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You Have a Brand: Why Not Be Deliberate About Creating It?

By Anne E. Collier, MPP, JD, PCC, Principal, Arudia

What your colleagues, clients, and the community ("C3") think and say about you matters. It reflects your personal brand, which is the promise of a consistent experience. It answers questions the C3 have about you, such as:

- Can I count on you to get the job done?
- Are you the best person for a particular opportunity?
- Are you worth investing in?
- Do I want to work with you?
- Should I hire you?



Anne E. Collier

Your brand either attracts or repels opportunities. You want it to attract not only opportunities, but the opportunities that you want and that will propel you forward. Successful people know this and therefore deliberately create their brand. A powerful personal brand will deliver remarkable results by providing a compelling and unambiguous rendition of your strengths, inspiring confidence, and drawing the right opportunities to you. Your brand articulates why, how, and what you do, distinguishes you from your peers, and succinctly describes the value that you contribute given the opportunity. Knowing your brand, elevator pitch, and mission statement, and having messaging upon which to draw is essential to being able to talk about one's work in an empowering manner. This is a must for any woman wanting to create success for herself, regardless of her level.

The benefits of having a defined personal brand include:

- Differentiating you;
- Supporting you in achieving personal/professional goals;
- Enabling you to make your unique mark on the world and community; and
- Being the FIRST & ONLY one that comes to mind when someone has an opportunity or a problem that needs you as a solution

On September 25, I delivered a *Brand Yourself* workshop to the WBA membership. The workshop was developed in response my clients' needs to engender more and better opportunities by differentiating themselves in an authentic yet attention-getting manner. A key component is having each participant work on creating her own Messaging Pyramid, which lays out the elements of her brand description.

The participants were led through a five-step process to create their own Messaging Pyramid. Step 1: Establish A Powerful Mindset, focused on the mindset necessary to delivering a brand successfully. Step 2: Identify "Why," began the creation of the brand description. Step 3: Choose Your Vocabulary, elicited a unique vocabulary for each participant. Step 4: Define Your Mission, honed in on why, how, what, and for whom. Step 5: Build Your Brand Description, pulled it all together.

At the top of the Messaging Pyramid is the critical WHY, which answers the questions "why should someone hire or give you work?" and "why do you do what you do?" The answer to these questions is the same: what drives you to do great work is why a client wants to hire you.

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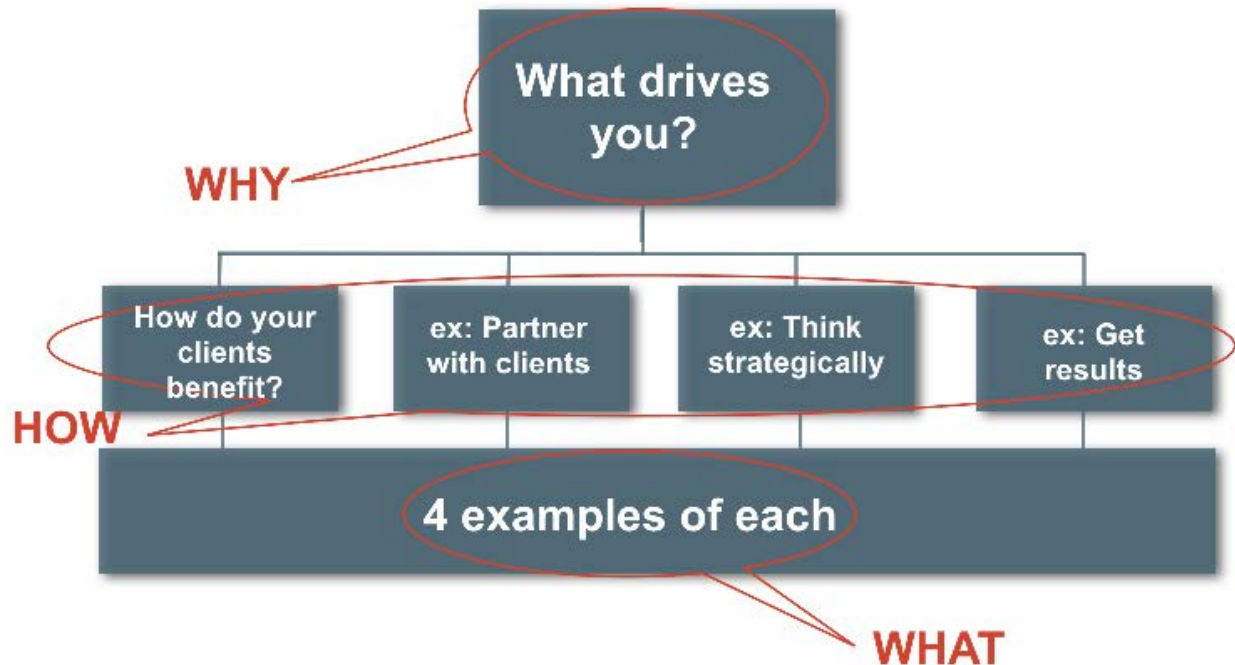
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Examples of lawyer's why statements include:

- I love to litigate and I love to win!
- I help companies harness risk and build value in energy.
- I am a leading tax strategist and advisor, giving CEOs peace of mind while saving their company's money.

The Messaging Pyramid



A Messaging Pyramid also includes three or four HOWs. In this context, HOW is one's unique selling proposition. It answers the question: "How do clients benefit?" Examples include: think strategically, partner with clients, and have a deep bench. Finally, the Messaging Pyramid includes examples of WHAT you do.

Practice and perfect your brand delivery; that is, talking about your skills and services. Get used to talking about yourself and your strengths. This is one of the biggest hurdles we face in being recognized for our contributions and expertise. Don't memorize your brand description. A delivery based on memorization sounds stilted and like a late-night TV ad. Rather, practice it on friends, colleagues, even the cat—anyone who will listen. The effective delivery of a brand

requires that you practice it enough that it sounds natural, ironically. Don't deliver the brand description in one breath. Start with WHY and let others ask questions about you.

Describe your examples in short, compelling sound bites. Remember, "all the gory details" is a turn off. Give enough detail so others understand and let them ask you questions. This way, you know that the prospective client is interested and getting the information s/he wants.

Anne Collier is Principal at Arudia, an executive coaching and training firm giving clients the tools to become strong leaders and effective communicators and to get what they want. The Brand Yourself workbook is available at Arudia.com.



Promoting Justice for All in the District of Columbia

By Jim Sandman, President, Legal Services Corporation

Earlier this year, the District of Columbia Courts issued a new, five-year strategic plan with a title taken from its vision statement: "Open to All, Trusted by All, Justice for All." This vision crystallizes the promise of the American judicial system, and the strategic plan lays out some concrete proposals for achieving it.

The full realization of this vision, however, is increasingly threatened by a widening justice gap—the disparity between the legal needs of low-income people and the capacity of our civil justice system to meet those needs. Many low-income residents of the District of Columbia who cannot afford to hire a lawyer are also unable to get access to one through increasingly overburdened civil legal aid services.

This problem, of course, is not unique to the District. Low-income Americans around the country are unable to secure assistance with civil legal problems, and courts are being overwhelmed by unrepresented litigants. For example:

- On the federal level in 2012, more than 170,000 pro se filings—excluding pro se prisoner filings—crowded dockets in bankruptcy, district and appellate courts.
- In the state courts of New York, 2.3 million people appeared without counsel in 2012.
- In Texas in 2011, more than 460,000 parents represented themselves in family law cases.
- In New Jersey in 2012, 99% of the 172,000 defendants in landlord-tenant disputes lacked legal counsel.
- In Illinois in 2012, the Cook County Circuit Court had about 245,000 self-represented litigants in civil cases, **more than half of its docket**.

The situation in the District of Columbia appears to be as dire as in other cities and states. A 2008 study by the District of Columbia Access to Justice Commission reported that approximately 98% of both petitioners and respondents in

domestic violence cases, 98% of respondents in paternity and child support cases, and 97% of tenants in landlord and tenant court cases appeared without a lawyer.

More than one-fifth of the District's population is financially eligible for free legal aid, but the staffs of the District's 25-plus legal services providers simply do not have the resources to meet this demand, even with the assistance of pro bono lawyers.

The flood of self-represented litigants threatens the goals of the DC Courts' strategic plan. Can a court system designed by lawyers to function most effectively with the participation of lawyers really be considered "open" to litigants without lawyers? Can we expect litigants without lawyers to trust this system? Can self-represented litigants expect justice, particularly in cases where they are opposed by experienced lawyers?

The DC Courts' strategic plan lays out a number of ways to meet these challenges and makes improving access to justice one of its five goals.

The local legal community must support these efforts. I urge every lawyer who works in the District to do pro bono work for low-income people in our area. Our city has more lawyers per capita than any other in the world. Our local legal community is large enough—and has the skills and financial wherewithal—to ensure that all residents have a lawyer at their side when a legal crisis puts their children, their safety, their homes, or their financial well-being at risk.



Jim Sandman

Duff & Phelps proudly supports
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I also urge our local legal community to support legal aid providers financially, either by contributing directly to organizations that address the legal needs of those who cannot afford a lawyer, or to foundations that make grants to these organizations, such as the District of Columbia Bar Foundation or our own WBA Foundation, which awards annual grants to help sustain nonprofits that serve the legal and related needs of women and girls in the DC metropolitan area.

This year's recipients of WBA Foundation grants illustrate the breadth and depth of organizations involved in helping assure equal access to justice:

BREAD FOR THE CITY —to assist the operation of its Domestic Violence Community Legal Services Project, which serves low income minority women in their fight to obtain protection from domestic violence.

BREAK THE CYCLE —to support the improved delivery and expansion of the legal services program. Break the Cycle provides representation in campus administrative proceedings, as well as family, employment, and housing matters; accompanies survivors to meet with police and/or prosecutors to report abuse and assists in criminal prosecution; and makes appropriate referrals to social services.

DC EMPLOYMENT JUSTICE CENTER —to support its Program on Women's Employment Rights (POWER),

which helps women and their families achieve and maintain economic self-sufficiency through free direct legal assistance and representation, education, and outreach about women's employment rights.

DC LAW STUDENTS IN COURT —to support the Women Tenants Homelessness Prevention Project, which provides legal services for women facing eviction.

DC VOLUNTEER LAWYERS PROJECT —to support the Domestic Violence Program in increasing the number of domestic violence survivors the volunteer attorneys can represent in protection order petitions and related custody, divorce, and child support matters.

LEGAL COUNSEL FOR THE ELDERLY —to support the newly launched Health Justice for the Elderly Initiative, a medical-legal partnership serving DC's low-income seniors.

By offering pro bono service and supporting legal aid providers such as these, local lawyers can help sustain our national pledge to equal justice and the DC Courts' vision of an open and trusted judicial system that truly provides it.

Jim Sandman is President of Legal Services Corporation, www.lsc.gov, the single largest funder of civil legal aid for low-income Americans in the nation, and Chair of the District of Columbia Bar Pro Bono Committee. Mr. Sandman is a member of the Board of Directors of the WBA Foundation, and a Sustaining Member of the WBA.

Two Stellar Women Lawyers Among Nominees to U.S. Court of Appeals for the District of Columbia Circuit

But Will Their Confirmations Fall Victim To Partisan Games?

By Elizabeth B. Wydra, Chief Counsel of the Constitutional Accountability Center; Co-chair, Social Networking Committee

The United States Court of Appeals for the District of Columbia Circuit, the WBA's "home court" for federal appellate litigation, is generally considered to be the Nation's second most important court (after the Supreme Court, of course). This is because the DC Circuit has exclusive jurisdiction over disputes involving numerous federal laws and regulations, and is responsible for resolving critically important cases involving national security, environmental protection, employment discrimination, food and drug safety, separation of powers,

and the decisions of a wide array of administrative agencies.

Congress has authorized 11 judgeships for this court, with three of those 11 judicial seats currently vacant. On June 4, 2013, President Barack Obama held a Rose Garden ceremony to nominate noted appellate attorney **Patricia Millett**, Georgetown Law Professor **Cornelia “Nina” Pillard**, and U.S. District Court **Judge Robert Wilkins** to fill these three vacancies. Even before those nominations had been announced, however, **Senator Charles Grassley**, Ranking Member of the Judiciary Committee, signaled an intent to block the President’s nominees to these three seats by introducing a bill to eliminate all three of the seats from the court. As **Judith Schaeffer**, my colleague at the Constitutional Accountability Center, has explained, “[t]his proposal is a mass filibuster by another name, obstruction of the President’s judicial nominees taken to a new level.”

For WBA members, the possibility that the nominations of Ms. Millett and Ms. Pillard, in particular, might be scuttled based on little more than political obstructionism should be disturbing. Only five women have served as judges on the DC Circuit Court in its entire 120-year history. As Hawaii **Senator Mazie Hirono** has argued in the Huffington Post, “with the DC Circuit widely considered to be one of the most important courts in our nation, it’s not only troubling but shameful to see female perspectives so underrepresented.”

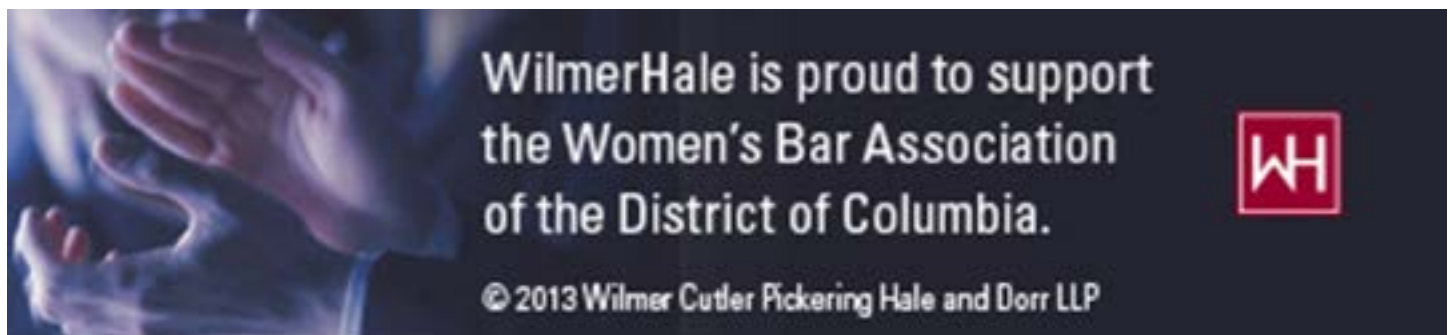
Ms. Millett and Ms. Pillard are unquestionably qualified to serve on the bench and have received bipartisan support. Ms. Millett is a magna cum laude graduate of Harvard Law School, and is currently the head of Akin Gump Straus Hauer & Feld’s Supreme Court Practice Group and co-chair of the firm’s national appellate practice. Previously, she was in public service, most notably as an Assistant to the Solicitor General during both the George W. Bush and Bill Clinton Administrations. Ms. Pillard is also a magna cum laude graduate of Harvard Law School,

and for more than a decade, has been a professor at the Georgetown University Law Center. She has practiced law in the public interest sector, and has served as an Assistant to the Solicitor General and Deputy Assistant Attorney General.


Letters of support have poured in for both women, including support from conservative Republicans. This is unsurprising when you look at the impeccable credentials of both nominees. When it comes to judicial nominees, the question for Senators—and the question which this mountain of support helps to answer—is not whether you might personally agree with each and every position of the nominee, but rather whether the person has the qualifications, the experience, the intellect, and temperament to be a federal judge. Any fair-minded observer would consider Ms. Millett and Ms. Pillard to be exactly the sort of lawyer a President should nominate to the bench.

The Senate Judiciary Committee has sent the nominations of Ms. Millett and Ms. Pillard to the full Senate for consideration. Unfortunately, some Senators are trying to prevent them from being considered on their own merits: Senator Grassley’s bill to eliminate the three vacant seats entirely would cut the court’s authorized seats by nearly 30%—he claims that the court’s workload does not justify maintaining these seats. But Senator Grassley and his colleagues were all too eager to confirm G.W. Bush nominees Janice Rogers Brown and Thomas Griffith to the DC Circuit when its workload was less than it is now.

As Arizona **Senator John McCain** has said in support of giving Ms. Millett and Ms. Pillard an up-or-down vote in the Senate, “elections have consequences.” President Obama has nominated two women with sterling credentials who deserve to receive fair consideration on their own merits in the Senate. If they are given such fair consideration, they should be easily confirmed—raising the number of women who have ever served as judges for the DC Circuit from five to seven.



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Stars of the Bar Reception Honors Women Leaders Exemplifying Civility

By Maisa Jean Frank, Associate, Gray Plant Mooty

Photo credit: Time Lundin, www.tdlphoto.com



The Stars of the Bar Fall Networking Reception is the WBA's largest no-cost networking event, with over 300 attendees. The event brings together attorneys, judges, law students, and leaders in the DC legal community, including WBA members and WBA leadership. Stars of the Bar also features each committee and forum and gives current and prospective members a chance to learn more about each committee's and forum's programming and to sign up to become more involved.

This year's theme was civility and we honored illustrious women leaders who have embodied civility through mentoring, volunteering, and giving back to help further the advancement of women in the

profession. The following women were recognized during a brief ceremony at the event:

Hon. Diane M. Brenneman, Superior Court of the District of Columbia

Paulette Chapman, Esq., Koonz, McKenney, Johnson, DePaolis & Lightfoot, LLP

Holly E. Loiseau, Esq., Weil, Gotshal & Manges LLP

Lorelie S. Masters, Esq., Jenner & Block LLP

In addition, we presented **Lynne Milne** with the Mussey-Gillett Shining Star Award in recognition of her excellent work as one of the co-chairs of the WBA's Communications Law Forum. Ms. Milne has gone above and beyond in her efforts on behalf of the WBA.

Judge Brenneman is a Magistrate Judge at the Superior Court of the District of Columbia and a past president of the WBA Foundation. She was instrumental in the drafting of the voluntary rules on the civility of lawyers adopted by the DC Bar Association. Reflecting on some of the things she learned in her years of involvement with the WBA, Judge Brenneman reminded us that "WBA puts the W in woo woo!"

A past president of the Women's Bar Association (2003–2004), Ms. Chapman is a long-time leader in the WBA and the WBA Foundation. She is a partner at Koonz, McKenney, Johnson, DePaolis & Lightfoot, LLP, where she represents plaintiffs in personal injury cases. While accepting her award, Ms. Chapman expressed



Mussey-Gillett Shining Star Award recipient Lynne Milne, Stars of the Bar honorees Lorelie Masters and Holly Loiseau, WBA President Jessica Adler, Stars of the Bar honoree Hon. Diane Brenneman and Paulette Chapman



Amy Debone, Duff & Phelps, LLC; Laurie, Monahan, National Labor Relations Board; and Tiffany Gdowik, Duff & Phelps, LLC

her gratitude for the WBA, an organization that “led the clarion call against inequality,” and pays it forward.

Receiving the Stars of the Bar award was “a great honor,” said Ms. Loiseau, a litigation partner in the complex commercial litigation and products liability practices of Weil, Gotshal & Manges LLP. She served as president of the WBA during the 2010–2011 term and was a member of the board of directors from 2008–2012. “The WBA’s strength is in its membership,” said Ms. Loiseau.

Ms. Masters is a partner in Jenner & Block’s insurance litigation and counseling practice. She served as president of the WBA during the 2007–2008 bar year and remains active with WBA’s Centennial Committee/Historical Society and currently sits on the Board of the WBA Foundation. When thanking the WBA for her award, Ms. Masters reminded us of WBA’s roots in the Women’s March on Washington for suffrage, which took place 100 years ago. There was no security at the March, Ms. Masters mentioned, which demonstrated that equality is something we have to fight for.

The WBA is proud to honor these women who have generously served as role models to other women attorneys. You can learn more about each of the honorees in the coming year; beginning with the November/December issue, they will be featured in the Raising the Bar member spotlights.

Check out more photos from Stars of the Bar on our [Facebook page](#).



Young Lawyers co-chairs Ashley James, Kirkland & Ellis LLP and Stephanie Spear

Thank you to our Stars of the Bar Sponsors:

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Laura Goldin, U.S. Nuclear Regulatory Commission and Patricia Fogle, Social Security Administration

President's Column

By Jessica E. Adler, WBA President

One of my favorite annual events is WBA DC's Stars of the Bar. At this year's Stars of the Bar, held on September 19, we honored women who have demonstrated civility throughout their careers. These outstanding women are exemplary in that they mentor, lead, volunteer, and excel in their careers. Further, they are also stalwart supporters of the WBA and have helped to advance women in the profession. All of these women are role models who have helped me personally as well as many others within and outside of the WBA.

Our 2013–2014 Stars of the Bar were the **Honorable Diane Brenneman, Paulette Chapman, Holly Loiseau, and Lorelie Masters**. At the event, each of these women spoke about how meaningful the WBA has been for her. We also awarded the Mussey-Gillett Shining Star Award to **Lynne Milne** for her excellent work as a co-chair for the past seven years. This award is named after WBA co-founders Ellen Spencer Mussey and Emma Melinda Gillett. During this amazing evening, we hosted over 300 members of the DC legal community. We showcased our numerous committees and forums, and guests and members had a wonderful opportunity to network and mingle.

We have a very exciting and busy calendar for this bar year. I hope to see each of you at many of our upcoming events, including [An Evening Out at Ann Taylor](#), our free [WBA Business Hour](#) series, a [Rainmaking seminar](#), and our annual [Holiday Tea](#) at the Willard. Our focus on civility will continue to be showcased throughout this year's programming. Please continue to check the WBA website, www.wbadc.org, and our News & Events email blast, as we have many amazing upcoming programs.

There are many ways to get involved with the WBA. If you are interested in becoming a co-chair, you can [download a leadership interest application](#). Please follow us on [Facebook](#) and [Twitter](#). Feel free to contact me if you have any questions or ideas for the organization: jadler@jessicaadlerlaw.com. I hope to see you soon at one of our many wonderful upcoming events!



Jessica E. Adler

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WBA Foundation President's Letter

By Kirra L. Jarratt, WBAF President

Representatives from two of our grantees joined us at a recent Board meeting for what we like to call a **"Mission Moment."** It's an opportunity at each meeting to hear directly from our grantees and to be reminded of the purpose underlying our work.

With WBAF grant support, the **Employment Justice Center (EJC)** fights against **workplace injustice**. Executive Director **Barbara Kavanaugh** told us about "Angelina," who came to EJC when she was fired after demanding to be paid for three and a half weeks of work. A fellow worker said to Angelina, "Thank you. Someone has to put a stop to this." And we heard about "Dionne," who was fired after calling in sick for the first time in years; she had pneumonia. The Employment Justice Center worked with her to get paid for the sick days—as required by DC's Sick and Safe Leave Act—for which she had never been compensated.

In addition, representatives from **DC Law Students in Court** joined us. Interim Executive Director **Moses Cook**, Development Director **Wing Li**, and Student Attorney **Samantha Beckett** shared examples of how they fight to help their largely female client base pursue their housing rights and avoid homelessness, including pursuing rent abatement due to what are often egregious landlord housing code violations. Their shared success

stories on behalf of female, often elderly, tenants in DC was inspiring.

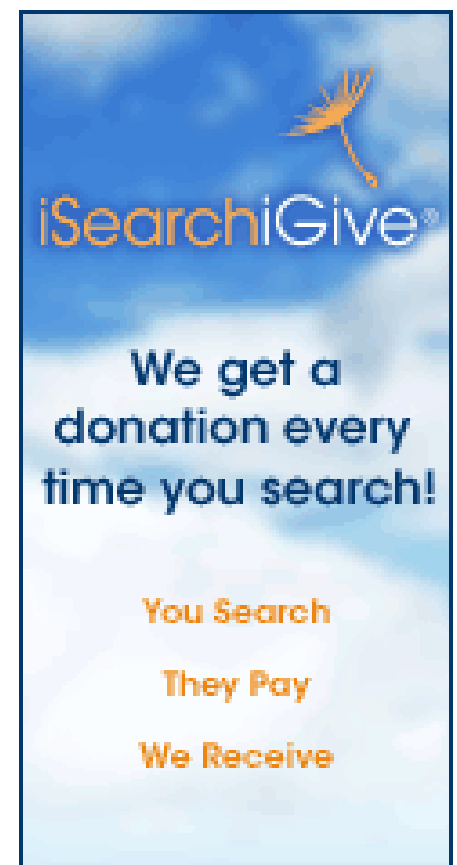
These are just two examples of how your generosity has allowed the WBA Foundation to support the work of a DC nonprofit providing **legal services** to women and girls. And there are so many more Mission Moments addressing issues related to homelessness prevention, protection against domestic violence, teen dating violence and prevention, resettlement after incarceration, and access to health care.

Soon, you will receive a letter from the WBA Foundation asking you to support our grants program. Each year, we receive requests that greatly exceed the total grants we are able to award. If you have never supported the Foundation, we invite you to start now. If you are an existing donor, we thank you and invite you to increase your level of support. You can give online at www.wbadcfoundation.org or through the United Way of the National Capital Area (designate #8914).

This year, we will grant \$50,000 to local nonprofits and award a \$7,500 fellowship to a student at **Howard University School of Law**. We'd like to give more. Please join us in this effort. Leverage your support with that of so many others within the Women's Bar Association and WBA Foundation family and help us continue to make an impact in our community.



Kirra L. Jarratt

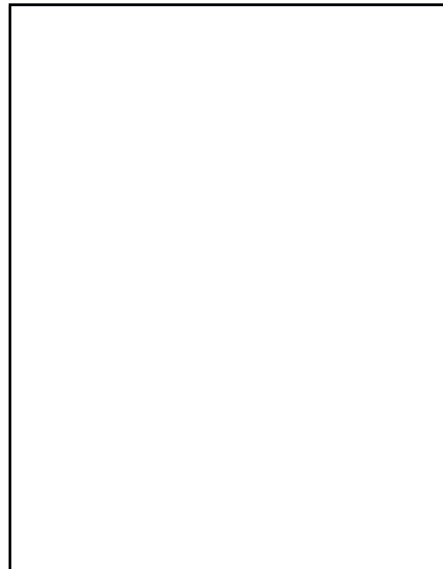


Founder's Fellowship Recipient Interns at the Tahirih Justice Center

By Jessica Alatorre, American University Washington College of Law.

The Women's Bar Association Foundation Founders Fellowship, established in 2006 and awarded annually, supports area law students to work with local legal services providers on projects to benefit women and girls in our community. The 2013 fellowship was given to The American University Washington College of Law.

One day a client came in unscheduled, hoping to speak to someone about her situation. The client spoke Spanish, and she knew that the Falls Church office of the [Tahirih Justice Center](#) conducted screenings on Tuesdays. She was unaware that screenings were typically conducted over the phone, but as she was already there, the interns were approached to see if someone was available for an in-person screening. As a fluent Spanish speaker, I was tasked with interviewing her to collect her story. She described to me how she had recently moved into a shelter, fleeing the domestic violence she experienced at home with her husband. Her move to the shelter was recent, and she wanted to know whether, as an undocumented woman married to a U.S. citizen, she qualified for any immigration status. My role was to interview her, and to ask questions to build a narrative, which the attorneys would then use to call her back and offer legal advice. This past summer, I was given multiple opportunities such as this one to engage with clients, hear their stories, help them collect evidence, and assist the attorneys preparing their applications for immigration officials.



Jessica Alatorre

My past experiences traveling and working internationally led me to care deeply about women's rights; but I increasingly I found myself wanting to localize my focus. I wanted to be closer to women's rights in my own community. It was this interest in supporting women that drew me to the Tahirih Justice Center. Through my internship, I gained practical experience in immigration law, developed my client interviewing skills, and used my Spanish skills to communicate with potential clients on a regular basis. The experience also gave me an opportunity to truly test whether I could see myself working with survivors. The Tahirih Justice Center works with courageous immigrant women and girls who seek justice in the U.S. from gender-based violence. At the beginning of the summer, I was unsure whether I would be able to listen to clients' difficult stories of fleeing violence. However, by the end of the summer I learned that hearing

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survivors tell their stories can be the fuel to make me work harder on their case as they seek access to justice. I am grateful to the WBA Foundation for giving me the opportunity to explore the intersection of gender-based violence and immigration, while learning from incredibly insightful and thoughtful attorneys, inspired by brave immigrant women and girls seeking justice.

My most rewarding experiences revolve around two women in particular. One client, client A*, is a survivor of domestic violence. When the police sought to investigate and prosecute A's abusive boyfriend, she cooperated and was thus able to secure a U visa. By the time I met A, she had lawful status through her U visa, worked full time, took care of her three children, and was now eligible to adjust her status to become a lawful permanent resident. In my last week of work, we finalized the details on her declaration and prepared to file her application to become a lawful permanent resident. After enduring years of domestic violence, and constantly worrying that she would be deported, A finally had a pathway to stay in the U.S. As we said our goodbyes, she thanked me for helping her prepare her application and crossed her fingers that in five years she would be submitting a similar application for citizenship. For now, with a green card in sight, she rejoiced at the idea that she would finally be able to travel back to her home country to visit her very ill mother. The green card afforded her the opportunity to travel and to visit her old life, while

she continued to rebuild her new life locally.

My most rewarding experience involved helping a client collect evidence for her U visa application and drafting her accompanying declaration. In person, client B* was constantly smiling, approachable, and easy to work with. She was open about her past experiences and now works as a nanny, because she likes taking care of people. I quickly learned that she came from a difficult past, facing verbal and physical abuse in her home country at the hands of both her father and her ex-boyfriend. Fearing for her life, she came to the U.S. to start over. It was after her arrival into the U.S. that B sought legal assistance through the Tahirih Justice Center. Once here, B was the victim of an assault. A stranger attacked her while she walked home from work, which sent her to the hospital. She reported the incident and served as a witness at trial. As a result of this incident, Tahirih hoped to get her a U visa.

“The women who call or walk through the doors of the Tahirih Justice Center are courageous women wanting to right wrongs.”

Working on this case required more than filling out immigration forms; it also required reaching out to the police station to get her police report, finding the transcript of the trial, asking her questions about the night in question to build her declaration,

and taking supporting declarations from the friends who responded to her call the evening of the assault. From this experience, I learned about narrative and allowing a client to retell a story. I also learned about how important evidence can be, such as police and medical records, in building a record to support a client's immigration application. And, above all, I learned that clients are resilient. As B retold me her story, walked me through the fears she felt that night, and told me about her recovery, she did so with warmth and openness, hopeful that she will be able to remain in the U.S., safe from any further harm. By the end of the summer, B's declaration was complete; we obtained important supporting declarations from friends, and awaited the arrival of B's police report. With those final pieces, her attorneys are able to submit her application, so that B might be granted a U visa.

I already knew I was drawn to women's rights, but after this summer, I have become even more committed and feel more compelled to be an advocate for immigrant survivors. The women who call or walk through the doors of the Tahirih Justice Center are courageous women wanting to right wrongs. I know I will continue to lend my skills to their needs and I am grateful to have been chosen as the 2013 Founders Fellowship recipient as I solidified my legal journey.

** Names are not used to protect client privacy.*

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Many thanks to our supporters! The following donors made a gift to the WBA Foundation between August 1, 2013 and September 30, 2013. These gifts will be used to support nonprofits that serve the legal and related needs of women and girls in the DC metropolitan community. For a list of all fiscal year donors and recognition of giving levels, visit www.wbadcfoundation.org.

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Join The Festivities!

Register Now for the Communications Law Forum's Annual Holiday Tea!

On Tuesday, December 17, 2013, from 3:00 to 5:00 p.m., the WBA's Communications Law Forum will present its popular annual Holiday Tea. This year's event will honor **Jessica Rosenworcel**, a **Commissioner** at the **Federal Communications Commission**. During the Tea, Ms. Rosenworcel will discuss career highlights from her service in both the public and private sectors. Prior to her 2012 confirmation by the U.S. Senate, Commissioner Rosenworcel served as Senior Communications Counsel for the U.S. Senate Committee on Commerce, Science, and Transportation. Before joining the staff of the Committee, she served as Legal Advisor to former FCC Commissioner Michael J. Copps, as Legal Counsel to the Chief of the Wireline Competition Bureau, and as an Attorney-Advisor in the Wireline Competition Bureau. Prior to entering public service, Commissioner Rosenworcel practiced communications law at Drinker Biddle & Reath LLP.

At this plated afternoon high tea, guests will enjoy tea, scones, and a variety of sandwiches and desserts in the festive and elegant setting of the historical Willard Intercontinental Hotel's Crystal Room. The Holiday Tea always is an entertaining and informative event, and provides the perfect opportunity to celebrate the holiday season and catch up with friends and colleagues.

The Communications Law Forum gratefully acknowledges the financial support of the sponsors of this event: **Comcast Corporation**, **Google Inc.**, **T-Mobile USA, Inc.**, **Wilkinson Barker Knauer, LLP**, and **Willkie Farr & Gallagher LLP**.

The Holiday Tea will be held at the Crystal Room within the Willard Intercontinental Hotel, at 1401 Pennsylvania Avenue NW, Washington, DC 20004 (closest Metro: Metro Center).

We anticipate that registration will close well in advance of December 17, so **register today** at www.wbadc.org. The registration fee is \$40 for WBA members, \$60 for non-members, and \$40 for law students (who should call the WBA office at 202-639-8880 to receive the student discount).

Committee & Forum Highlights

Importing Copyrighted Works from Abroad

By Elizabeth Austern, Counsel, Bingham McCutchen LLP; Co-chair, Intellectual Property Forum



On October 1, the WBA International Law and Intellectual Property Law Forums and the [Customs Lawyers Association \(CLA\)](#) co-sponsored a CLE panel and reception entitled **Importing Copyrighted Works from Abroad in the Shadow of *Kirtsaeng v. John Wiley & Sons***. In March of this year, the Supreme Court handed down its decision in *Kirtsaeng v. John Wiley & Sons*, 133 S. Ct. 1351 (2013), determining that, under the Copyright Act, the first sale doctrine applies to copyrighted works lawfully made abroad, and therefore importation of such works into the U.S. for resale does not constitute copyright infringement. This decision overturned nearly a half century of practice by the publishing industry, which relied on territorial copyright boundaries to enforce regional price differences in books and other published works.

Approximately 30 people, including members of the WBA and CLA as well as non-members, attended the panel and reception hosted at **O'Melveny & Myers LLP**. The panel discussed the history of copyright legislation and the Copyright Office's understanding of the laws when they were formulated, seminal copyright cases prior to *Kirtsaeng*, various positions of the parties including *Kirtsaeng*, Wiley, and amici, and the likely consequences of the decision. A lively question and answer session and debate between the panelists followed the more formal presentations. Panelists and attendees mingled long after the panel ended, discussing both changes to the copyright laws and the ongoing government shutdown.

The dynamic panel included speakers **Marybeth Peters** of Oblon, Spivak, McClelland, Maier & Neustadt, formerly the eleventh Register of Copyrights of the United States (1994–2011), who spent almost 45 years in the Copyright

Office (including the period in which the law construed in *Kirtsaeng* was formulated); **Seth Greenstein**, a partner at Constantine Cannon LLP who represents several organizations who filed amicus briefs in support of the victorious petitioner in *Kirtsaeng*; **Judith Lee**, a partner and Chair of Gibson, Dunn & Crutcher's International Trade and Regulation Compliance Practice Group; and **Sherwin Siy**, Vice President of Legal Affairs, Public Knowledge, an organization whose goal is to preserve the openness of the Internet and the public's access to knowledge, promote creativity through balanced copyright, and uphold and protect the rights of consumers to use innovative technology lawfully. The panel was moderated by **Rosemary B. James**, supervisory attorney in the Intellectual Property Law Practice Group of the Technology Programs Law Division within the Office of the General Counsel of the Department of Homeland Security (DHS). **Paul Pizzeck**, an Attorney-Advisor in the Office of International Trade, was also scheduled to speak on behalf of the enforcement arm of U.S. Customs and Border Protection, but unfortunately could not participate because of the government shutdown.

You can learn more about the copyright issues discussed at this event with this [informal paper](#) authored by panelist Sherwin Siy at Public Knowledge. The paper was written for a non-legal audience to explain the first sale doctrine and its digital implications.

The International Law Forum and Intellectual Property Law Forum thank the Customs Lawyers Association for their partnership in holding this event, and O'Melveny & Myers for hosting.

Mentors Needed

The Mentoring Committee is seeking mentors to advise young lawyers and law student members of the WBA for its one-on-one mentoring initiative, which will launch in January 2014. All levels of experience are welcome! Mentoring is a great opportunity to contribute to the development of women lawyers and law students.

If you are interested in becoming a mentor, please email: Svetlana Gans at sgans@ftc.gov and Maria G. Mendoza at g.maria.mendoza@gmail.com.

Member Spotlight: Marjorie O'Connell

Compiled by Julia Di Vito, CACI

Marjorie O'Connell is a principal and the founder of O'Connell & Associates in Washington, DC. O'Connell & Associates is a tax law firm specializing in the representation of significant families all over the world, and does individual and business work for foreign and domestic private clients, their families, and their business organizations. The firm's work includes planning and execution of tax designs as well as controversy work in administrative and judicial forums. O'Connell & Associates is also active in federal and state legislative matters in the above areas of practice.

Bringing together conflicting groups of people, opening lines of communication, and encouraging the flow of information have been hallmarks of Ms. O'Connell's career. In the late 1980s, she formed an organization called the Institute for Government Forums, which hosted forums between government agencies, private interest groups, and the public. These meetings created a dialogue between groups who historically were on opposing sides of issues but who, with open communication, could work together to achieve a common goal. These forums addressed a variety of issues, including taxation, AIDS and insurance, and hospital ethics.

Additionally, she founded Divorce Taxation Education Inc., a publishing company that produces books, periodicals, and teaching modules on taxation and benefits law. Ms. O'Connell has authored a federal tax loose-leaf service, supplemented monthly, and numerous books and tax articles. She lectures regularly at

national tax seminars. She also lectures to bar associations and other organizations, particularly to general practitioners and other lawyers who do not focus on tax law in their work. She strives to educate lawyers about areas outside of their practice areas so they are better able to identify and prevent potential problems in their work.

Ms. O'Connell is a graduate of the Georgetown University Law Center, where she was the student Editor-in-Chief of *The Tax Lawyer*, the Journal of the ABA Section of Taxation. After graduating from law school, she joined Zuckert, Scoutt, and Rasenberger, in Washington, DC, and worked primarily on civil aviation regulation and employee benefits law. After four years with Zuckert, Scoutt, and Rasenberger, she left to start her current firm, O'Connell & Associates, now in its 37th year. In her free time, Ms. O'Connell enjoys golfing.

WBA HISTORY

Ms. O'Connell joined the WBA in the late 1970s. Initially, she was involved with and served as Chair of the WBA's Tax/Finance Committee and Budget Committee. She served as the WBA Foundation's first President, and served for two terms. Her work on the WBA Foundation led to the formation of the WBA's Tax and Business Law Forum. She later served on the Board of the WBA Foundation and on the Board of the WBA.

HOW DO YOU STAY INVOLVED?

Show up.



Marjorie O'Connell

WHY DID YOU JOIN THE WOMEN'S BAR ASSOCIATION?

Ms. O'Connell's joining of the WBA served to correct a misapprehension. She had been skeptical of the benefits of joining organizations with all female membership, and previously found it was more effective to work on women's issues in organizations that were not exclusively female. After some persuading, her friends who were members of the WBA convinced her to attend an event and get involved. Eventually, she realized that the more she helped the WBA work on women's issues, the more they could do together.

Stay Current with WBA and Our Members!

Follow us on Twitter ([@WBADC](https://twitter.com/WBADC)) and like us on Facebook (facebook.com/WBADC).

Join in the conversation on Mentoring Mondays, when our Career Development and Mentoring committees identify a career-related issue and present it for discussion. This is community mentoring at its best!

Also, tune in for Throw Back Thursdays (TBT), where we'll provide historical information of interest to our members

DO YOU HAVE A MENTOR/HERO?

Ms. O'Connell's hero is Sister Mary Mark, who was a teacher at her high school and the advisor of her math club and debate club. She was smart, effective at teaching, a good leader, funny, and fair. From her, Ms. O'Connell learned a can-do attitude, and applies that attitude to everything she does today.

WHAT WORDS OF ADVICE DO YOU HAVE FOR WOMEN NEW TO THE PROFESSION?

Be as smart as you can at something; pick your specialty and research it in depth. Make other people learn about your specialty, especially others outside of your area of practice. Show up for everything, and go to every event you can. If you extend yourself on behalf of others, you can have a happy profession, and make things better little by little.

WHAT IS THE BEST ADVICE YOU HAVE RECEIVED?

Ms. O'Connell's late father would close every letter he wrote to her with this advice: Use your head, work hard, do your best, and you'll do OK.

IN WHAT OTHER ORGANIZATIONS ARE YOU INVOLVED?

Ms. O'Connell is a member of the American Bar Association House of Delegates. She previously served as an officer of the ABA Tax Section and on its governing Council; Chair of the ABA Tax Section's Domestic Relations Tax Problems Committee; Vice Chair of the ABA General Practice Section Tax Committee; Chair of the ABA Family Law Section Tax

Committee; Chair of the American Academy of Matrimonial Lawyers Divorce Taxation Committee; Chair of the International Bar Association Family Law Committee; ABA Advisor to the Uniform Law Commission on the Uniform Premarital Agreements Act; and as a member of the Executive Committee of the Board of Directors of the Bar Association of the District of Columbia.

She has served two terms as president of the National Foundation for Women's Bar Associations, the WBA

Foundation, and the Foundation of the Bar Association of the District of Columbia. Ms. O'Connell is a Fellow of the American College of Tax Counsel and of the American Bar Foundation. She serves on the Boards of the National Conference of Women's Bar Associations and the National Foundation for Women's Bar Associations, and currently is a member of the American Academy of Matrimonial Lawyers, the Washington, DC Estate Planning Council, and the Tax and the Family Law Sections of the DC Bar.

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Upcoming Events

Monday, November 4, 2013

Happy Hour with the Mentoring Committee

Presented by: Mentoring Committee

Mix & mingle with fellow attorneys who are interested in participating in the Mentoring Committee and their new one-on-one mentoring program that will be launching in January 2014!

Wednesday, November 6, 2013

How to Get a Job in International Law

Presented by: International Law Forum & the Washington Foreign Law Society

Our panel will discuss how to get international law jobs at various types of employers. They will address not just career paths, but how to approach each type of employer for international law positions. Panelists include international law attorneys practicing in different sectors, as well as a law school career services director who focuses on international positions.

Thursday, November 7, 2013

How to Navigate the School System When Your Child Has Special Needs

Presented by: Working Parents Committee

What do you do after you have discovered your school-aged child has special needs? What rights does your child have as a special needs student? What happens if you and your school cannot agree on an individualized education program for your child? Understanding the answer to these and other questions may help your child get the educational help he or she may need. This presentation will focus on the challenges you may face while navigating the educational system when your child has special needs and provide practical advice on how to successfully advocate for your child.

Wednesday, November 13, 2013

Solo & Small Practice Monthly Luncheon

Presented by: Solo & Small Practice Law Forum

This event is open to lawyers from solo and small firms, as well as attorneys looking to join solo or small firm life.

Thursday, November 14, 2013

An Evening Out at Ann Taylor

Join the Women's Bar Association for an evening at Ann Taylor. We'll bring the champagne, the hors d'oeuvres, and the exclusive offer on Ann Taylor clothing. All you have to do is show up and mingle with your fellow DC women attorneys! Who knew networking could be this much fun?

Wednesday, November 20, 2013

Rainmaking: Building Relationships for Sustainable Business Development

Presented by: Career Development Committee

Regardless of firm size and scope—solo, small, mid-size or international—business development is imperative for survival in the new legal landscape. How can you increase your effectiveness in this critical competency and see more return on your efforts? What are the secrets to creating mutually beneficial and long-lasting client relationships and books of business? What are the mistakes and pitfalls you must avoid? Our panel of business development experts will explore the strategies and tactics needed to build relationships for a sustainable and thriving practice.

Thursday, December 5, 2013

Career Transition Transformation — Create a High Energy Plan to Get the Job You Want

Presented by: Career Development Committee

Whether you currently have a job and are considering a change or are transitioning from the classroom to the working world, approaching your job search with positive energy and attitude will make a big difference in what comes your way. How you are perceived is dependent on how you think about yourself and how you project this. In a competitive marketplace, differentiating yourself from other applicants is crucial. What makes you stand out? What makes you different? How well do you know the industry you want to be a part of? You can answer all of these questions and more by taking time to prepare for your job search and developing your own marketing plan.

Friday, December 6, 2013

WBA Business Hour: Engage Clients and Colleagues through Coaching

Presented by: Membership Committee

While we enjoy getting together in person, sometimes schedules get in the way and make leaving the office difficult. This free monthly program is held via phone and features subject matter experts on an array of topics specific to the needs of WBA members. This month's session addresses coaching skills. The coaching process harnesses the power of the question to elicit others' best thinking, inspire creativity, collaborate, and create solutions. Regardless of your level, coaching skills will help you work more effectively with others 360 degrees. This is because the coaching process clarifies, engages, and empowers everyone involved.

Wednesday, December 11, 2013

Solo & Small Practice Monthly Luncheon

Presented by: Solo & Small Practice Law Forum

This event is open to lawyers from solo and small firms, as well as attorneys looking to join solo or small firm life.

Wednesday, December 11, 2013

Succeeding as a Small Firm Associate

Presented by: Solo & Small Practice Forum & Young Lawyers Committee

Are you a new associate at a small firm? Are you lost as to structure and protocol, who to approach for help, or just how to navigate and excel in your new position? Our panel will address: The five best and worst things an associate can do at a small firm; How an associate can market for the small firm; How an associate can bring positive change to the small firm; How to understand small firm dynamics – the power structure and the associate; and Ten questions you should never ask as an associate at a small firm

Tuesday, December 17, 2013

Holiday Tea

Presented by: Communications Law Forum

The annual afternoon high tea promises to be a festive, delicious and congenial experience – the perfect way to celebrate the holiday season with your friends! Our Honored Guest is Jessica Rosenworcel, a Commissioner of the Federal Communications Commission.

Wednesday, February 26, 2014

Fourth Annual Mentoring Supper

Presented by: Communications Law

Forum & Federal Communications Bar Association's Young Lawyers Committee

An opportunity to query and network with some of the top communications lawyers in the District.

Tuesday, March 25, 2014

A Conversation with The Honorable Gladys Kessler

Presented by: Communications Law Forum

Join us during Women's History Month in honoring Gladys Kessler, a Senior Judge with the United States District Court for the District of Columbia. In August of 2013, Judge Kessler received the Margaret Brent Women Lawyers Achievement Award from the American Bar Association's Commission on Women in the Profession. As a young lawyer, she was a co-founder of the Women's Legal Defense Fund. While serving as a judge of the Superior Court of the District of Columbia, Judge Kessler was instrumental in establishing one of the first ABA-sponsored Multi-Door Dispute Resolution Programs, which became a model for courts around the nation. She was one of 60 women judges who met in 1979 and founded the National Association of Women Judges. As a relentless advocate for greater diversity on the bench at all levels, Judge Kessler was involved heavily in that association's trailblazing judicial gender bias task forces. During this lunch program, Judge Kessler will be interviewed by Lorelie S. Masters, a Partner at Jenner & Block LLP and a WBA Past President.