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## THE 91ST ANNUAL WBA/WBAF DINNER: "WOMEN IN POLITICS"

The WBA and the WBAF will host their Annual Dinner on Tuesday, May 19, at the historic and elegant National Building Museum. This year's event recognizes "Women in Politics."

Since 1964, the WBA has presented its Woman Lawyer of the Year Award at the Annual Dinner. The Woman Lawyer of the Year 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 legal field. This year, the WBA is honored to bestow this award to U.S. Solicitor General **Elena Kagan**—the first woman to hold this position.



*Elena Kagan*

Nominated by President Obama and recently confirmed by the U.S. Senate as the 45th Solicitor General of the United States, Ms. Kagan brings unique qualifications to the Office of the Solicitor General. She is no stranger to government, having served as President Clinton's Associate White House Counsel from 1995-1996, and Deputy Assistant to the President for Domestic Policy and Deputy Director of the Domestic Policy Council (1997-1999). In those positions she played a key role in the executive branch's formulation, advocacy, and implementation of law and policy in areas ranging from education to crime to public health.

Ms. Kagan became the first female Dean of Harvard Law School in 2003. During her nearly six-year tenure as Dean, Harvard Law School expanded and enhanced its faculty, modernized its curriculum, developed new campus facilities, promoted public service, and improved the student experience. Ms. Kagan started at Harvard Law School as a visiting professor in 1999 and became Professor of Law in 2001. While on the faculty, Kagan taught administrative law, constitutional law, civil procedure, and seminars on issues involving the separation of powers. Her final faculty position was as a Charles Hamilton Houston Professor of Law.

In addition, Ms. Kagan has taught law at the University of Chicago Law School. Ms. Kagan's legal experience includes having clerked for Justice Thurgood Marshall of the U.S. Supreme Court, and for the Honorable Abner Mikva of the U.S. Court of Appeals for the District of Columbia. She also worked as an associate in the Washington, DC, law firm of Williams & Connolly.

Ms. Kagan received her bachelor's degree, *summa cum laude*, from Princeton. She attended Worcester College, Oxford, as Princeton's Daniel M. Sachs Graduating Fellow, and received an M. Phil. She then attended Harvard Law School, where she was supervising editor of the *Harvard Law Review*, and graduated *magna cum laude*.

## President's Column

A Publication of

### THE WOMEN'S BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA

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It's amazing to me that a year has passed since my term as WBA President began. While the economic and political landscapes have changed dramatically, the power of our voluntary bar remains the same. We have steadfastly remained committed to our mission of maintaining the honor and integrity of our profession, promoting the administration of justice, and advancing and protecting the interests of women lawyers.

One of my goals as President of the WBA, given the historic 2008 election, was to support fully the participation of women in government and politics. We have the opportunity to play an important role by endorsing women for positions in the executive and judicial branches of our local and national governments. WBA's endorsement process seeks to increase the number of women and men occupying judgeships and executive positions in the District of Columbia, the federal courts, and government who share the mission of the WBA. We seek to endorse candidates who have demonstrated a commitment to promoting women's advancement opportunities, the equality of litigants before the courts, and responding to women's needs and concerns.

At this year's Annual Dinner, the WBA will celebrate with the theme "Women in Politics" and honor those women who have dedicated their time and careers to public service. The Woman Lawyer of the Year Award is given at the Annual Dinner to recognize a woman for her exceptional achievements in the legal profession and/or for her extraordinary contributions to the advancement of women in the profession.

In keeping with this year's theme, the WBA will honor U.S. Solicitor General Elena Kagan. Ms. Kagan is the nation's first female solicitor general and will be the government's chief advocate in arguments before the Supreme Court. She brings to the Justice Department a breadth of experience that spans private practice, government, and academia. In her most recent role as Harvard Law School's Dean—also a female first—Ms. Kagan focused on improving student satisfaction and transformed the community with focused hiring, curriculum planning, and fundraising efforts. During her tenure, she also highlighted issues with the advancement of women in the legal profession. We are excited about her arrival at the Justice Department, where her legal scholarship, executive branch experience, and institutional know-how will serve her well. She will assuredly continue to inspire women and men alike.

I would like to close my final president's letter with a profound thank you to the wonderful women leaders with whom I had the privilege of working this past year. The past presidents I have followed, and whose ranks I will soon join, remain active and committed members of our organization, continuously giving their time, connections, ideas, and talents to make the WBA one of the significant voluntary bars to which you can belong. The Board of Directors has provided vital leadership in reaching our mission and goals this past year. And we are fortunate to have a dedicated group of committee and forum co-chairs who execute our mission through top-notch programs and events. The WBA Foundation continues to be a strong compliment to the WBA, promoting the interests of women through its grant-making efforts. Thanks to everyone for making this such a positive experience. I encourage each of our members to join a committee or volunteer time in other ways. You will reap tremendous rewards, make new connections, and gain invaluable experience.

JENNIFER MAREE WBA President



## WELCOME NEW WBA MEMBERS!

Katherine A. Baldwin  
Christianna Lewis Barnhart  
Heather Batzel  
Lynne Miriam Baum  
Amy L. Beckett  
Alfred F. Belcuore  
Sadina Montani Boik  
Lori Brandes  
Allison Brown  
Donna Marie Chambers  
Danyele A. Coffey  
Brenda Danek  
Ciji Dodds  
Laura E. Ellis  
Barbara Sara Esbin  
Nneka Ezenwa  
Lakeytria Windray Felder  
Kelly Fisher  
Cassidy Fludd  
Paige K. Fronabarger  
Sharon Goodie  
Mia Haessly  
Mary Katherine Hanna  
Deborah K. Hines  
Andrea E. Hirsch  
Christine Hlavka  
Leora Hochstein  
Michelle Iseman  
Amy Berman Jackson  
Tanisha Ann James  
Jana Heccegova Kaidy  
Sarah Kaput  
Kelley Clements Keller  
A.W. Khabir  
Runako Kumbula Allsopp  
Ann M. Landis  
Jasmine Lee  
Shirley M. Lukitsch  
Lana Lunskeya  
Catherine Master  
Jennifer A. McCabe  
Lesley Milner  
Suzanne Hassell Milton  
Kim Mary Czubaruk Mulherin  
Celeste M. Murphy  
Larissa Marie Naylor  
Mary N. O'Connor  
Anjali Patel  
Leslie Ann Peterson  
Jamie Gibbs Pleune  
Lexer Quamie  
Nicole M. Rementer  
Virginia Anne Seitz  
Gina L. Simms  
Ambreen Fatima Tariq  
Julie Tower-Pierce  
Marina Veljanovska  
Joeann Walker  
Cordelia L. Wreathall  
Amy Yurish  
Elizabeth Marie Yusi  
Patricia Zweibel

## INVESTING IN WOMEN LAWYERS' SUCCESS BEGINS IN LAW SCHOOL

WBA Initiative reports, *Creating Pathways to Success* and *Creating Pathways to Success for All*, have stressed the need to invest in women lawyers' success from an early stage in their careers when it can have the most impact. Further research has shown that women and lawyers of color have a brief period of time once they join law firms to develop the necessary relationships critical to achieving success.

The **University of Maryland School of Law** is home to the first curriculum-based fellowship program specifically designed to prepare women law students to overcome gender barriers from the moment they begin their careers. Below is an excerpt discussing the Women, Leadership, and Equality Program at the law school.

Professor of Law **Paula Monopoli** recognizes [the challenges that women face in the profession] and is working to overcome them. In 2003, she created the Women, Leadership, and Equality Program at the University of Maryland School of Law to "address the wide gap between the number of women graduating from law schools and the few women in formal leadership positions at the top of the profession. ... Fewer than 25 percent of partners and judges are women," says Monopoli, the Program's Founding Director.

The program is the first and only one of its kind at any American law school. So far, 32 students have taken part as Rose Zetzer Fellows. The fellowship is named for Zetzer, a 1925 School of Law graduate who fought for two decades—from 1927 to 1946—before being accepted into the Maryland State Bar Association.

Monopoli describes the program as being built around three major components: theory, application, and experience. "I designed an interdisciplinary theory seminar that the fellows take in their second year. The seminar

integrates law, political science, and philosophy as well as leadership scholarship. ... The fellows are well-grounded in theory before they take the applied workshop in their third year and work in women's policy organizations."

A major goal of the program is to foster scholarship on the gendered nature of law and the legal profession.

As the program celebrates its fifth anniversary, Monopoli sees it as a critical resource to help female students develop the essential communication, personal negotiation, networking, and management skills necessary to rise to leadership positions.

"We give them the ability to have their ideas heard and implemented within their organizations at every stage of their careers. Building credibility, expertise, and the ability to get their ideas heard—even as first-year lawyers—enables them to exercise informal leadership as they move along the path to formal leadership. It helps them be valued by their employers, and my hypothesis is that women will stay where they are valued," says Monopoli.

*Continued on page 4*

*Continued from page 3*

“Our students are able to hit the ground running when they enter the profession and are at a significant advantage in terms of understanding the dynamics of the workplace as well as bringing excellent analytical skills to the table.”

Alexina Jackson, JD '07, is now thriving in her new environment and credits the program with honing her skills.

“When I started at the law firm, I quickly diagnosed the dynamics in which I am operating and thought about how to maximize my opportunities in that environment,” says the 31-year-old associate at Crowell & Moring LLP in Washington, DC. “I was aware of what I wanted and the compromises I was willing to make, and so I now spend more of my time executing my goals rather than trying to understand them.”

Working with Professor Jana Singer, Monopoli has built the program to expose students to behavioral and organizational issues that are typically found in an MBA program at business schools but which have never been part of the traditional law school curriculum.

“Law schools teach students how to think like lawyers,” Monopoli says, “but have traditionally taught them little about the organizations within which they will use those analytical skills. Our program tries to bridge that gap.”

Workshops on negotiation, public speaking, setting professional goals, and overcoming obstacles give students a concrete foundation for their burgeoning skills. Fellows also participate in externships with organizations that work on women’s policy issues. Lisa Yonka Stevens, JD '04, an associate at Dickstein Shapiro LLC in Washington, DC, says the best aspect of the program was her work at the National Women’s Law Center.

“By working at a legal organization filled with many dedicated and successful female attorneys, I saw firsthand the positive impact that women have on the legal community,” says Yonka Stevens, 30. “Not only was the work on the cutting edge, but the lifetime contacts have been invaluable.”

Monopoli and Singer are now studying just how the school’s alumnae build that network and how both male and female graduates balance their personal and professional goals. In conjunction with the Project for Attorney Retention at the University of California’s Hastings College of Law, the professors are conducting a 5-year study of all law school alumni to better understand the impact of work-family balance on women’s careers and the effect of workplace structure on career satisfaction.

Monopoli says the research and the program itself could not continue without the support of many people. She credits Dean Karen Rothenberg,

the School’s faculty, and its alumnae, as well as the Marjorie Cook Foundation and Network 2000, two organizations that are dedicated to advancing women’s equality, for making the commitment to ensuring women’s full participation in the profession. Monopoli knows an ongoing challenge for the program is confronting the very slow progress of women’s advancement in the profession and the persistent structural barriers in law firms. She points to a recent report by the Women’s Bar Association of the District of Columbia that shows at the current rate of progress, it would be 2115 before women partners make up 50 percent of firm leadership.

“The incremental nature of the changes we can make does get discouraging sometimes,” Monopoli says. “But I encourage my students to work on parallel tracks—to use the skills they’ve learned in the program to move effectively into leadership positions so that they will have power. And power is what is essential to create broader systemic change that will better enable women to become an integral part of the legal profession at all levels.”

*This excerpt is reprinted from “Raising a Gavel for Women’s Equality” by Lori Romer, published in the “University of Maryland Baltimore: Research and Scholarship 2009.” For more information about the program, contact Professor Paula Monopoli at [pmonopoli@law.umaryland.edu](mailto:pmonopoli@law.umaryland.edu).*





## THE WBA FOUNDATION: MAKING A REAL DIFFERENCE IN THE COMMUNITY

By DIANA M. SAVIT, PRESIDENT

The WBA Foundation completed its grants cycle for the current fiscal with a series of awards made at its February and March meetings. We are pleased to report that the Foundation—channeling the help and support of the WBA and its members—gave grants to the following organizations, to better legal services in the District of Columbia and to improve the lives of needy women and children:

**AYUDA**, which works to protect the legal rights of low-income immigrants in the DC metropolitan area. The WBA's grant will help provide legal services to battered immigrant women and their children. [www.ayudainc.org](http://www.ayudainc.org)

**Council for Court Excellence (CCE)**, a nonprofit, nonpartisan civic organization that works to improve the administration of justice in the local and federal courts and related agencies in the Washington metropolitan area and in the nation. The grant will support the CCE's Expedited Appeals project, designed to speed resolution of cases involving disadvantaged foster children. [www.courtexcellence.org](http://www.courtexcellence.org)

**DC Employment Justice Center**, whose mission is to secure, protect, and promote workplace justice in the DC metropolitan area. The grant will support DCEJC's mission to inform low income women and their families about their employment and to help them secure their rights, through direct legal representation and policy advocacy. [www.dcejc.org](http://www.dcejc.org)

**Domestic Violence Legal Empowerment and Appeals Project (DV LEAP)**, to support its appellate *amicus curiae* project, designed

to identify and file briefs in pending appellate cases of particular importance to victims of domestic violence. [www.dvleap.org](http://www.dvleap.org)

**Project for Attorney Retention (PAR)**, for assistance with its ongoing study of part-time law firm partners—a project also supported by the WBA. [www.pardc.org](http://www.pardc.org)

**Women Empowered Against Violence (WEAVE)**, to help provide emergency services for low-income victims of domestic violence and abuse. [www.weaveincorp.org](http://www.weaveincorp.org)

I have included the website URL of each grant recipient so that you can see for yourselves the important work that each of you and the WBA collectively, through the WBA Foundation as your charitable arm, are furthering. We encourage all WBA members to become actively involved in the work of our grant recipients, all of whom would gratefully welcome the services of volunteer lawyers.

The WBA Foundation simultaneously achieves two of its important goals—improving the legal profession and aiding the disadvantaged—through the annual award of its Founders Fellowship, established in 2006 at the Foundation's 25th anniversary to honor the WBA's founders, Ellen Spencer Mussey and Emma Gillette. Our first Founders Fellow, **Ana Ayala** of the Washington College of Law at American University, used the stipend the WBA Foundation provided to donate her services to Ayuda, Inc. (coincidentally, a WBAF grant recipient). Ms. Ayala has written of her experience:

*With the Founders Fellowship, I spent the summer between my first and second years of law school as a law clerk at Ayuda, Inc. I assisted attorneys in the representation of domestic violence victims in DC, many of whom were Latina immigrant women. Through this work, I was further exposed to the hard reality faced by these women. I consider my experience at Ayuda to have been extremely valuable because I developed strong relationships with my clients throughout the duration of their cases by providing them with both legal and emotional support. It was then that I realized the importance of using my identity as a Latina woman to help our clients feel comfortable. I assisted them in transitioning into their new lives, a process that for many of them was extremely difficult. Even though my internship was only 10 weeks, I am proud of the contribution I made during my time at Ayuda. I can sincerely say that I made a significant difference in the lives of these women.*

The opportunity the WBAF was able to provide Ms. Ayala—and what she made of that opportunity—is the product of the WBA and the WBA Foundation working together in the best tradition of our service profession.

As the WBA/WBA Foundation year winds to a close, we look back on an economically difficult but professionally rewarding time, and look forward to working together next year to improve upon our record. The WBA Foundation hopes to see all of you at the Annual Awards Dinner on May 19. Please remember that a portion of the proceeds will benefit the WBA Foundation's charitable mission, and support us to the best of your ability. It is through that support that our efforts can continue.

## WORKING PARENTS FORUM PRESENTS TIPS FOR EASING THE TRANSITION

By Devra Renner, MSW, Parentopia LLC

The WBA's **Working Parents Forum** presented a program entitled "Easing the Transition to a Childcare Provider: Helping Your Child and Yourself" on January 8, 2009, as part of a four-part series on childcare options. The series has also included programs on practical approaches to choosing day-cares; finding and keeping a nanny (see page 8); and finding the perfect au pair.

**Rene Hackney, Ph.D.**, founder of Parenting Playgroups, Inc. spoke about how to ease separation anxiety and help your child adjust to a new child care provider, be it a nanny, school, or day care. **Devra Renner, MSW**, co-founder of Parentopia LLC and an author of the book "Mommy Guilt: Learn To Worry Less, Focus on What Matters Most and Raise Happier Kids" spoke about easing parents' guilt over leaving their children in someone else's care. The following tips were provided to help parents with the transition to a new child care provider.

Guilt-o-meters tend to spike when a family is undergoing a change in any childcare arrangement. This list of possible angst reducers is presented in no particular order: use, alter, or combine as you see fit.

■ **Learn to let some things go:** You may miss a few of "the firsts" but those aren't "the onlys." The second time around, or even the third, are memorable moments too. Cut yourself some slack if you can't be there for every "first."

■ **Parenting is not a competitive sport:** A child calling you by her provider's name isn't a dismissal of your importance in her life; take it as a sign your child is comfortable with her surroundings at childcare. Did that happen spontaneously? No! Try to give yourself kudos when you've helped your child with a transition. In this case, by selecting a child care provider she clicks with and whom your child feels safe with while you are at work.

■ **Look toward the big picture:** don't get overly hung up on the here and now: Your child will learn to adapt and so will you. Think about your own childhood. Did you have the same teacher from kindergarten through law school? Don't get trapped equating change with a negative outcome. Bathe change in a positive light, as it often fosters resiliency—yours and that of your child.

■ **Learn when and how to live in the moment:** Maybe that hungry, tired, cranky person at the end of the day is you. Take time for an extra bear hug or a moment to put your feet up and cuddle on the couch. It may turn out to be the highlight of a tough day for you and your offspring. One day at a time might feel like an eternity, so break it down to one hour at a time, or even a few minutes at a time, if necessary.

■ **Get used to saying yes more often and be able to defend your no:** Be confident about childcare decisions and how you make them. However, if a situation isn't working out, don't be afraid to seek another solution. Getting flak from others? Think "So what" to yourself or say "Thank you" aloud if you need empowerment to weed out any unhelpful advice or unsolicited opinions and refocus.

■ **Laugh a lot, especially with your children:** Don't be afraid to be childlike yourself. Tell jokes, play pretend. Draw funny pictures, sing silly songs about your day and theirs. Increasing the laughter may decrease the tension for everyone. In the car, on the walk home, or even via the phone if work takes you out of town.

■ **Make sure you set aside specific time to have fun as a family:** This doesn't mean you need to magically create a 25th hour. Use what you have and work with it. Crank up the music and dance around the kitchen when you get home after a long day. Consider incorporating a family friendly cocktail/mocktail hour. This is something you can do now, and continue to do for many years to come as your child gets older.



## Committee and Forum Highlights

**Raising The Bar** 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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## COMMUNICATIONS LAW FORUM PRESENTS WOMEN OF DISTINCTION

By Jennifer Duane

Over the past few months, the **Communications Law Forum** has held several brown bag lunches spotlighting notable women practitioners in the field of communications law. This popular luncheon series, entitled "Women of Distinction," kicked off on November 13, 2008, with a program featuring Jane Mago, Senior Vice President and General Counsel of the National Association of Broadcasters, who discussed various hot topics in broadcast and media law. There was an especially lively discussion by all of the lunch's attendees, led by this well-respected leader of the communications bar. Coming so soon after the national elections, in addition to covering other topics, there was ample opportunity for the participants to speculate about potential changes of policy and personnel at the Federal Communications Commission and the Commerce Department's National Telecommunications and Information Administration.

The series continued with a profile of **Kathy Zachem**, Vice President of Comcast Corporation and Senior Vice President at Comcast Cable, at a lunch held on Thursday, February 12, 2009. The program attracted a large audience who came to hear Ms. Zachem, named by Washingtonian Magazine as one of Washington's Best Lawyers practicing before the Federal Communications Commission, describe key issues affecting the cable industry and its customers, including the digital television (DTV) transition. Ms. Zachem also delighted the audience as she recounted how she made the shift from private practice as a long-time partner with Wilkinson, Barker & Knauer to her current in-house role as a vice president with Comcast. This particular lunch was notable for the number of leading communications attorneys who attended to listen to Ms. Zachem.

At a lunch on March 4, 2009, **Kathleen Ham**, Vice President of T-Mobile, discussed how she made the transition from a long career in government service as a Deputy Bureau Chief in the FCC's Wireless Telecommunications Bureau to an executive position with the fourth largest wireless carrier in the United States, serving nearly 30 million customers. Ms. Ham related a number of insights gained over the course of her legal career, including the importance of mentoring and striking the right balance between work and family life. After asking attendees which topics she should cover, Ms. Ham did a remarkable job of covering a set of widely-diverse topics, usually providing interesting anecdotes from her own experiences to illustrate her responses.

The Communications Law Forum extends its thanks to the law firms of Weil, Gotshal & Manges LLP, Howrey LLP, and Hogan & Hartson, LLP for hosting the November, February and April events, respectively, and to T-Mobile for hosting the March lunch.

The final brown bag lunch in this year's Women of Distinction series is scheduled for April 30. This lunch features **Diane Cornell**, Vice President of Inmarsat, Inc., who will discuss current hot topics for the satellite industry, as well as highlights from her distinguished legal career.



## Committee and Forum Highlights

### WBA CALENDAR OF EVENTS

*May 14, 2009*

*12:00 pm to 1:30 pm*

THE FEDERAL CIRCUIT:  
WHERE IT HAS BEEN, AND  
WHERE IT IS HEADED  
U.S. Court of Appeals for  
the Federal Circuit  
717 Madison Place, NW,  
Room 201  
Washington, DC 20439  
WBA Members: \$15  
Law Students: \$15  
Non-Members: \$25

*May 19, 2009*

*6:00 pm to 9:30 pm*

WBA ANNUAL AWARDS DINNER  
National Building Museum  
401 F Street, NW  
Washington, DC 20001  
WBA Members: \$120  
Non-Members: \$160  
Contact the WBA Office to reserve  
a table or sponsor the event

*May 28, 2009*

*12:00 pm to 2:00 pm*

BREAST CANCER LEGAL  
ADVOCACY WORKSHOP  
Arent Fox LLP  
1050 Connecticut Avenue, NW  
Washington, DC 20036  
WBA Members: \$25  
Non-Members: \$30

*June 4, 2009*

*11:30 am to 2:00 pm*

MANAGING THE COSTS OF  
E-DISCOVERY IN THE  
CURRENT ECONOMIC  
CLIMATE: PROACTIVE  
RECORDS MANAGEMENT  
Crowell & Morning LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004  
WBA Members: \$10  
Law Students: \$ 8  
Non-Members: \$15



*L-R: Tina Hsu, WBA Board member & Working Parents Forum liaison; Barbara Kline, White House Nannies; Stephanie Breedlove, Breedlove & Associates; and Jennifer McDannell, Working Parents Forum co-chair.*

## THE NUTS AND BOLTS OF HIRING AND RETAINING YOUR NANNY

By Barbara Kline, White House Nannies & Stephanie Breedlove, Breedlove & Associates

The WBA's **Working Parents Forum** presented "The Insider's Guide to Finding and Keeping the Perfect Nanny (Including How to Decipher Taxes and Payroll)" on November 7, 2008. The popular program was attended by over 50 people, including many from outside the WBA community. It was part of a four-part series on childcare options, which has also included programs on practical approaches to choosing daycares; easing the transition to child care providers (see page 6); and finding the perfect au pair.

This article is provided by **Barbara Kline** of White House Nannies and **Stephanie Breedlove** of Breedlove & Associates. Ms. Kline is the President of White House Nannies, Inc. and has been placing nannies in Washington DC-area homes for almost 25 years. Ms. Breedlove is the President of Breedlove and Associates. Since 1992, Ms. Breedlove's company has been providing expert advice and invaluable services relating to payroll and tax issues facing household employers nationwide.

There is no more important hire you will make than the person taking care of your child or children. A thorough process to find the right match for your family should not be underestimated. Once you find the candidate with the right qualifications and background, the success of the financial relationship is a key factor to a successful employment relationship. Here are some tips that will help you with the process of hiring the right nanny and offering a professional compensation package that will help to insure that you keep your nanny.

### The Nanny Pool

- It is a veritable United Nations.
- There is no one specific country or region from which all the best nannies come.
- The lion's share of nannies is comprised of mothers.
- Age is not determinative. There are 50-year-old dynamos and 20-year-old couch potatoes.

### What Makes A Good Candidate?

*Continued on page 14*





## WCL AND THE WBA CELEBRATE THE PAST AND THE FUTURE

The Women's Bar Association and the American University Washington College of Law (WCL) share the same founders, Ellen Spencer Mussey and Emma Gillet. In October 2008, the two organizations launched a partnership whereby WCL will preserve, digitize, and store the WBA's archives in the Pence Law Library.

While celebrating the past, the WBA and *The Modern American*, a WCL student publication dedicated to diversity and the law, also looked to honor the future of the profession. They sponsored jointly a student essay contest with a scholarship award of \$1,000. Applicants were invited to submit scholarship on a topic of interest or importance affecting women in the law, such as issues ranging from the history of struggles confronted by women lawyers in their careers to issues that women lawyers face today in a male-dominated environment at the higher levels of the profession.

A joint selection committee comprised of both WCL faculty and WBA leadership selected 3L Caitlin Howell, as the winner. Howell's piece titled, *Combating Gender Inequities in Law School: Time for a New Feminist Rhetoric that Encourages Practical Change*, was featured in *The Modern American's* Special Fall 2008 publication. Her essay offers a new perspective after exploring diverse feminist theories concerning law school education. An abstract of Howell's winning essay follows.

*Despite the fact that law schools are admitting men and women in relatively equal numbers, they are failing to adequately prepare women for success. Not only do women report feeling marginalized in law school classrooms, but also they statistically under-perform men. Additionally, men continue to dominate the upper levels of the legal profession. Recently though, it has also become clear that men experience law school negatively. Just like women, men are not being taught all the skills they need to be effective attorneys.*

*Over the course of contemporary women's legal history, different feminist scholars have attempted to identify solutions to gender inequities in law school. Many feminist legal scholars have hypothesized that the adversarial nature of law school is inherently discriminatory against women because it rewards masculine behavior. They argue that the Socratic method, the hierarchical nature of law school journals, the fierce competition for clerkships and externships, and mock/moot court competitions all reward such behavior. These feminist scholars, therefore, propose a reinvention of law school pedagogy that would reward feminine behavior. They also propose to insert feminist perspectives into the curriculum. This essay argues that while this approach could benefit women and men, it may perpetuate gender inequity by stereotyping a highly diverse group of women.*

Read Howell's complete winning essay at [www.wcl.american.edu/modernamerican/documents/Howell.pdf?rd=1](http://www.wcl.american.edu/modernamerican/documents/Howell.pdf?rd=1). For more information on *The Modern American*, visit the homepage at [www.wcl.american.edu/modernamerican/](http://www.wcl.american.edu/modernamerican/).

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## Cover Story: Annual Dinner

*Continued from page 1*

Echoing themes discussed by the WBA's Initiative on Advancement and Retention of Women, Ms. Kagan has been outspoken on the fact that women and minorities are not advancing in the legal profession in proportion to their law-school graduation rates. Although women have made up 50% of law school graduates for almost two decades, female lawyers continue to earn less, to advance more slowly than their male counterparts, and to comprise less than 20% of law firm partners.

Ms. Kagan has the legal acumen to argue in front of the U.S. Supreme Court on behalf of the government, a role she will be frequently called upon to perform. The Solicitor General is considered among the most influential and knowledgeable members of the legal community. Accordingly, Ms. Kagan embraces her ability to advance the role of women in the law.

The Annual Dinner attracts nearly 1,000 prominent lawyers, judges, and others who support the mission of the WBA and the WBAF. Ms. Kagan will be introduced by **Judith Miller**, Senior Vice President, General Counsel and a member of the Board of Directors of the Bechtel Group. Ms. Miller is also the 2006 WBA Woman Lawyer of the Year.

For additional information about the WBA/WBA Foundation Annual Dinner, including tickets and sponsorship opportunities, visit [www.wbadc.org](http://www.wbadc.org) or call (202) 639-8880. Proceeds from the Annual Dinner also help support the WBA Foundation, a 501(c)(3) educational and charitable organization that advances the interests of women lawyers, seeks to improve the legal profession generally, and aids the most needy members of our community, particularly at-risk women and girls.

## ANNUAL DINNER HONORARY COMMITTEE\*

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Rutgers, The State University  
of New Jersey

\*as of 4/29/09

\*as of 4/29/09



## MEMBERS ON THE MOVE

Former Judge **Janice Law** has published her fifth book, *Wicked Good Secrets*, a fiction thriller set in Washington, DC, teaming a former criminal court judge and a Native American to unravel America's most stubborn historical mystery. Find out more at [www.judgejanicelaw.com](http://www.judgejanicelaw.com).

Two WBA members are leading the DC Fellows of the American Bar Foundation. **Brooksley Born**, Arnold & Porter LLP, and **Ellen Jakovic**, Kirkland & Ellis LLP, are serving as chair and vice chair, respectively. The Fellows is an honorary organization of lawyers, judges, and legal scholars whose public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession.

## THE FEDERAL EMPLOYEES PAID PARENTAL LEAVE ACT OF 2009 “BENEFITS” WOMEN AND FAMILIES

By Jamie R. Abrams, Washington College of Law

New legislation proposes to lessen the financial and professional hardships faced by federal employees anticipating the birth or placement of a new child. The Federal Employees Paid Parental Leave Act (FEPLA), re-introduced in both the House (H.R. 626) and the Senate (S. 354) by the 111th Congress, proposes to give federal employees four weeks of paid parental leave out of the 12 weeks of leave available to federal employees.

Parental leave is a risky calculation for federal employees under existing law. The Family and Medical Leave Act currently allows federal employees to take 12 weeks of unpaid leave. In exercising this right, federal employees must weigh financial and personal factors and make tough choices. Representative Maloney's (D-NY) remarks introducing the bill in the House of Representatives on January 22 highlighted these complexities:

“If we truly believe in the value of family, then we need to value the work that families do. This means that we need to stop asking parents to choose between a paycheck and caring for a new child.”

Under current law, parents may use accrued sick and vacation leave toward their “parental” leave, but doing so requires advance planning and sacrifice to accrue the time. In exhausting their accrued time, parents also take a calculated risk regarding their need for sick or vacation leave after the child's arrival.

The implications of this legislation are vast with 2.7 million federal workers. It would mark a critical step towards creating a more balanced work environment for federal employees and better positioning the government as a model employer. The proposed legislation would make the federal government more competitive with the benefits offered by most Fortune 100 companies and state and local governments.

This legislation is more necessary than ever in today's economic climate. As Representative Maloney's remarks highlighted, “more than ever, families need access to paid parental leave. In the face of rising unemployment and falling home and equities values, families cannot afford to risk losing a job or going without pay after the birth of a new child.”



*Honorable Vanessa Ruiz*

## JUDGE VANESSA RUIZ RECEIVES 2009 MARGARET BRENT WOMEN LAWYERS OF ACHIEVEMENT AWARD

The American Bar Association Commission on Women in the Profession recently announced the five women lawyers chosen to receive its 2009 Margaret Brent Women Lawyers of Achievement Award. Among the honorees was the **Honorable Vanessa Ruiz**, who was nominated for this prestigious award by the WBA.

The ABA Women Lawyers of Achievement Award, established in 1991, honors outstanding women lawyers who have achieved professional excellence in their area of specialty and have actively paved the way to success for others.

The award is named for **Margaret Brent**, the first woman lawyer in America. Brent arrived in the colonies in 1638, and was involved in 124 court cases in more than eight years, winning every case. In 1648, she formally demanded a vote and voice in the Maryland Assembly, which the governor denied.

Judge Ruiz is the first Hispanic judge to serve on the District of Columbia Court of Appeals, DC's highest court. She is the longest-serving woman currently on the court. Since her appointment in 1994 by President Clinton, Judge Ruiz has authored more than 400 published opinions on myriad issues important to DC residents. She was president of the National Association of Women Judges and

worked tirelessly to increase the selection of women to all levels of the federal and state courts. An active board member of the International Association of Women Judges, she interacts with women judges from other countries to safeguard the legal rights of women and girls around the world.

Judge Ruiz began her career in private practice, focusing on international commercial and intellectual property transactions. In 1991, she joined the DC Office of the Corporation Counsel and became DC's first Hispanic chief legal officer when appointed to head the agency a few years later.

The WBA honored Judge Ruiz in 2007 as a "Star of the Bar." During her remarks, Judge Ruiz highlighted the role that the WBA and other bar associations have had in opening doors for women and lawyers of color in our profession, while humbly downplaying her significance as a role model not only to her law clerks over the years, but also to countless law students and lawyers of all ages in DC.

The WBA nomination of Judge Ruiz highlighted and gave examples of her professional excellence, service to the bar, pro bono and community service, and advancing opportunities for women and minorities in the profession.





## Achievement Award

“Judge Ruiz, with her years in private practice, as a founder of her own law firm, and as a leader in DC’s office of the attorney general (then called Corporation Counsel), brought a wealth of experience with her to the court when she became an Associate Judge in 1994,” wrote WBA President **Jennifer Maree** in the WBA’s nomination. “We feel fortunate to have such a compassionate, insightful, and talented woman serve our highest court for the past 14 years. Judge Ruiz’s dedication to excellence, passion for public service, and commitment to the professional development of those who have followed her, set standards for all of us to emulate.”

Judge Ruiz was born in San Juan, Puerto Rico and is a graduate of the Georgetown University Law Center and of Wellesley College, where she majored in philosophy. In 2006, she received a doctor of laws, honoris causa, from the American University Washington College of Law.

**Other recipients of this year’s award are:**

**Linda L. Addison**, Partner, Fulbright & Jaworski L.L.P. and co-founder of the Center for Women in Law at the University of Texas; Houston, TX

**Helaine M. Barnett**, President, Legal Services Corporation and first legal aid attorney to serve as president of the Legal Services Corporation; Washington, DC

**Hon. Arnette R. Hubbard**, Judge, Circuit Court of Cook County, IL and champion of human rights through the exercise of the right to vote; Chicago, IL

**Loretta A. Tuell**, Partner, AndersonTuell, LLP, lawyer and legislative advocate on behalf of Indian tribes; Washington, DC.

Judge Ruiz and the other nominees will be recognized at an award ceremony luncheon that will take place Sunday, August 2, at the Fairmont Hotel in Chicago during the ABA Annual Meeting.

*“In preparing Judge Ruiz’s nomination, we heard common themes time and again: her commitment to excellence, her passion and interest in international and immigration law, her respect for all litigants before the court, her humanity and generous spirit, and her sense of humor and willingness to listen. We are proud to have Judge Ruiz on our highest court and in our legal community. We recommend her to you without reservation.”*

*Jennifer Maree, WBA nomination of Judge Vanessa Ruiz*

### WBA/WMACCA JOINT EVENT

The WBA partnered with the Washington Metropolitan Corporate Counsel Association (WMACCA) to present “Proven Strategies for Gaining A Seat on a Corporate Board” on February 20. The program featured an esteemed panel, including Karen Hastie Williams, retired Partner, Crowell & Moring; Julie Jacobs, Senior Vice President and Deputy Counsel, AOL LLC; and Margery Krauss, President and CEO, APCO Worldwide.

The event was designed to educate women how to become directors of corporations and non-profit organizations. Over 50 attendees gathered at The Tower Club for what has now become an annual event that brings together in-house and outside women counsel on issues of common professional interest. Attendees include senior attorneys and executives from Rolls-Royce North America, Inc., Freddie Mac, Mirixia Corporation, Sourcefire Inc., Sprint, Computer Sciences Corporation, The Brookings Institution, and FirstAdvantage Safe Rent, Inc.

*Continued from page 8*

- Someone with a genuine love of children is a prerequisite.
- Someone with compatible needs who wants the same work schedule, loves the ages of your children, and is looking for a long term commitment (assuming you are too).
- Someone who can communicate well with you. While you may want your children to learn another language, it is critical that your nanny can communicate with you in YOUR language.
- Someone who has good chemistry with your family. Your nanny may have had a good connection with past employers, but it is essential that she or he have the same rapport with you.
- Someone who is a professional, especially if your children are young. No one wants a revolving door of caregivers.

#### Sources For Finding Nannies

##### *Agencies*

- Generally, the best nannies with the most experience go to agencies.
- Good agencies meet, screen, and evaluate all candidates.
- Good agencies call all references and verify the candidates' work histories.
- Candidates referred are only those who match your stated needs and requirements.
- Agencies provide access to knowledgeable people who guide you through the process.
- Agencies provide thorough background checks on any one offered a position.
- Agencies provide ongoing counsel.

##### *On-Line Services*

- While clearly less expensive, you often get what you pay for. One out of three placements fail.

- The selection of candidates is overwhelming. The burden is on you to do the sifting.
- It is a time consuming process. It can take your entire maternity leave.

#### Process For Hiring On Your Own

- After phone screening, identify the most promising candidates and meet them outside your home.
- Do not schedule too many interviews in one day.
- Formulate questions. Unfortunately, there are no “magic questions.”
- Call references – do not rely on only one unless it is very long-term.
- Make sure to verify work history and have any gaps in the chronology explained.
- Verify legal status.
- Use your gut instinct. If something bothers you now, it will only intensify with time.
- Narrow your choices and have the best candidate(s) back for a working interview(s) in your home with your children.
- When you make an offer, make sure it is contingent on a professional background check. Many cheap online checks (e.g., \$9.95) use out-dated data banks.
- Draw up a work agreement. Go over it line by line and allow your caregiver to take it home before signing it.

#### Making A Professional Offer

- Pay your nanny legally—it's the law. This is critical for a successful, risk-free, stress-free relationship. Your nanny will receive the benefits she or he deserves—a credit history, social security and Medicare contributions, and unemployment benefits in the unfortunate situation of a lost job.





## Committee and Forum Highlights

- Always offer a gross salary, not a net (or take-home) salary. This allows you to keep control of the budget.
- Know the net pay on any gross salary you may offer. This will help your nanny budget effectively before accepting the position.
- Include gross salary and average hours to be worked in the work agreement.
- Paid vacation is not required by law, but it is a standard in the industry.

### **Budget Correctly Before Making An Offer**

- **Gross Salary:** Your nanny's taxes are withheld from the gross salary and are not an additional expense to be added into the budget.
- **Employer Taxes:** Federal and state employment taxes of approximately 9% of gross salary (in addition to gross salary).
- **Child Care Tax Break:** A savings, or reduction in total expenses, of approximately \$2,200 per year through a Flexible Spending Account.

#### *Example:*

\$30,000	(annual gross wages)
<u>+\$2,700</u>	(annual employer taxes)
\$32,700	(annual expenses before tax break)
<u>-\$2,200</u>	(annual tax break)
<b>\$30,500</b>	<b>Total Annual Cost</b>

### **Maintaining The Financial Relationship**

#### *Know Your Legal Obligations*

- You must withhold your nanny's federal and state taxes from each paycheck and pay your nanny the correct net wage.
- You must pay federal and state employer taxes, over and above your nanny's salary. In DC and MD, work-

ers' compensation may be required; however, it is often a standard component of a homeowner's umbrella insurance policy. Contact your insurance representative for details.

#### *Administer The Compliance Process*

- Provide your nanny with a paystub. This will give peace-of-mind and an understanding of the payroll and tax process.
- Remit federal and state tax returns along with the taxes withheld from your nanny's pay plus your employer taxes. Depending on your state, this process may be required monthly, quarterly, or annually.
- Provide your nanny with Form W-2 at year-end. Remit year-end tax returns to both the IRS and your state.

#### *Experts Are Available To Help*

Most household employers are incredibly busy people without time to effectively manage this process. There are professional services that specialize in the household payroll and tax process and can easily handle the headaches and complexities. Their fees are quite cost-effective and are usually half the price of a personal tax accountant.

#### *Keeping Your Nanny*

- Have weekly meetings especially in the beginning. Try not to micromanage. It's fine to check in, but if you're calling hourly, it's not working.
- Ask your nanny how she or he is. While this is an employer/employee relationship, your nanny is taking care of your children.
- Remember your nanny's birthday and reward good work. Your nanny needs to feel valued. The kindness you extend is often returned tenfold.



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