

# RAISING THE BAR

WOMEN'S BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA

2005-06, ISSUE 5

## HIGHLIGHTS

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## WBA INITIATIVE ON ADVANCEMENT AND RETENTION: IN SESSIONS 2 AND 3, IDENTIFYING "STUMBLING BLOCKS" AND DISCUSSING "BEST PRACTICES"

The WBA, in the February and March sessions of its groundbreaking Initiative on Advancement and Retention of Women, drew out leaders in the DC legal community to identify the stumbling blocks that defeat retention and advancement, and to share best practices. In this Initiative, President Karen Lockwood, observing that firms and women lawyers want the same thing – to keep women in practice longer and with greater rewards – challenged firm leaders and others to engage in an open exchange. The goals are to reveal the shape of this issue in the DC area, and to do something about it.

The first session, on January 6, presented the research, giving all participants a common base of knowledge as they entered the exchange. The goals of sessions 2 through 4, address the question "how" can we improve the record on retention and advancement. In the February 14 session, the topic "What Are The Stumbling Blocks" was addressed by two panels of law firm partners. In the March 7 session, treatment of the topic "What Is Working" featured Deloitte and the director of the Project on Attorney Retention, as well as two panels of DC law firm partners who described best practices and insights from their perspectives. In both sessions, broad participation of all audience members was solicited through an open microphone, and question and comment cards.

The next and final session, on April 3, 2006 at Georgetown University Law Center, provides further information on best practices of area firms, a synthesis based on the four sessions, and a challenge to other regional bars to engage on this topic as DC has. The final keynote speaker will be Lauren Stiller Rikleen, a partner at Bowditch & Dewey LLP in Massachusetts, and author of the recent and highly acclaimed book, *Ending the Gauntlet: Removing Barriers to Women's*



### IN SESSION 2

Panelists *Andrea Bear Field, Managing Partner (DC office), Hunton & Williams; Maureen Dwyer, Managing Partner (DC office) Pillsbury Winthrop Shaw Pittman; and Michelle Cohen, ThompsonHine.*



### IN SESSION 3

*Lee Teidrich, Covington & Burling, presents her remarks.*

(continued on page 14)

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Executive Director

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## PRESIDENT'S COLUMN

The Women's Bar Association has many accomplishments to be proud of this year as in the past. As one of the oldest voluntary bar associations for women in the country (founded in 1917), and as one of the oldest voluntary bars in the city, we have preserved the strong tradition of a grass-roots organization that relies on the creative instincts, initia-

tive, and momentum of our members to plan and manage all of our programs. Our committees and forum leaders have sponsored extremely strong and well-attended substantive programming. Some of those programs have touched urgent issues having to do with the practice of law, aside from the substance of it. Congratulations to all of the committee and forum co-chairs for bringing the benefit of their hard work and insight to our larger legal community. We all gain by your contributions.

We also are due to congratulate the many firm leaders who have accepted our challenge to draw together as a community to improve the profession by seeking practical solutions toward the advancement and retention of women in the law. Firms, whether large practice or small, and women lawyers, whether solo, corporate, government, or firm, have come together with experts drawn from across the country to ask the question, "How?" How can we more easily put our hands on the resources that we need to advance women more aggressively? How can we find pragmatic solutions that we can institute, recommend to firm leaders, and advocate in order to retain more women lawyers in the profession and to allow their advancement to levels of business power beyond the current status quo?

The WBA has earned the attention of the nation, including in the recent New York Times article (cited on page 14) by raising these issues in a public forum, in a friendly and cooperative tone, for the purpose of creating an environment where we can work together to effect change. We aim to serve. We believe that our Initiative proves that many hands can create motivation to change, and that many voices are needed in honest exchange to integrate change into our business practices. In this issue of Raising The Bar, we summarize the last two of our Initiative sessions.

Please come, on April 3, to our fourth and last Initiative session. We will feature visionary statements and best practices by firm leaders, and are thrilled to close our program by presenting Lauren Stiller Rikleen, author of *Ending the Gauntlet*, law partner, and member of the ABA's Commission on Women.

Please also come, on May 16, to our Annual Awards Dinner, which draws 900 and more guests. We will release the Final Report from our Initiative on that night, compiling many of the pragmatic practices we have found during the exchange. We will honor Judith A. Miller, Senior Vice President and General Counsel of Bechtel Group, Inc. as our Woman Lawyer of the Year. You will want to be a part of that evening.

Karen M. Lockwood  
WBA President

**Raising The Bar** now has an Editorial Board to assist in the timely dissemination of important WBA and WBAF news. Please contact any of the following Editors if you would like to contribute an article, program advertisement or photograph to an upcoming issue. We encourage submissions regarding matters of interest to our members, upcoming events, past events, flyers, squibs, blurbs and everything and anything that you would like publicized. However, please note that some copy editing might be necessary, and that space limitations may prevent every item that you submit from being published in the issue or format that you request.

Please contact an Editor if you have any questions. Thank you in advance for contributing to Raising The Bar.

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## WEAVE: FOUNDATION GRANT RECIPIENT SERVES THE WHOLE CLIENT

The Women's Bar Association Foundation is pleased to have made one of its 2005-2006 grant awards to WEAVE (Women Empowered Against Violence, Inc.). WEAVE provides an innovative range of legal, economic and counseling services to victims of domestic violence through five programs: Legal Services, Emergency Domestic Relations Project, Counseling and Client Services, Teen Dating Violence, and Women's Economic Development.

WEAVE's approach to client service is holistic. It is based on the recognition that victims of domestic violence often need more than a temporary protective order. They may need long-term legal representation regarding divorce, custody and immigration issues, as well as assistance overcoming the economic and emotional barriers that are preventing them from gaining self-sufficiency. As WEAVE's Executive Director Thia Hamilton explains, "making a life change requires more than one kind of solution." Thus WEAVE provides its clients with the opportunity to draw on comprehensive legal services, economic and financial coaching, counseling, and advice on locating adequate and affordable housing, employment and child care.

The WBAF grant will support WEAVE's ability to offer emergency legal services through the Emergency Domestic Relations Project (EDRP), and more comprehensive legal assistance through its Legal Services Program. EDRP provides legal services and counseling at two intake locations at the DC Superior Court and a satellite intake center at Greater Southeast Community Hospital. In 2005, WEAVE guided approximately 2,500 victims through the steps necessary to secure protective orders and meet their immediate need for safety at the EDRP's two locations. Through its Legal Services Program WEAVE provided: (1) comprehensive legal representation to about 200 victims; (2) clinics where about 90 victims met with attorneys for consultations as they prepared to represent themselves *pro se*; and (3) *pro bono* training for more than 75 attorneys who will provide domestic violence victims with legal advice at the clinics and at Superior Court.

WEAVE was founded by Lydia Watts, alumnae of the American University's Washington College of Law. While working in the law school's domestic violence clinic, Lydia saw that battered women needed a range of services that were rarely available to them. Building on the school's philosophy of client-centered representation and the experiences of the clientele they served at the clinic, WEAVE's founders conducted a community needs assessment of domestic violence victims. The most pressing needs included: legal services for the working poor who could not qualify for many of the means-tested clinics; legal representation beyond the immediate crisis; counseling and support services; and support services specifically targeted for immigrants. WEAVE began as a provider of legal services, but within two years added full time case management and counseling programs to achieve the founders' vision of providing a holistic suite of legal and support services.

Today WEAVE has 23 employees and operates out of three locations. Notably, WEAVE has only two full-time attorneys on staff. If you would like to explore what you or your firm can do to help, Contact Ashley Stingle, WEAVE's Volunteer and Outreach Coordinator at [ashley@weaveincorp.org](mailto:ashley@weaveincorp.org).



## Woman Lawyer of the Year



### JUDITH A. MILLER NAMED WBA'S 2006 WOMAN LAWYER OF THE YEAR

The Women's Bar Association of the District of Columbia is honored to name Judith A. Miller, Senior Vice President and General Counsel of Bechtel Group, Inc., as the 2006 recipient of its prestigious Woman Lawyer of the Year Award. The award recognizes a woman for her exceptional achievements in the legal profession and for her extraordinary contributions to the advancement of women in the profession. Ms. Miller will receive her award at the Women's Bar Association of DC and the Women's Bar Association Foundation Annual Awards Dinner, to be held on Tuesday, May 16, 2006, at the elegant National Building Museum, 401 F Street, NW.

Ms. Miller's recent appointment to the senior executive ranks of Bechtel, a leading global engineering, construction and project management firm based in San Francisco, California, caps an illustrious career that includes a partnership at Williams & Connolly LLP, a five-plus-year stint as General Counsel of the Department of Defense, and a clerkship at the Supreme Court of the United States. In recognition of her outstanding achievements, the National Law Journal named Ms. Miller one of the "50 Most Influential Women Lawyers in America" and Washingtonian Magazine listed her as one of "Washington's 100 Most Powerful Women."

Ms. Miller began her exceptional legal career by clerking for Judge Harold Leventhal at the Court of Appeals for the District of Columbia Circuit, followed by a clerkship with Associate Justice Potter Stewart at the United States Supreme Court. Thereafter, Ms. Miller moved to the Department of Defense, where she served in the Office of the Special Assistant to Secretary of Defense Harold Brown (along with then-Colonel Colin Powell), before joining Williams & Connolly as an associate in 1979. In private practice, Ms. Miller developed an active trial practice in civil and criminal litigation, making partner in 1985. From 1994 to 1999, Ms. Miller returned to the Department of Defense as General Counsel, where she served as the chief legal officer with supervisory responsibility for more than 6,000 military and civilian lawyers. Ms. Miller's responsibilities at the Department of Defense included advising the Secretary and Deputy Secretary of Defense and their senior leadership team on major legal and policy issues and working extensively with other government agencies, principally the Department of Justice, the Federal Bureau of Investigation, and the Department of State. During her tenure at the Department of Defense, Ms. Miller was awarded the Department of Defense Medal for Distinguished Public Service (and later the Bronze Palm) and the Department of the Army Decoration for Distinguished Public Service. Ms. Miller returned to Williams & Connolly in 2000, after having been the longest-serving General Counsel at the Department of Defense.

*"Judy is a wonderful choice for Woman Lawyer of the Year. She is an experienced litigator, a respected former DOD General Counsel, soon to be head of the ABA's Litigation Section and now the general counsel of a major corporation. She has done it all and truly deserves this honor."*

Hon. Ellen Segal Huvelle,  
United States District Court for the  
District of Columbia.

*"Judy Miller exemplifies the best qualities of our profession: dedication, integrity and service – to clients, the administration of justice, and the community. Judy's recognition as Woman Lawyer of the Year reflects great credit on her, Williams & Connolly and the entire profession."*

Mark H. Tuohey, Partner,  
Vinson & Elkins LLP; Chair,  
District of Columbia Sports &  
Entertainment Commission;  
Past President, District of  
Columbia Bar.





## Woman Lawyer of the Year

### THE WOMEN'S BAR ASSOCIATION FOUNDATION AND THE WOMEN'S BAR ASSOCIATION INVITE YOU TO ATTEND THE 89TH ANNUAL DINNER

Honoring Judith A. Miller,  
Senior Vice President and  
General Counsel,  
Rechtel Group, Inc.

May 16, 2006

6:00 to 9:00 p.m.

National Building Museum  
401 F Street, NW

Ms. Miller has continued her work on national and homeland security issues, currently serving or having served on the Defense Science Board; the Board of Trustees of ANSER (Analytic Services, Inc.); the Executive Committee of the Board of Directors of the Atlantic Council of the United States; the National Academies Committee on Scientific Communication and National Security; the Board of Directors of the Academy of Political Science; and the Markle Foundation Task Force on National Security in the Information Age. In addition, Ms. Miller has lectured on national security law issues at Yale and Cornell Law Schools; Harvard University's John F. Kennedy School of Government; the Naval War College; and the U.S. Army and Air Force Judge Advocate General Schools.

An active participant in a number of national legal organizations, Ms. Miller is or has been a member and/or fellow of the American Law Institute; the American Bar Foundation; the ABA Standing Committee on Law and National Security; and the Executive Council of the American Society of International Law. Ms. Miller has held numerous leadership positions in the American Bar Association's Section of Litigation, currently serving as Vice Chair of the Section.

Locally, Ms. Miller has served as Vice Chair of the Committee on Grievances for the United States District Court for the District of Columbia and as a member of the Judicial Conference of the District of Columbia Circuit; the Civil Justice Reform Act Advisory Group for the United States District Court for the District of Columbia; and the Board of Trustees of the Legal Aid Society of the District of Columbia.

A long-time member and supporter of the WBA, Ms. Miller has been the featured speaker at several WBA programs and was honored as one of the "Stars of the Bar" at the WBA's 2002 Networking Reception. Ever mindful of the need to promote and advance qualified women into positions of leadership in the legal profession, Ms. Miller has been a mentor and role model to young women throughout her distinguished career in public service and private practice.

Ms. Miller received her undergraduate degree *summa cum laude* from Beloit College and her law degree from Yale Law School. She has been a Beloit College Trustee since 1978, and serves on its Executive Committee. The WBA is delighted to honor Ms. Miller as its 2006 Woman Lawyer of the Year.

*"Judy Miller is that rarest of combinations - comfortable and skilled in every venue - the courtroom, the boardroom and the Cabinet Room. Her judgment, intellect and grace are sought by those who have the hardest decisions to make."*

Jamie Gorelick, Partner, WilmerHale;

1993 WBA Woman Lawyer of the Year; Past President of the District of Columbia Bar

# Committee and Forum Highlights

## Committee and Forum Highlights

### WELCOME NEW MEMBERS

Elaine Altmar  
Hilary Bednarz  
Elizabeth Boison  
Andrea Boyack  
Devariste Curry  
Christine Enemark  
Danielle Estrada  
Nancy Eyl  
Constance Forkner  
Judith George  
Sarah Gil  
Therese Gross  
Shelby Harper  
Eileen Johnson  
Elizabeth Kilroy  
Kara Klaas  
Laura Laemmle  
Maria Lerner  
Arden Levy  
Lydia Liferiedge  
Datta Madhumita  
Kristina Marlow  
Janis Millett  
Melinda Murray  
Angela Olson  
Nadege Paulson  
Martha Plante  
Jane Plomley  
Amy Purcell  
Cheryl Ryan  
Lori Searcy  
Laurie Self  
Penny Somer-Greif  
Laura Stephani  
Edith Thomas  
Rachel Vaughan  
Janet Weller  
Amanda West

### CAREER DEVELOPMENT COMMITTEE'S SUCCESSFUL SPEED MENTORING EVENT

The WBA's kickoff Mentoring program was held on March 2, 2006, at Howrey, LLP, with the goal of providing junior and mid-level attorneys access to learned women who have a lot to offer their less-experienced colleagues. The two dozen attendees deemed the program a huge success. There was an even divide of women who were looking for mentors and women who graciously volunteered to serve as mentors, including the current and past presidents of the WBA, as well as law firm partners and other highly accomplished women. Each mentee spoke with approximately ten seasoned attorneys, receiving a range of sage advice. Many made connections that they will further develop. The mentors walked away with the satisfying knowledge that their pearls of wisdom helped their sisters in the legal field. Everyone benefited from their attendance at the program.

### HOW TO MAKE YOUR NEXT CAREER DECISION

Are you living the life you dreamed of after law school? If not, making a change can be difficult. Some struggle with deciding whether the problem is a legal career itself or just their current job. Many are unaware of all the things that a law degree prepares them to do. A significant number of women lawyers consider changing jobs or starting their own practices but have little idea about the skills required to market their talents or build a business.

Ellen Ostrow, Ph.D., owner of Lawyers Life Coach LLC, will present a program describing systematic steps for making and implementing career decisions. If you are tired of feeling stuck, this program will show you how to examine alternatives that are consistent with your background, interests, values and family responsibilities and create a satisfying career, either within, or outside of, the legal profession. Since the program will be held on Take Your Daughters to Work Day, Ellen will discuss how mothers can model for their daughters how to take control of their careers to construct meaningful, satisfying lives. Your child's attendance is complementary.

WHEN: Thursday, April 27, 2006, 12:00 - 1:30 pm.

WHERE: Howrey, LLP

1299 Pennsylvania Avenue, NW

Cost: \$20 for WBA members; \$30 for nonmembers

## MEMBERS ON THE MOVE

Yahne Y. Miorini, Co-Chair of the WBA's Tax and Business Forum, has joined the Farr Law Firm in Fairfax City, Virginia. Her practice areas are domestic and international estate planning, estate administration and elder law.

Joanne Young, Immediate Past President of the WBA was recently elected to serve on the Board of Directors of the Republican National Lawyers Association.

## EFFECTIVE TECHNIQUES TO ADVANCE WOMEN LAWYERS TO THE TOP

In cooperation with the WBA, the National Conference of Women's Bar Associations (NCWBA) and the National Association of Women Lawyers (NAWL) presented the 2006 Women's Bar Leadership Summit on March 2nd and 3rd. This year's theme, "Effective Techniques to Advance Women Lawyers to the Top" was very well received. The Summit began with a coaching seminar, "Making Rain, Her Way" where Karen Wilson (WomenCentric Enterprises, LLC) and John Mitchell (HMG Advisors, LLC) offered practical advice on how women can use pre-existing relationships to expand their practice and client base. Day two of the Summit included sessions on: (1) how women attorneys can drive change so that we can achieve at the highest levels; (2) how in-house counsel select and evaluation outside counsel; (3) success stories and challenges for addressing women lawyer advancement; (4) removing barriers to women's success in the law; and (5) best practices for advancing women. The luncheon speaker was Joan Biskupic, author of *Sandra Day O'Connor: How the First Woman on the Supreme Court Became Its Most Influential Justice*. All attendees were very pleased to participate in a session led by Lauren Stiller Rikleen, a partner with Bowditch & Dewey who provided all attendees with a free copy of her newly-published book, *Ending the Gauntlet: Removing Barriers to Women's Success in the Law*.

Throughout the many programs, the WBA's Initiative on Advancement and Retention of Women was highlighted by several speakers who had attended one of the Initiative events. Indeed, WBA's President, Karen Lockwood, appeared on the panel addressing success stories and challenges. Karen took the opportunity to discuss some preliminary results from the Initiative and identify areas of the law where women's advancement was sorely lacking or had stagnated. Karen's observations were echoed by an enthusiastic audience which spanned the gamut of legal practitioners from public and private sectors.

The Summit was also an opportunity to recognize outstanding women in the law. NCWBA presented its Public Service Award to the New York Women's Bar Association Foundation for its fellowship program that sponsors a human rights internship through Columbia Law School, a domestic violence internship through Fordham Law School, and a family legal services internship through New York University. The NAWL Service Award was bestowed on Zoe Sanders Nettles (Nelson Mullins Riley & Scarborough LLP), and the NAWL Outstanding Member Award was presented to Anne Coughlin (Barron F. Black Research Professor, University of Virginia Law School).



## CALENDAR OF EVENTS

*Monday, April 3, 2006*

*9:00am until 1:30pm*

WBA Initiative on the Advancement and Retention of Women, Fourth Session "Lessons Learned; A Synthesis and a Challenge to Other Bars in the US"

Georgetown University Law Center, Hart Auditorium

Register at [www.wbadc.org](http://www.wbadc.org)

*Thursday, April 6, 2006*

*12:00noon until 1:30pm*

Working Parents Forum presents, "Brown Bag Lunch Reflecting on Childcare Series"

Gilbert Heintz & Randolph  
1100 New York Avenue, NW, Suite 700  
Free, but please register at [www.wbadc.org](http://www.wbadc.org)

*Tuesday, April 11, 2006*

*12noon until 1:30pm*

International Law Forum presents, "Human Trafficking and Legal Advocacy" Featuring Sharon Cohn, President, of Interventions, International Justice Mission; Michael Smith, Ph.D., LCSW, National Consultant for Trafficking Survivor Services, Salvation Army; and Wenchi Yu Perkins, Director of Anti-Trafficking and Human Rights, Vital Voices.

Howrey, LLP

1299 Pennsylvania Avenue, NW.

\$10 for WBA members; \$15 for students, government employees; \$20 for all others.

Optional Lunch, \$12 additional

*Thursday, April 20, 2006*

*12noon until 1:30pm*

Working Parents present, "Strategies for the Single Working Parent"

Sterne Kessler Goldstein & Fox PLLC

1100 New York Avenue, NW

\$10 WBA members;

\$20 nonmembers

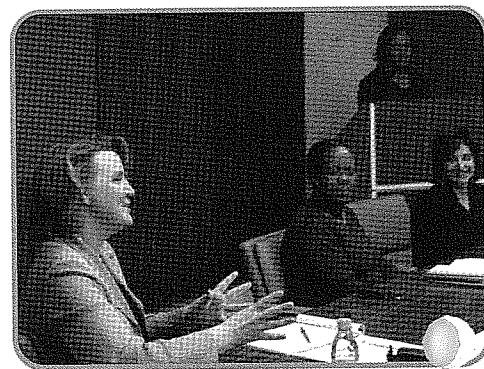
## SUCCESSFUL USE OF TEMPORARY ATTORNEYS

On March 8, 2006, the WBA's Litigation Forum presented a program entitled "Successful Use of Temporary Attorneys." Nearly fifty people attended the program, which was co-sponsored by Lexolution, LLC. Moderated by Holly Loiseau (Litigation Forum Co-Chair), panelists included Karen Stempel (Lexolution, LLC), Monica Parham (Litigation Forum Co-Chair), and Carrie Anderson (Weil, Gotshal and Manges LLP).

Karen Stempel began the program with prepared remarks highlighting the need for temporary attorneys on large document productions; how to use their skills efficiently; how to train them on the facts of the case; and how to promote the use of temporary attorneys to clients. Ms. Stempel explained that many temporary attorneys have strong skill sets which would be viable in permanent positions; however, temporary attorneys seek the lifestyle flexibility that temporary work can offer instead of a long-term commitment to a single employer. She also pointed out that recent rounds of lay offs at many top corporate law firms has deepened the pool of extremely talented temporary attorneys.

Holly Loiseau then posed four questions to the panel aimed at eliciting best practices in the areas of temporary attorney management, retention of institutional knowledge after temporary attorneys are released, technical issues (security, document management systems) and the value of using temporary attorneys. Familiar with hiring and managing temporary attorneys on large document productions in regulatory and litigation contexts, Monica Parham and Carrie Anderson shared their experiences.

Monica Parham believes that temporary attorneys can be very efficient at document review since it makes up the majority of their legal experience. Because of this fact, temporary attorneys can often grasp the issues and processes of large-scale document production quickly. Sometimes, temporary attorneys can work more efficiently to review documents than junior case team attorneys who may be more unfamiliar with the process, or have the time-management challenge of managing assignments in addition to their document review responsibilities. Ms. Parham also shared her experience that temporary attorneys' performance improves when training materials are sent to them days before the document review is to begin.



*Carrie Anderson (Weil Gotshal) answering Holly Loiseau's question (Litigation Forum Co-Chair, at podium) as panelists Monica Parham (Litigation Forum Co-Chair, center) and Karen Stempel (Lexolution, far right) look on.*

## Committee and Forum Highlights

### CALENDAR OF EVENTS

*Friday, April 21, 2006*

*12:00noon until 1:30pm*

Intellectual Property Law Forum presents, "Trends in Observed Royalty Rates" by Navigant Consulting Finnegan, Henderson, Farabow, Garrett & Dunner LLP 901 New York Ave, NW \$8 for members, \$18 for nonmembers. Register at [www.wbadc.org](http://www.wbadc.org)

*Wednesday, April 26, 2006*

*12:00noon until 1:30pm*

Strategies for Negotiating and Maintaining A Part-Time Schedule Panel Discussion featuring part-time attorneys working at law firms and as in-house counsel, moderated by Cecilia Calvert, Director of the Institute on Attorney Retention Weil, Gotshal & Manges LLP, 1300 Eye Street, NW. \$10 for members, \$20 for nonmembers Register at [www.wbadc.org](http://www.wbadc.org).

*Thursday, April 27, 2006*

*12noon until 1:30pm*

Career Development Committee presents, "How to Make Your Next Career Decision" Howrey LLP 1299 Pennsylvania Avenue, NW \$20 members, \$30 nonmembers Register at [www.wbadc.org](http://www.wbadc.org)

*Wednesday, May 3, 2006*

*12:00noon until 1:30pm*

Litigation Forum and DC Bar Section of Antitrust present, "Do's and Don'ts For Effective Advocacy Before Government Agencies" featuring Pamela Jones Harbour, Commissioner, FTC and Ann Malester, Partner, Weil, Gotshal & Manges, and former Deputy Director, FTC Weil, Gotshal & Manges, 1300 Eye Street, NW, Suite 900 \$10 WBA, DC Bar Antitrust Section members and Govt employees \$20 all others

*Tuesday, May 16, 2006*

*6:00pm until 9:00pm*

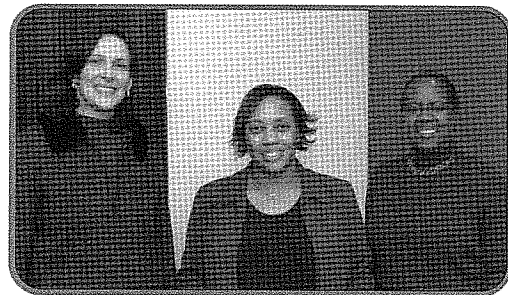
WBAF 89th Annual Awards Dinner

The National Building Museum 401 F St, NW

Carrie Anderson's experience is that the successful use of temporary attorneys hinges on integration. The more integrated the temporary attorneys are with the case team, the higher overall productivity, accuracy and efficiency of the document review. As well, maintaining a close relationship with the temporary attorneys affords the permanent attorneys an added benefit – quality control concerns can be addressed personally and without intervention by the placement agency to effect a quick resolution of any document review issues. Ms. Anderson integrates temporary attorneys by: (1) training associates and temporary attorneys together in order to prepare for the document review; (2) maintaining a single location where all associates and temporary attorneys review documents together; (3) maintaining a senior attorney in the document review room at all times to answer reviewers' questions as they arise; (4) holding regular briefings to apprise all reviewers of case developments; and (5) promoting an overall sense of collegiality and teamwork between the temporary attorneys and the larger case team. When all of these pieces are in place, temporary attorneys are poised to become integral members of the case team.



*Attendees enjoying the program.*



*Litigation Forum Co-Chairs Lisa Joiner, Holly Loiseau and Monica Parham (from left to right) celebrate their successful program.*

### HEALTH LAW FORUM

On March 1st, the Health Law Forum of the WBA held an event entitled, "Everything You Need to Know About the New Medicare Drug Benefit" with speaker Dr. Tricia Neuman of the Kaiser Family Foundation, a Medicare expert. She explained the new Medicare Prescription Drug coverage to a group of people trying to decipher the new government program in order to assist parents, clients and loved ones.

Because there are numerous plans to choose from, many drugs that seniors take, and various factors to consider including current drug coverage, the information Dr. Neuman provided was invaluable. The audience was very engaged, asked a lot of questions, and left with the tools necessary to navigate the maze of Medicare drug coverage options.

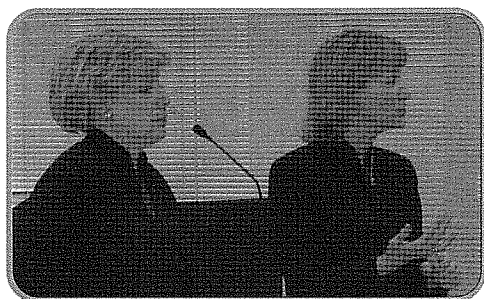
## Committee and Forum Highlights



*Tina Hsu with the Speakers*



*Speaker Barbara Kline signs her books*



*Stephanie Breedlove and Barbara Kline address attendee questions*

### HOW TO HIRE AND (LEGALLY) EMPLOY A NANNY

Nearly 60 people attended the Working Parents Forum's program on "How to Hire and (Legally) Employ a Nanny" - the second program in a three-part series on childcare options. Held on February 28, 2006, the program featured Barbara Kline, president and founder of nanny placement agency White House Nannies, Inc., and Stephanie Breedlove, president and founder of Breedlove and Associates, a company that specializes in tax and payroll services for household employers.

Ms. Kline kicked off the program by sharing anecdotes drawn from her 20 years of placing nannies with Washington-area families. Her stories helped illustrate for the audience what they could realistically expect from a nanny. Many prospective clients, she said, lead busy lives and look to nannies as a solution to their perpetual lack of time. For those parents, a successful nanny arrangement depends on understanding not only that nannies cannot be expected to work indefinite hours, but also that it is unrealistic to expect even the best nannies to meet your every expectation with regard to child rearing - and providing your nanny with a lengthy treatise on the subject won't help.

In the end, finding the right nanny for your family is an inexact science. An agency like White House Nannies can help pre-screen candidates to ensure that your nanny is legal to work, and has a certain level of experience. For those who want to do the search on their own, Ms. Kline discussed ways to weed out certain candidates, whether through background checks, references, or creative interviewing. But, like a marriage, sometimes you just "know" when someone is right (or wrong) for you, and once matched, you have to work at sustaining the relationship. Ms. Kline reported that, even more than a high salary, nannies wanted respect from their employers.

Of course, nannies want to be paid, and Ms. Breedlove's part of the presentation went over what one attendee called "the mind-boggling tax requirements" and accounting rules that govern how to handle your nanny's wages and the attendant taxes. To summarize and follow up on her presentation, Ms. Breedlove has provided a helpful checklist for this month's issue of *Raising the Bar*.

During the question-and-answer part of the presentation, attendees peppered both speakers with questions about the nuts and bolts of hiring and employing a nanny: how much to pay a nanny, how to account for bonuses, what benefits are typically offered to nannies, when to start looking for a nanny, and what it costs to use a nanny agency and a nanny payroll service. The lively discussion (which went on even after the program ended) and extremely high turnout were clear indications of the complicated issues involved in hiring a nanny.

The final program in the Childcare Series was held on March 15 and covered day care, emergency back-up care, and Montessori, presented by Bright Horizons Family Solutions and Metro Montessori.

To wrap up the series, and give the attendees an opportunity to compare notes and discuss the options presented, the Working Parents Forum will be hosting a brown bag lunch on Thursday April 6, 2006, from 12:00-1:30 at 1100 New York Avenue NW, Suite 800 (East Tower). The lunch is free, but please register at [www.wbadc.org](http://www.wbadc.org) (click on Calendar of Events).





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*References and Vita on request - Visit at:*



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## A SUCCESSFUL FINANCIAL RELATIONSHIP WITH YOUR NANNY

By Stephanie Breedlove  
Breedlove & Associates, LP, Household  
Payroll and Tax Experts

### KNOW YOUR LEGAL OBLIGATIONS.

- You are a household employer if you pay an individual more than \$1,500 (2006) per year to perform duties in or around your home.
- You are required to pay federal and state employment taxes equal to approximately 9% of your employee's gross wages. These taxes are paid in addition to the salary paid to your employee.
- Employer payroll taxes include:
  - Half of Social Security/Medicare (7.65%)
  - Federal and state unemployment insurance (usually 2-4% for most states)
  - Other state taxes (if applicable) such as Employment Training taxes

### KNOW YOUR EMPLOYEE'S LEGAL OBLIGATIONS.

Household employees need to understand their legal obligations, and they will value your knowledge.

- Employee taxes are withheld from gross wages and usually range from 17% - 23% of gross wages.
- Employee tax withholdings include:
  - Half of Social Security/Medicare (7.65%)
  - Federal and state income taxes
  - Other state taxes (if applicable) such as local income taxes

### KNOW YOUR TAX SAVINGS.

Congress has enacted tax benefits for families with childcare expenses through an employer-provided Dependent Care Account or the Tax Credit for Child or Dependent Care. You may take advantage of only one of these programs:

- **Dependent Care Account:** Also known as the Flexible Spending Account. Most companies allow employees with childcare expenses to contribute up to \$5,000 of pretax earnings to a Dependent Care Account. The money in this account is then used to cover childcare expenses, free of taxes. Your tax savings are approximately \$2,300 per year.
- **Tax Credit:** If you don't have access to a Dependent Care Account, you can claim the Tax Credit for Dependent Care (Form 2441) on your income tax return at year-end. You will receive a credit of \$600 for one child and \$1,200 for two or more children.

### KNOW EMPLOYMENT BENEFITS.

It is important for your employee to understand her legal obligations, as well as the benefits available to her. The benefits include:

- **Employment History:** Required for car loans, student loans, home loans, credit card applications, etc.
- **Social Security/Medicare benefits:** A typical household employee will receive \$5 in social security benefits for every \$1 in taxes withheld.
- **Unemployment insurance benefits:** Much needed compensation provided by the state during times between jobs.
- **Earned Income Credit:** If an employee has a total household income of less

than \$33,030 (2006) and has a child under the age of 19, they may qualify for the Earned Income Credit. This tax credit can eliminate some or even all federal taxes owed.

### KNOW HOW TO COVER "THE EXTRAS"

- **Paid Time Off:** You are not required to provide paid vacation, holidays or sick time. However, paid vacation and holidays are relatively standard in this industry. The number of paid days off should be specified in your contract.
- **Health Insurance:** Many families offer health insurance as a part of the salary package. These dollars are not considered taxable wages. Health insurance is a tax-free benefit to you and your household employee, as neither of you is required to pay taxes on these dollars.
- **Overtime:** Overtime must be paid at 1.5 times the hourly wage for all hours worked over 40 in a week, according to federal domestic law. No limit is placed on the number of hours worked in a 7 day work week, as long as your employee is fairly compensated.
- **Workers' Compensation:** Workers' compensation is purchased as an annual insurance policy that provides benefits when an employee has been injured on the job. It is required in Washington, DC and Maryland. In Virginia, it is required for employers with 3 or more employees.

### KNOW HOW TO BUDGET ACCURATELY.

The following steps will help you budget accurately for wages and employer taxes:

- 1) Determine the gross weekly wage you would like to offer your employee.
  - 2) Determine your employer taxes by multiplying gross wages by 9%, and then add your employer taxes to gross wages to determine your total cost of employment per pay period.
  - 3) Determine your annual employer cost before tax breaks by multiplying the total weekly cost by 52.
  - 4) Determine your annual employer cost after tax breaks by subtracting your tax break (\$2,300 through the Dependent Care Account) from your annual employer cost before tax breaks.
- Know gross wages versus net pay. Always offer a gross wage so that your employee understands the "market value" of her wages. But knowing net pay will help her budget. Here's how:
- 1) Determine a gross wage that matches skills, responsibilities and budget.
  - 2) Determine your employee's filing status and desired number of allowances per Form W4. If unavailable, use 2 allowances if single and 1 allowance if married until a W4 is completed.
  - 3) Go to [www.breedlove-online.com](http://www.breedlove-online.com). Select "The Taxes" from the menu bar. Enter gross wages and allowances into the payroll calculator. The calculator will produce the net pay, as well as the employer taxes.
  - 4) Continue to adjust gross wages until you reach a desired net pay.

Know that experts are available to assist you with salary negotiations. Negotiating a successful salary package is one of the most important steps of the placement process. Placement agencies and payroll and tax experts are available to guide you through:

- Salary determination
- Budgeting
- The payroll and tax process
- Setting up your tax breaks
- Average salary information in your area
- Help with salary language in the contract

### KNOW THE COMPLIANCE PROCESS.

- Register for federal and state tax accounts as a household employer.
- Complete and file New Hire Reporting.
- Identify and calculate the correct amount of federal and state taxes to withhold each pay period.
- Track gross wages, net pay and federal and state taxes withheld.
- Calculate and track employer federal and state taxes.
- Prepare state tax returns quarterly and remit employer and employee state employment taxes.
- Prepare federal tax estimates four times per year and remit employer and employee federal employment taxes.
- Prepare and remit federal and state year-end tax returns.
- Respond to IRS and state requests/inquiries.
- Monitor changes in household employment tax law.





## Initiative on Advancement

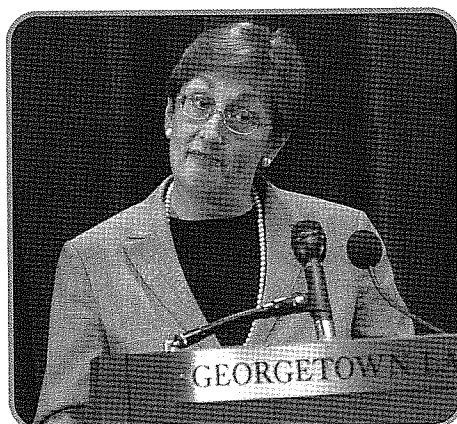
(continued from page 1)



*Covington & Burling's Lee Tiedrich and Jamie Gorelick share a moment*



*Judith Richards Hope delivers the keynote address in Session 3*



*Jamie Gorelick, WilmerHale, provides wonderful remarks for the lunch*

**Success in the Law.** Reservations can be made at [www.wbadc.org](http://www.wbadc.org). At the WBA Annual Awards Dinner on May 16, the WBA will release its nationally distributed Final Report presenting the results of the Initiative.

The Initiative has drawn enthusiastic support of law firm leaders at the managing partner and executive level. As of this printing, 30 firms, by providing sponsorships for the Initiative, have demonstrated their interest in creating change in the practices that affect retention and advancement of lawyers at all levels. Because the Annual Dinner on May 16 will celebrate the astounding success of this Initiative, the WBA hopes that additional supporters will participate in the Annual Dinner. In addition, managing or executive level partners of fourteen firms have personally appeared on panels in the last two sessions of the Initiative, demonstrating that the region's support for improving retention and advancement is more than abstract.

National attention is focused on the WBA Initiative. The WBA's Initiative has already gained national attention. It is unique in its focus on an open exchange, whereby business leaders and other interested persons come together in a cooperative effort to make change. The New York Times, on March 19, dedicated its Sunday Business Section lead to the question of "why do so few women reach the top in big law firms," and highlighted the WBA Initiative as "spearheading an effort... to find practical solutions." The New York Times article and photos are available at: <http://www.nytimes.com/2006/03/19/business/yourmoney/19law.html?th>

## SESSION 2: "THE STUMBLING BLOCKS"

True to the exchange character of the WBA Initiative, the second session on February 14 featured panelist statements and open discussion. The subject of stumbling blocks is an inherently difficult one to attack in an open, mixed forum. Many firms do many things right; but no firm has a magic formula to solve these seemingly intractable issues. The DC legal community proved its sophistication by turning out partners in ten firms to discuss their insights openly.

In the first panel, three women provided an overview of stumbling blocks: Michelle Cohen, young partner at Thompson Hine and head of its women lawyers' group; Andrea Bear Field, managing partner of Hunton & Williams in DC; and Maureen Dwyer, partner at Pillsbury Winthrop Shaw Pittman. Seven panelists then exchanged insights with opening statements and discussion with the audience - Amy Bess, managing partner in Sonnenchein Nath & Rosenthal LLP (DC Office), Kevin Clark, managing partner, Willkie Farr & Gallagher, LLP, Kim Keenan, partner of Jack H. Olender & Associates, PC, Linda Oliver, partner, Hogan & Hartson, Jim Sandman, former managing partner, Arnold & Porter LLP and DC Bar President-elect, and Dena Wiggins, partner, Sutherland Asbill & Brennan. DC Bar President John Cruden moderated the discussion along with Ms. Lockwood.

The Reporter's summary of Session 2 crystallized a number of themes that pose stumbling blocks. Among them are:

## Initiative on Advancement



*The Panelists share a light moment*



*In Session 3, Tom Mills, Winston & Strawn delivers his remarks*




*DC Bar President John Cruden moderates the panel presentation, and takes questions*

- The need for commitment and a consistent message from management.
- The need to fully integrate programs and messages to create pervasive practices affecting women that touch every aspect of a firm's business and its partners.
- The need to recognize and communicate to women that their contributions are valued and to reward their achievements without bias or discount.
- The need to provide more positive role models, including more senior women.
- The need to place more women in leadership positions.
- The need for meaningful career development opportunities and training, aimed at grooming women from their first year to be senior partner or business leader.
- The need for mentoring, both formal and informal.
- The need to flexibly support the success of attorneys working reduced hours, and to fine-tune the arrangement to assure continuing career development.
- The need to revise all policies that discourage or prohibit attorneys on reduced hours schedules from making partner.
- The need to directly correct myths commonly held about women, their talents, roles, and presumed preferences, not only with practice leaders but with all partners.
- The need to educate and sensitize, and to uncover and correct unexamined bias regarding women in practice.
- The need to constantly renew the commitment and to adjust programming in order to adapt to the evolving role of women in the profession and the society, and to evolving attitudes.

Jamie Gorelick, now partner at WilmerHale, formerly Vice Chair of FannieMae, and previously one of the longest-serving Deputy Attorneys General of the United States, provided the lunch address. Ms. Gorelick recalled a time in 1975 when "you could actually have all of the women partners in Washington around one lunch table." Focusing on the difficulty in piercing informal networks, Ms. Gorelick said, "If you want to have something to talk about, you really do need to be talking about what the others are talking about. The question is can we broaden that conversation some if we pay attention to it." But focusing on the many reasons for optimism, Ms. Gorelick said, "If we can build on our progress, if we can sensitize our male colleagues to the need for this informal networking, if we can express how we value lawyers in a way that is much more personal and that is much more individualized, if we can keep advocating, armed with the kind of information that a forum like this is producing, if we can keep advising on a one-to-one basis the young lawyers who are coming up, in the long run . . . we are going to make progress and we will get where we need to go."

### SESSION 3: BEST PRACTICES



Wendy Schmidt, JD, Principal, Deloitte Financial Advisory Services, LLP, detailed Deloitte's highly successful women's initiative ("WIN"). Ms. Schmidt explained how Deloitte evolved from an environment where most partners failed to recognize that low use and retention of women was a problem, to Deloitte's current use of WIN as a strategic business tool. Deloitte credits its success to several factors: (1) WIN is driven from the top down, (2) WIN was built on a solid business case, (3) leaders, partners, and HR professionals are held accountable for results, and (4) significant resources and budget dollars are dedicated to the initiative. Deloitte has a dual vision for WIN: marketplace growth and culture. To meet these goals, WIN focuses on five areas: (1) marketplace success, (2) flexibility and choice, (3) leadership development, (4) career planning, and (5) mentoring.

Marketplace success involves helping women leaders gain prominence in the marketplace through recognition, awards, speaking opportunities, and participation in professional associations. It also includes providing women with the skills and opportunities to network with key clients and targets.

Flexibility and choice builds on Deloitte's recognition that helping individuals navigate their personal and professional responsibilities is a sound business practice - not a mere "benefit" of employment. Unlike the traditional model of focusing solely on a person's schedule, Deloitte's approach focuses on career customization. Career customization looks at the person's role (client-focused or internal development), pace (accelerate or decelerat-

ed), location and schedule (not restricted or restricted), and workload (full or reduced). Ms. Schmidt noted, with regard to handling many different schedules, "Management is a minor inconvenience in comparison to the benefit gained by having a stable and happy workforce."

Leadership development at Deloitte involves numerous programs designed to increase women's ability to generate business. For instance, Deloitte offers a five-day leadership program for high talent women partners, principals, and directors, a four-month internal management development fellowship for high talent women and senior managers, and one-on-one programs for high talent women senior managers focused on developing leadership, business development, negotiation and networking skills.

Career planning drivers at Deloitte include individual and team career coaching as well as website-based career development tools that allow professionals to do such things as conduct self-assessments and create personal career goals.

Finally, mentoring programs are implemented at Deloitte with formal mentoring pilots that pair high performing women senior managers with partner mentors.

The second presenter, Cynthia Calvert, Director of the Project on Attorney Retention (PAR), stressed that any initiative to retain and advance women will fail unless it addresses glass ceiling bias, maternal wall bias, and scheduling issues. She presented a four-step process for success, which was developed with Joan Williams, Distinguished Professor of Law at Hastings Law School.





## Initiative on Advancement

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#### SMALL FIRM

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(1) Assessing. Law businesses must understand what is wrong before they can fix it. They can do this by crunching the numbers, and by asking women why they are leaving.

(2) Training. Firms should offer training programs that educate members of the firm on the business case and include such things as the actual cost of attrition at the firm and a list of the firm's clients that have diversity initiatives. Training programs should also increase awareness of glass ceiling/maternal wall bias that affect the day-to-day interactions between women attorneys and their supervisors.

(3) Aligning. Firms should align firm policies with the initiative, including work assignment policies, evaluation criteria, promotion criteria, part-time policies, family leave policies, and compensation criteria.

(4) Reinforcing. Firms should reinforce the initiative through a supportive firm culture, accountability, and persistence.

Ms. Calvert challenged firms to address schedules by adopting Balanced Hour programs. She explained that Balanced Hours are reduced hours that are designed to meet the business needs of a law firm while maintaining the attorney's ability to work and develop professionally without stigma.

The inquiry into best practices in area law firms began with two panels, presenting leaders at DC law firms discussing what is working in their firms to improve the advancement and retention of women.

Grace Speights, a partner at Morgan, Lewis & Bockius LLP, strongly under-

scored that commitment and accountability are critical to the success of any initiative on retention and advancement of women attorneys. Criteria include, among other things, the partner's steps to increase diversity and to mentor lawyers to long-term success at the firm. In the first year of the program, partners met with their Practice Group Leaders to discuss the reviews given to them by the associates; in future years, the firm is considering additional evaluative measures to provide a partner with concrete incentives to improve in those areas that are crucial for the development and retention of associates. Although this program is aimed at improving the development and retention of associates in general, it should also have an impact on the retention and advancement of diverse and women lawyers.

Karen Popp, a partner at Sidley Austin LLP who helped to start Sidley's women's program, described the features that made Sidley's initiative an award-winning success. Among others, Sidley has a firm-wide Retention and Promotion of Women Committee with annual budgets for each office. The DC office uses its annual budget of \$45,000 to hold such programs as a monthly women's lunch, biannual dinners at partners' homes, and a major women's leadership program each year that includes clients and other prominent women. The firm has seen a recent 4% increase in the number of women in its partnership ranks. In 2005, nearly half of the attorneys in Sidley's partnership class were women, a figure that Ms. Popp credits to the various programs designed to advance women.

## Initiative on Advancement



*Karen Popp, Sidley Austin delivers her remarks*



*William Eckland, Sidley Austin makes his presentation*



*Grace Speights, Morgan, Lewis & Bockius presents her remarks*

William Eckland, managing partner of the DC office of Sidley, discussed the importance of appropriate and meaningful assignments of legal work to women associates, and described the firm's continued efforts to make the assigning process more inclusive. Mr. Eckland highlighted two best practices. First, Sidley's successful reduced schedule program that (1) is flexible and allows for an individualized approach, (2) is gender-neutral, (3) may be used by attorneys regardless of seniority, and (4) provides both on-track and off-track options. Second, the firm created a mentoring circle designed to avoid the problems associated with traditional mentoring programs. He outlined several new initiatives, including business development skill building, and partner-to-partner mentoring.

Lee Tiedrich, a partner at Covington Burling, detailed her firm's three-part approach to increasing the retention and advancement of women. First, Covington strives to send a consistent message from management by putting women in leadership positions within the firm, reiterating the importance of the goals in annual meetings between the firm's management committee and practice group heads, revamping the assignment process, and training mentors. Second, Covington has a Women's Forum, which has its own budget, and offers women an opportunity to develop internal networks at regular meetings. The Women's Forum also has a *pro bono* and public service element that encourages women of all levels seniority to work closely together. Third, Covington supports balance through a part-time program available to all attor-

neys without regard to the reason for the request and a comprehensive day care center that offers both full-time and emergency child care.

Thomas Mills, managing partner of the DC office of Winston & Strawn LLP, offered his comments as a "journey." Stating that his firm had similar programs designed to advance diversity and the retention of women, he focused instead on the frank assessment that "the statistics show that we all collectively stink." "We took a hard look at ourselves uncritically, as we would for an internal investigation for a client." They found that the representation and retention of women in their high-stakes litigation practice exceeded that of women in their corporate practice. "Voila! It wasn't lifestyle choices. It wasn't that women are predisposed not to want to work as hard, or all of the biases and predisposition that have invaded our paternalistic practice for so long. . . . It was the same thing that turns on the guys in the practice. Really excellent lawyering and really difficult cases that attract really high-profile analysis. . . . That's what helps us retain them." The firm is working on redesigning its mentoring systems, finding ways "to erase non-relevant barriers," and ensuring that women receive good assignments and good experience. Mr. Mills emphasized the importance of ensuring that all of the firm's lawyers have lives outside of the office. He concluded, "I think what we're learning here and from the past sessions of the Initiative can only help us all jointly get better and better at the practice of law."



## Initiative on Advancement



*Wendy Schwartz, Deloitte Financial Advisory Services addresses the crowd in Session 3*



*Cynthia Calvert, Project for Attorney Retention addresses the audience in Session 3*

James Sandman, former managing partner of Arnold & Porter and President-Elect, DC Bar, emphasized that firms cannot address the retention and advancement of women without looking at the individual experiences of each lawyer. He reiterated Catalyst's findings that women leave primarily because they are not satisfied with their job or because their career stalled. He recalled looking back at women who had left his firm and thinking that those women "fell through the cracks" or that "no one was paying attention." Mr. Sandman highlighted two programs at Arnold & Porter designed to address these problems. First, Arnold & Porter has designated assigning partners that have clear, written - and commonly available - job descriptions that include not only staffing the work but also monitoring and mentoring junior attorneys. The assigning partners meet regularly among themselves and with associates to make sure that no one is falling through the cracks. Second, Arnold & Porter has a part-time work coordinator. A former member of the management committee, the part-time work coordinator not only runs interference for part-time attorneys, but also makes sure that part-time attorneys are getting meaningful work necessary to develop their skills and full potential.

At the luncheon, author and lawyer Judith Richards Hope spoke about her experience since starting practice in 1964. The firm did not bill hours, but instead billed for the job and required advance payment at each stage. Ms. Hope observed that recent marketing approach by an e-law group, which approaches general counsel to bid on all of the corporate work for a lump sum. She expressed her view that, both then and now, such pricing techniques work to the favor of women by righting the incentives: instead of billable hours, work is rewarded based on quality and efficiency of the work; instead of requiring face time in the office, work can be done where and when it makes the most sense given other responsibilities. She humorously summarized that she got her clients primarily in two ways. First, she reads the newspaper "very thoroughly," and calls or writes clients to offer insights. Second, "I cook. . . . I went to the Cordon Bleu School—and most of the people who have business are men and they love to eat."

Please also make your sponsorship reservation for the WBA/WBAF Annual Dinner, Tuesday, May 16, where the Final Report of the Initiative will be released.

*"We took a hard look at ourselves uncritically, as we would for an internal investigation for a client."*

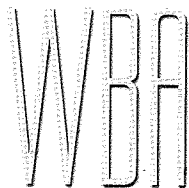
Thomas Mills, Managing Partner, Winston & Strawn





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