Behan with Honoree Mary Kennard



WBA Foundation Board Members Vicky McEneney, Vice-President, Ellen Jokovic, Heidt Sorenson, Treasurer and Hon. Diane Brenneman, WBAF President



Honoree Devarieste Curry and WBA Past President Jennifer Porter



Honoree Mary Ellen Powers with WBA Board member Bonnie Pinzel



Honoree Susan Stewart and WBA Board member Lisa Dunner



DC Bor President Jack Keeney, Former DC Bor President Shirley Higuchi and WBA Foundation President Hon, Diane Brenneman



Honorees Pamela Garvie and Stephen Young, Honoree Lloyd Leva Plaine, Mark Jones and Honoree Barbara Wahl



Honoree Cynthia Weber, WBA Board member Kitty Behan and Shirley Higuchi



Honoree Andrea Bear Field (2nd from left) enjoys the guests



Honorees Rhonda Orin and Leslie Owsley enjoy the event!



Honoree Judith Harris listens to the remarks!



Honoree Tara K. Glunta with WBA President Joanne Young



Honoree Virginia Patton Prugh accepts her gift!



Keynote Speaker Henrietta Holsman Fore and the Honorees



Keynote Speaker Henrietta Holsman Fore delivers her wonderful comments!

The Women's Bar Association would also like to thank its Sponsors for the evening's festivities. We appreciate your support!

Women's Bar Association Foundation

Paker & Hostetler, LLP

wrey, Simon, Arnold & White

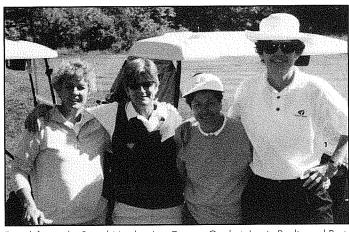
Marriott International, Inc.

Reed Smith, LLP

BNA, Inc.

Manatt, Phelps & Phillips, L.L.P.
Preston Gates & Ellis, L.L.P.
Jones, Day, Reavis & Pogue
Sughrue Mion, PLLC
Sutherland, Ashbill & Brennan, LLP
Ross, Dixon & Bell, L.L.P.
Coudert Brothers LLP

The Washington College of Law at American University Cole, Raywid & Braverman, LLP White & Case LLP Document Technologies, Inc. Reliable Copy Service



From left to right, Board Member Lisa Dunner, Co-chair Laurie Baulig and Past WBA Presidents Jennifer Porter and Pat Gurne enjoy a round of golf!



From left to right, Gold Sponsor IKON representative Matt Grimshaw and Hon, Milton Lee, Hon, Tara Fentress and Hon, Diane Brenneman, WBA Foundation President, enjoy a beautiful day and a great round of golf!

4th ANNUAL GOLF CLASSIC

A crisp morning with a clear blue sky turned into a gorgeous day for golf. Regardless of the score, everyone walked away feeling great after the 4th Annual WBA Golf Classic at South Riding. Thanks to the generous participation of our sponsors, everyone enjoyed great gift bags and a relaxing afternoon lunch with tons of fabulous give away door-prizes! Many thanks to the Golf Committee: Trish Alatorre-Ridings, Laurie Baulig, Lisa Dunner, Regina DeMeo, Helen Hong-George, Karen McGee and Yahne Miorini, as well as WBA President Joanne Young and Executive Director Nancy Long.

The WBA thanks the following Major Sponsors of the WBA Golf Classic IV

TITANIUM SPONSOR

Baker & Hostetler LLP

GOLD SPONSORS

IKON

SILVER SPONSORS

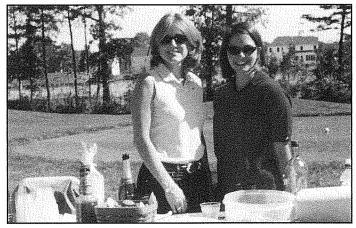
Ernst & Young LLP Golf Life Institute **IAMS** Marshall Hall & Associates, Inc. Reliable Copy Service Spherion/Henderson Legal Sterne, Kessler, Goldstein & Fox PLLC Thompson & Thompson

HOLE SPONSORS

ALL-STATE Legal Firm Advice, Inc. Legal Times Marsh, Inc. Northwest Mutual Financial Network Nortel Networks Reliable Copy Service Spherion/Henderson Legal Studio Infinity Tishman Speyer Properties **UBS** Financial Services



WBA President-Elect Karen Lockwood with her most improved foursome, from left to right, Carol Moroz, Silver Sponsor Rebecca Hall, Marshall Hall & Associates, Karen and Terry Toomey.



Hole Sponsor Kathy Barlow of Marsh Inc. fixing up some fancy drinks.

THANKS TO THOSE WHO CONTRIBUTED THE FABULOUS DOOR PRIZES



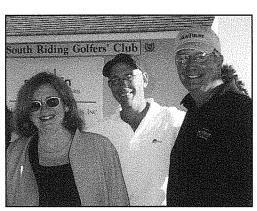


Hole Sponsor Studio Infinity enjoy the serenity of the day!

USAirways Paulette Chapman Red Sage Conde Naste South Riding Golf Course Office Depot **GLOW Tanning IES Promotions** Best Shot, Inc. Elliz Salon of Georgetown Cold Stone Creamery Franco Barnard Hair Studio Jolie Spa Fine Art Color Studio Infinity Carlyle Grand Café BNA, Inc. Marriott Westfield



JAMS Silver Sponsor Zara Trowbridge enjoys a relaxing massage from a Studio Infinity massage specialist.



WBA President Joanne Young with SunTrust golfers!

Thanks to the Gift Bag Contributors!

nst & Young LLP, Maret Coaching, Legal Times, Spherion/Henderson Legal Services, LA Sports Club, Golf Effe Institute, Cold Stone Creamery, Fine Art Color, Marshall Hall & Associates, UBS Financial Services, BNA, Inc., Corner Stone Research, Office Depot, Blackboard.com, Northwest Mutual Financial Network, Valuation Services, Kelly Law Registry, Howrey, Simon, Arnold & White, Firm Advice Inc., Conde Nast, White & Case LLP, and Sterne, Kessler, Goldstein & Fox PLLC

PRESIDENTIAL APPOINTMENT PANEL

CONTINUED FROM PAGE 1

the current Bush Administration. Ms. Miers finds government work a wonderful way to serve the country. She focused on the judicial appointment process. A Judicial Nominating Committee oversees the process. Ms. Miers then proceeded to suggest excellent ideas for those interested in pursuing a judicial nomination. First, write the White House and set forth your goal. Second, find someone involved in the processperhaps a Senator. Third, develop your nomination through contacts and mentors. Fourth, get involved with the ABA because the ABA plays an important role in reviewing and making recommendations to the Judicial Nominating Committee. Ms. Miers could not emphasize enough the importance of having contacts and mentors. Quoting Ms. Miers, "It is those lifetime friendships that develop by being involved in an organization like the WBA."

Next was Eldie Acheson, Assistant US Attorney General for Policy Development, US Department of Justice, Clinton Administration. Ms. Acheson coordinated judicial nominations for the Clinton Administration with the Office of Counsel to the President and the US Senate. Ms. Acheson also shared some important recommendations: Focus on your career strengths; think about the job you want and pick a job (appointment) that dovetails with your interests and career strengths; focus on the jobs that focus on your strengths and management skills; be a part of a campaign and be prepared to fundraise; Who knows you? And who knows the process? What is required of you? Ask yourself if there is anything in your background that can hurt your confirmation chances. Find people who will help you find the best fit and who can help you get there-Senators, Oversight committee members, and an organization, like the WBA, that complements your avocation.

Hon. Rosemary Collyer was the next panelist. Judge Collyer serves as a US District Court Judge for the District of Columbia. She served as General Counsel of the National Labor Relations Board and Chairman of the Federal Mine Safety and Health Review Commission during the Reagan Administration. Judge Collyer suggested that you should look for a job that you haven't done that will challenge you. One's experience is critical to getting an appointment. Hang tough through the challenging confirmation process, as this is a family decision and factors such as moving and financial constraints are real issues to consider.

Helen Kanovsky was the final speaker. Ms. Kanovsky served as Special Assistant to the Secretary of Housing and Urban Development and the Secretary of Health, Education and Welfare, as well as being Associate Executive Secretary to the Department of Health and Human Services in the Carter Administration. Ms. Kanovsky shared six points in seeking Presidential Appointments. 1. Be qualified-you don't need to be an expert but do have experience; 2. Let people know you are qualified-reach out indirectly through others; join organizations like the WBA to meet people who can help; 3. Get involved in a political campaign; 4. Help and encourage others and thus increase your own network; 5. Everyone is a contact-keep your eyes open at all times; and 6. Different times mean different opportunities-don't give up.

The speakers then remained for a lively question and answer time and addressed excellent questions raised by the audience participants. Moderator Lark McCarthy effectively moved the discussion along to allow for many interesting and informative questions and answers. Many thanks to WBA President Joanne Young and committee members Natalia Geren, Susan Kovarovics, Elizabeth Scully and Laurie Baulig for a very successful and timely program.

PRESIDENTIAL APPOINTMENT PANEL October 14, 2004



Dina Powell, Assistant to the President for Presidential Personnel (George W. Bush Administration)



Elizabeth Frawley Bagley, US Ambassador to Portugal (Clinton Administration)



Harriet Miers, Assistant to the President and Deputy Chief of Staff (George W. Bush Administration)



Co-chairs Natalia Geren, Susan Kovarovics and WBA Past President Ellen Jakovic.



WBA President Joanne Young welcomes the crowd!



Moderator Lark McCarthy warms up the audience!



Eleanor Acheson, Assistant US Attorney General for Policy Development, US Department of Justice (Clinton Administration)



Rosemary Collyer, Judge, United States District Court for the District of Columbia; General Coursel, National Labor Relations Board and Chair, Federal Mine Safety and Health Review Commission (Reagan Administration)



Helen Kanovsky, Special Assistant to the Secretaries of Housing and Urban Development and Health, Education and Welfare, Associate Executive Secretary for Health & human Services (Carter Administration); Former Chief of Staff for Senator John F. Kerry

2004 Federal Sentencing Guidelines Mandate Periodic Training for All Employees on Workplace Ethics

()

MICHAEL W. JOHNSON¹ DAWN HENRY²

Effective November 1, 2004, the Federal Sentencing Guidelines have been amended with provisions that strongly encourage organizations to adopt an ethical culture and greatly increase organizations' obligations to institute effective ethics and compliance programs. Key among these obligations are that organizations must periodically provide compliance and ethics training to all employees. The new Guidelines grew out of a requirement in the Sarbanes-Oxley Act of 2002 (SOXA) that the United States Sentencing Commission examine the existing Guidelines to ensure that they were "sufficient to deter and punish" organizational criminal misconduct.³ The Commission's examination led to extensive amendments that focus on organizations creating a corporate culture of ethics and legal compliance.

All employers should take note of the new Guidelines; while SOXA covers only publicly traded companies, the Guidelines apply to "all organizations whether publicly or privately held, and of whatever nature, such as corporations, partnerships, labor unions, pension funds, trusts, nonprofit entities, and governmental units." ⁴

I. The Federal Sentencing Guidelines

First, the bad news: the new Guidelines make clear that, with regard to obstruction of justice and certain types of fraud, an organization may face criminal liability for an employee's conduct "even if the employee acted directly contrary to company policy and instructions."

Now, the good news: organizations showing that they have an effective ethics and compliance program in place and that the criminal violation represented an "aberration" within an otherwise ethical organization can reduce the punishment they might face, including a reduction of potential fine ranges "up to 95 percent." However, the absence of an effective compliance and ethics program may be used to increase the punishment the organization receives. ⁷

Those familiar with SOXA's mandate to public companies to create ethical corporate cultures will find similar themes in the Guidelines. Both emphasize that organizations must do more than pay lip service to acting responsibly. Organizations seeking to succeed in today's business world should take heed of the Guidelines' requirements and build a culture of compliance and ethics based on sound policies that are communicated to and utilized by their employees. As the Commentary to the Guidelines emphasizes, while effective programs should prevent criminal conduct, they "also should facilitate compliance with all applicable laws."

Chief among the Guidelines' "minimal requirements" is effective training for individuals at all levels within the organization, from rank-and-file employees to top level executives. One-time training is not enough. Because ongoing communication with employees is essential to establishing an ethical culture, organizations must provide their employees with "periodic" trainings. 10

Training, of course, is just one element of an effective ethics and compliance program. The Guidelines also require that, at a minimum, organizations:

3 Sarbanes-Oxley Act, § 805(a)(2)(5), Public Law 107-204 (2002).



Michael Johnson is a Managing Director of Brightline Compliance, LLC. Based in Washington, DC, Brightline Compliance provides online and instructor-led training on workplace ethics, preventing workplace harassment, conducting internal investigations, and other employment law topics to employers around the country. Mr. Johnson is a former civil rights attorney in the U.S. Department of Justice and a graduate of Harvard Law School.

² Dawn Henry is an attorney and trainer. She is a former senior trial attorney for the Civil Rights and Civil Divisions of the U.S. Department of Justice and a graduate of the University of Virginia School of Law. She may be reached at dawnhenry@verizon.net.

United States Sentencing Commission, An Overview of the Organizational Guidelines (2004).

id.

⁶ Id.

^{7 1}d.

⁸ U.S. Sentencing Guidelines, § 8B2.1 introductory cmt..(proposed May 1, 2003).

U.S. Sentencing Guidelines, § 8B2.1(b)(4); see also Commentary to the Amendments.

¹⁰ U.S. Sentencing Guidelines, § 8B2.1

- 1. Establish standards and procedures to prevent and detect criminal conduct
- 2. Place responsibility with the organization's governing authority and high-level personnel to ensure that the organization's compliance and ethics program is adequate
- 3. Preclude persons who have engaged in illegal or unethical actions from serving in high ranking positions
- 4. Audit, monitor, and periodically evaluate the program's effectiveness, and provide a way for employees to report concerns about illegal behavior without fear of retaliation
- 5. Provide incentives to employees and agents to not act illegally or unethically, and discipline those who do, and
- 6. Take reasonable steps to respond to misconduct and to prevent future misconduct. 11

II. Benefits of Effective Compliance and Ethics Programs and Training

While some organizations may have to devote significant resources to creating a culture of ethics and compliance, especially if this has not been a priority in the past, organizations should take some comfort in the fact that research has shown that effective programs do pay off.

A University of Southwestern Louisiana study of public companies found that publicity about unethical corporate behavior lowers stock prices for a minimum of six months. Conversely, a 1997 DePaul University study found that companies with a defined corporate commitment to ethical principles do better financially than companies without such a commitment. One reason may be that their employees make smarter choices. According to a study from the Ethics Resource Center, in organizations that did not have an ethics program in place, 23 percent of employees said that they had felt pressure to compromise their ethical standards in the workplace. In contrast, in organizations with an ethics program, only 13 percent of employees felt pressure to compromise ethical standards. ¹²

According to W. Michael Hoffman, Executive Director of the Center for Business Ethics at Bentley College, given the legal bligations and the potential financial savings from effective prevention programs and training, organizations "have sort of been ning, not walking, to jump on the ethical bandwagon, because it's sort of like having a house without fire insurance if you do not try to meet these ethical requirements."

III. Content and Delivery of Ethics and Compliance Training

Ethics and compliance training should address areas where employees are most likely, even unwittingly, to violate a law or organizational policy, thereby exposing the organization to criminal or civil liability and reduced morale and productivity. Most organizations will benefit from training employees on topics such as: confidential information; proper accounting and reporting; conflict of interest; organizational property; accepting gifts and favors; and outside employment. Training also should include information on employee reporting mechanisms and anti-retaliation policies. Other training topics specific to particular employees may be appropriate. For instance, directors and high ranking personnel will need additional instruction on their specific responsibilities under SOXA, the Guidelines, and other applicable laws and regulations.

Organizations' policies vary, so training should describe those policies, as well as applicable law. In addition, employees will be better equipped to make difficult decisions in real life situations if they have practiced responding to hypothetical questions during training. Effective training provides employees a clear set of practical tools for identifying and resolving tough ethical dilemmas.

IV. Conclusion

SOXA and the Guidelines have raised the bar for organizations to act more responsibly. Organizations would be wise to equip themselves with meaningful compliance and ethics policies and to communicate the policies and their commitment to lawful and ethical practices to all employees.

¹¹ Id.

¹² Joshua Joseph, Integrating Ethics and Compliance Programs: Next Steps for Successful Implementation and Change, Ethics Resource Center (2001).

NEW BOOK HELPS LAW FIRMS SUCCEED WITH PART-TIME PROGRAMS

0

Author Author! Solving the Part-Time Puzzle: The Law Firm's Guide to Balanced Hours by WBA MEMBERS Joan C. Williams and Cynthia Thomas Calvert (NALP 2004), is available at http://www.nalp.org/bookstore/detail.cfm?p=SOLV. More information about the book is below.

"This is an important book," writes Jim Sandman, managing partner of Arnold & Porter LLP. Noting that the inability to achieve work/life balance is lawyers' biggest source of dissatisfaction, he predicts "This book can and will make a difference."

He is referring to *Solving the Part-Time Puzzle: The Law Firm's Guide to Balanced Hours* by Joan C. Williams and Cynthia Thomas Calvert (NALP 2004, available at the NALP online bookstore http://www.nalp.org/bookstore/detail.cfm?p=SOLV).

The book is written for law firm partners and administrators who are interested in new approaches to increasing the profitability and viability of their law firms. While it is unconventional to discuss part-time and increased profits in the same breath, Williams and Calvert make a strong case that effective part-time programs that do not stigmatize the lawyers who reduce their hours can significantly boost firms' bottom lines. Benefits firms can expect include: improved hiring, with lower hiring costs; decreased attrition, which lowers firm expenses and raises morale and productivity; increased client satisfaction; improved business development; and enhanced reputation.

Pragmatism is key throughout the book. Williams and Calvert are both attorneys, and spent hundreds of hours interviewing attorneys at all levels within law firms about the issues they face in balancing business needs and personal obligations. Every suggestion made in the book is being used successfully by firms or companies, and numerous examples of best practices are provided.

For further information, you may contact Joan Williams at williams@acl.american.edu or Cynthia Calvert at cynthiacalvert@cynthiacalvert.com

HIGHLIGHT ON A WBA COMMITTEE FORUM

INTERNATIONAL LAW FORUM

The International Forum had a busy fall season hosting two luncheons, one on changes to the NAFTA after the most recent ministerial meetings, and one on anti-money laundering laws and their clients. The NAFTA luncheon featured speakers from the Office of the U.S. Trade Representative, and the Embassies of Mexico and Canada. The money laundering luncheon featured speakers from the Departments of Justice and the Treasury, and from FDIC and the Financial Crimes Enforcement Network. Both events were sell-outs with will over 50 people in attendance. Likely programs for the coming year include a co-sponsored event with the IP Forum and a luncheon featuring women whose accomplishments in international law have reached a truly global scale. As always, please do not hesitate to contact Michelle Turner at (202) 263-4170 or Margarita Greene at (708) 212-7674, the co-chairs of the International Forum should you have any ideas for events or should you wish to become more involved in the Forum's activities.

MEMBERS ON THE MOVE

Kathryn Ann Ellis, the Senior Counsel to the Deputy General Counsel for Program Service and the agency dispute resolution specialist at the U.S. Department of Education, has been selected to receive the 2005 Beatrice Rosenberg Award by the District of Columbia Bar. The award will be presented at the 2005 DC Bar Conference on March 3. Kathy is a past President of the Women's Bar Association Foundation, and a past WBA Board member. The Beatrice Rosenberg Award for Excellence in Government Service is presented annually to a D.C. Bar member whose career accomplishments include outstanding counsel to a government agency, exceptional service to the legal profession or the community, and unselfish contributions to advance the careers of colleagues.

Throughout her career, she has earned the respect of colleagues by having demonstrated a sincere interest in nurturing the career development of those around her. In the words of one colleague, "Ms. Ellis continues to embody the very best values of public service to the Nation and to the District of Columbia community. She works exceptionally hard to make law an instrument for improving education and opportunity for disadvantaged and minority children."

Col. Susan Swiatek, USMCR has been recalled to active service in the United States Marine Corps. She shipped out to Afghanistan on December 26, 2004, for a 6-month tour.

WBA Past President Diana Savit took office in June 2004 for a two-year term as president of Washington Independent Services for Educational Resources (WISER), a group which brings together education professionals in the Washington metropolitan area. Individual members include psychologists, diagnosticians, ors, school placement counselors, occupational and speech therapists, optometrists, vision specialists, attorneys and advocates. Several local private schools and other groups specializing in education-related services are also members.

Loretta J. Garcia (past WBA board member, past WBA treasurer and past WBA committee chair) will join Savit & Szymkowicz, LLP as "of counsel" effective November 1, 2004. Loretta will continue her corporate and communications/regulatory practices, and will join in the firm's ongoing practice in business dispute resolution, litigation, securities arbitration, employment, special education and family law. This may be the first time that two former WBA officers have joined forces professionally due to the contacts they made during their WBA service. The network at work!

Brigida Benitez, a partner at Wilmer Cutler Pickering Hale and Dorr LLP, and current president of the Hispanic Bar Association of DC, has been recognized in the October 2004 issue of the national magazine, *Hispanic*, for her receipt of the Excellence in the Legal Profession Award from the Mexican American Legal Defense and Educational Fund, in recognition of her professional achievements, leadership, and last year's victory before the U.S. Supreme Court.

WBA Past President Mary Kate Whalen was recently named Deputy Associate General Counsel for Regulations for the Office of the General Counsel, DHS.

The Honorable Vanessa Ruiz, District of Columbia of Appeals was sworn in as President-Elect of the Mational Association of Women Judges.

Gracemarie Maddalena has joined Brightline Compliance, LLC, a provider of live and on-line harassment prevention and ethics training, as Business Development Executive. She can be reached at 202-639-9513 or gmaddalena@brightlinecompliance.com.

Welcome New Members

AACICAIII	CIACAA MAR	
Riva Adriance	Linda Geiseler	Nicole Nicolaus
Niquelle Allen	Latrice George	Mireille Noukawo
Emily Andelman	Janet Goldstein	Amy Oberst
Kathy Barlow	Elizabeth Hack	Katrina Ohde
Sharon Barnes	Patrice Hayden	Sarah Pahnke
Geetanjali Bhushan	Shannan Higgins	Monica Parham
Marina Braswell	Anne Hoskin	Ara Parker
Tequila Brooks	Lisa Hudson	Albena Petrova
Tenley Carp	Janet In	Melanie Reed
Jennifer Carros	Ketanjik Jackson	Sarah Reimers
Alicia Cate	Crystal Starr Jones	Julie Riegg
Mary Clark	Lisa Kattan	Melissa Sherman
Selket Cottle	Bethany Katz	Andrea Sloan
Murriel Crawford	Lorna Kent	Allison Stanton
Grace Culley	Angela Kiper	Amy Stein
Laurita Denny	Leesa Klepper	Julianne Sullivan
LuAnne DeSantis	Sheryl Krongold	Erin Sylvester
Jane Drummey	Rachel Lenehan	Karin Tuerlinckx
Susanna Ehrlich	Kendra Link	Maureen Ward
Mollie Farrell	Elizabeth Liu	Lucy Wiggins
Melissa Ferrario	Ann-Marie Luciano	Jennifer Wilson
Taryn Fielder	Kristina Marlow	Christina Wojcik
Alexa Freeman	Erin Massey	Margaret Wright
Laura Fulton	Kristina McNeff	Rebecca Yoshitani
Elizabeth Gaffin	Patricia Millett	Cary Zuk

BAKER & HOSTETLER COUNSELLORS AT LAW

is proud to sponsor the

Women's Bar Association of the District of Columbia

and celebrates the WBA's long-standing commitment to supporting women in the legal profession and promoting the welfare of all women in the community.

CINCINNATI • CLEVELAND • COLUMBUS • COSTA MESA • DENVER
HOUSTON • LOS ANGELES • NEW YORK • ORLANDO • WASHINGTON, D.C.

International Affiliates: São Paulo, Brazil • Juárez, Mexico

(202) 861-1500 • www.bakerlaw.com

ECONOMIC ANALYSIS

Lost Income Determination for:

Contract Disputes

Personal Injuries

Bankruptcies

Wrongful Death

Investment Management

Stock Churning

Valuation of Businesses, Securities and Pension Funds for Divorce and Business Cases.

University Professor with Extensive Experience

DR. RICHARD B. EDELMAN 8515 Whittier Boulevard Bethesda, Maryland 20817

301-469-9575 1-800-257-8626 References and Vita on Your Request



Visit at http://www.economic-analysis.com



KOONZ, MCKENNEY, JOHNSON, DEPAOLIS & LIGHTFOOT

LAW OFFICES

A LIMITED LIABILITY PARTNERSHIP WWW.KOONZ.COM

Workers' Compensation
Construction Accidents
Medical Malpractice
Transportation Accidents
Wrongful Death
Burn & Scald Injuries

Asbestos & Harmful Substances

District of Columbia

SUITE 500 2020 K STREET, N.W.

Washington, D.C.20006

(202) 659-5500 FAX (202) 785-3719 Virginia Office
SUITE 200
10300 EATON PLACE
FAIRFAX, VA 22030
(703) 218-4410
FAX (703) 218-4411

WOMEN'S BAR ASSOCIATION

Tuesday, February 1, 2005 Committee and Forum Co-chair Meeting Baker & Hostetler LLP, 1050 Connecticut Avenue, NW	, 12:30pm
Tuesday, February 11, 2005 Women's Bar Association Foundation Board of Director Meeting	6:30pm
Wednesday, February 16, 2005 Women's Partners Dinner. By Invitation Only City Club Presentation by Anne Weisberg, Catalyst, Inc.	6:30pm - 8:30pm
Tuesday, March 1, 2005 Committee and Forum Co-chair Meeting Baker & Hostetler LLP 1050 Connecticut Avenue, NW	12:30pm
ruesday, March 8, 2005 Women's Bar Association Foundation Meeting	1:30pm
Thursday, March 10, 2005 Hot Topics In Compliance: What Every In-House Attorney Needs to Know McGuire Woods LLP 1050 Connecticut Ave., NW Suite 1200	12:00 noon - 1:30pm
Wednesday, March 16, 2005 Women's Bar Association Board of Directors Meeting Baker & Hostetler LLP 1050 Connecticut Avenue, NW	6:30pm
Tuesday, May 17, 2005 Annual Awards Dinner National Building Museum 401 F Street, NW	6:00pm - 9:00pm

WBA SUSTAINING MEMBERS

Kerry L. Adams Linda E. Alcorn Linda Awkard Tami Lyn Azorsky Laurie Baulig Marina Lyn Beckard Katharine R. Boyce Diane M. Brenneman Marjorie A. Burnett Ann E. Bushmiller Maryeva Candon Paulette E. Chapman Devarieste Curry Terese Connerton Charilyn Cowan Deborah Davidson Julia De Kluiver Helen E. Disenhaus Jennifer A. Duane Tracy-Gene Graveline Durkin Kathryn Ann Ellis Karen E. Evans Andrea Field Grace Parke Fremlin Diane J. Fuchs Jane E. Genster Sharon M. Goley Susan Haberman Griffen Hazel Ann Groman Kathleen V. Gunning Patricia D. Gurne

Anna-Liza Harris Iulie W. Heflin Ellen Anne Hennessey Jessica Heywood Shirley A. Higuchi Sheila S. Hollis Kerrie L. Hook Maurita Elaine Horn Norma Hutcheson Deborah J. Israel Ellen M. Jakovic Kristin Jones Laura Kalick John C. Keeney, Jr. Jacki Knapman Domenique G. Kirchner Barbara J. Kraft Mary W. Legg Nancy F. Lesser Alyza D. Lewin William Lightfoot P. Susan Lively Karen M. Lockwood Deborah Lodge Holly E. Loiseau Susan C. Longstreet Elaine Lubin Deborah Luxenberg Linda A. Madrid Mira Nan Marshall Lorelie S. Masters

Barbara Clarke McCurdy Victoria McEneney Leeann Catherine McGonagle Margaret J. McKinney Le-Nhung McLeland Rebecca M. McNeill Martha J P McQuade Karen Turner McWilliams M. Elizabeth Medaglia Deborah R. Meshulam Elaine Metlin Kathy Miljanic Sheila A. Millar Judith A. Miller MJ Moltenbrey Betty Southard Murphy Sarah Nappi Marcia Nirenstein Iack H. Olender Ellen Ostrow Juliana S. O'Reilly Michelle A. Parfitt William J. Perlstein Caroline E. Petro Bonnie J. Pinzel Jennifer M. Porter Agnes C. Powell Christy Liverzani Prame Ilene R. Price Andrea G. Reister Katherine Rhyne

Sandra H. Robinson Pamela V. Rothenberg Iames Sandman Diana M. Savit Kerth D. Shugarman Felice Wagner Roberta Willis Sims Mary Smith Kim Keenan Solomon Heidi A. Sorensen Susan H. Stewart Margaret N. Strand Mary Strimel Lily Fu Swenson R.C. Tang Donna M. Tanguay Ellen Tenenbaum Lucy L. Thomson Marna S. Tucker Felice C. Wagner Stephanie Webster Penny Wakefield Tracy Wellington Linda M. Wellstein Mary Kate Whalen Judith Wheat Leslie Wheelock Stephanie Wickouski Joanne W. Young Irene Ziebarth

WBA Sustaining Members support the WBA by contributing \$275 annually in lieu of their regular dues payment. Sustaining Members receive VIP invitations to certain WBA special events and are recognized in WBA publications. To learn more about upgrading to Sustaining Membership, contact the WBA office.



Women's Bar Association of the District of Columbia 1717 K Street, N.W., Suite 503

Washington, DC 20036

Nancy Aliquo Long 1608 Constance St Silver Spring MD 20902-3543 First Class Mail U.S. Postage PAID Jefferson City, MO Permit #266