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Features

A Timeless Trend

By Courtney Lynch, Founding Partner, Lead Star

This article was originally published on the Lead Star website. Reprinted with permission.

There's a rising tide of renewed interest in workplace civility. A popular topic in the 1950's, the idea of kindness and etiquette is now back at the forefront of workplace culture discussions. Some might say it's a trend. Yet, here at Lead Star, we connect civility with leadership. If you are acting in ways that are consistent with influencing outcomes and inspiring others (our definition of what a leader does) you are likely exceeding the bar of civility.

The recent focus on civility in the workplace has a lot to do with how

a lack of it impacts productivity. According to business professors Christine Pearson and Christine Porath, authors of *The Cost of Bad Behavior: How Incivility is Damaging Your Business and What to Do About It*, the American workplace loses an estimated \$300 billion annually in productivity because of incivility and resulting employee stress.

“Timeless solutions to modern challenges are often the most effective.”

Fortune 1000 executives spend roughly seven weeks per year resolving

employee conflicts, and 95 percent of Americans say they've experienced rudeness at work.

Timeless solutions to modern challenges are often the most effective. I recently gave a keynote address at a large government agency. Before my presentation, the host of the event mentioned that the agency is starting a Civility and Business Etiquette Employee Resource Group. She then shared ten practices from an historical employee newsletter that offered guidance on how to be civil. The newsletter was dated September 15, 1951. Here are the practices:

- Speak to people. There is nothing as nice as a cheerful word of greeting.
- Smile at people. It takes 72 muscles to frown, only 14 to smile.
- Call people by name. The sweetest music to anyone's ears is the sound of their own name.
- Be friendly. If you would have a friend—be one.
- Be cordial. Speak and act as if everything you do is a genuine pleasure.
- Be sincerely interested in others. You can like almost everybody if you try.
- Be generous with praise—cautious with criticism.
- Be considerate with the feelings of others—it will be appreciated.
- Be thoughtful of the opinions of others. There are usually three sides to a controversy—yours, the other person's, and the right one.
- Be alert to give service. What counts most in life is what we do for others.

Clearly, the values of etiquette and civility never go out of style! Both are as timeless as leadership.

Courtney Lynch is a Founding Partner of Lead Star, a leadership development consulting firm with a decade of experience working with talented leaders within Fortune 500 companies, small and mid-sized businesses, leading nonprofits, government agencies, and respected academic institutions. To learn more and subscribe to Leadership Insights, visit: leadstar.us.

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Embracing Technology to Effectively Use eDiscovery

By Jon Pels, Foxhound Information Management LLC,

Foxhound Information Management

Electronic Discovery (eDiscovery) and electronically stored information (ESI) have become important parts of most civil litigation matters, and that importance continues to grow as many courts (such as the Florida state courts and the Eastern District of Virginia) require them in many cases. Indeed, the Federal Rules of Civil Procedure will be amended soon to add, among other things, proportionality requirements and sanctions for spoliation (whether electronic evidence or not).

Communications are increasingly electronic (text messages, email, video chat, instant message, tweets): 97% of business-generated data is electronic.¹ With all of this electronic data, attorneys need to know how to use eDiscovery both defensively and offensively.

Defense: Making Sure Your House is in Order

At the outset of a case, it is imperative that the attorney ensure the client has placed a “hold” on any ESI. However, simply telling the client to do so may prove fatal to the unwary lawyer. Best practices dictate that a competent ESI expert be employed early on, if only to obtain a digital image or otherwise remove, preserve, and protect potentially relevant ESI. A litigation hold requires the client to immediately suspend all destruction and deletion of material related to the ongoing litigation, and essentially overrides

typical document retention/deletion policies to protect all related material.²

Failure to issue a litigation hold may result in a spoliation ruling—which could jeopardize the case—and sanctions under the pending Federal Rules of Civil Procedure. Thus, it is important to know that preservation should be completed by someone who can defend and testify to what s/he did and why, in the event any issues are raised. Further, you want to find a consultant who has a basic understanding of the legal side, as well as an advanced understanding of the technology. The ESI consultant may be critical to any argument that the ESI collection process employed is “defensible.”

Once you have done this and gotten “your house in order,” it is also much easier to go into “attack” mode.

Offense: Garnering as Much Relevant Information as Possible

Your ultimate goal is to learn what the opposing party’s “rules” are. These rules include how data is stored, in what format the data is stored, the types of backups they may have, etc. You can obtain this information in several ways, such as through interrogatories or at a meet and confer.

Once you have identified these rules, you can issue very specific ESI document production requests. If worded correctly, the opposing party will have to produce the documents to you in an electronically searchable



Jon Pels

format, which will enable you to more quickly sift through the information received and ensure it is what you are seeking.

For example, in one case where we issued a properly worded ESI document production request, we found an email that implicated the opposing party. The data was buried within the mounds of ESI produced, but through the use of good eDiscovery software, we were able to identify this hidden email. This immediately shut down the case and resulted in a major victory for our clients.

The bottom line is this: if you have your house in order and know of the possible pitfalls you might face ahead of time, you can go on the offensive and attack and cull through the opposing party’s data without fear of how you might damage your own case.

Our January/February newsletter included an article from Foxhound’s legal expert entitled “Embracing Technology to Effectively Use eDiscovery.”

1 Golf and Early Case Assessments—A Drama. Bill Tolson, July 2011.

2 en.wikipedia.org/wiki/Legal_hold

Brand Yourself: Step 3—Define Your Mission

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

In Fall 2013, Anne Collier presented a *Brand Yourself* workshop for the Women's Bar Association. The program walked participants through a five-step process to create their own personal brands. This article, the third in a series, takes a deep dive into Step 3: Define Your Mission. Step 1: Establish a Powerful Mindset, was featured in the November/December issue, Step 2: Why? was featured in the January/February issue, and Steps 4 and 5 will be featured in subsequent issues of *Raising the Bar*.

A compelling and accurate mission statement is critical to your personal brand. Your mission is embodied in your brand description, bio, LinkedIn profile, and elevator pitch. It clearly incorporates why you practice law and why clients hire you.

“The best mission statements are both accurate and aspirational.”

The purpose of Step 3 is to clarify your mission and deliberately create a crisp and compelling articulation of why you do the work you do that incorporates who you serve, how you accomplish your goal, and what you do. The best mission statements are both accurate and aspirational. Your mission is forward rather than backward looking and is therefore not limited to what you have already accomplished or what you literally can or have done. Instead, your mission statement is descriptive and inspirational. You want others to get a flavor for what you do and, intrigued, ask for more information about you and your services.

At the core of your mission statement is your crisp and compelling why statement, identified in Step 2. It answers the question, “what drives you to practice law?” This is the same reason clients hire you.

Your mission statement also incorporates how you accomplish your goals. How reflects the keys to achieving your mission and how clients benefit. It is the lawyer's unique selling proposition. For example, how may include: looks at things differently; partners with clients; builds consensus; manages teams effectively; finds gaps in state tax laws; and knows the regulatory system.

Let's not forget the most important aspect of providing services: clients. Who are your ideal clients? Are they executives, entrepreneurs, or could they be anyone? And what kind of problems do you solve for them? Your mission statement will include a top-line view of the kinds of work you do, such as litigate, advise, and estate plan. Later, when you craft your messaging pyramid, you will focus on concrete examples.

A mission statement's basic format is

“To ... [what you want to achieve, do or become] ... [reasons why it is important] ... by ... [specific behaviors or actions you can use to get there].”

The examples below illustrate mission statements that work:

Crafting your mission statement takes some real work and focused thinking. It also requires you to be bold and perhaps a little vulnerable. So, roll up your sleeves and be bold! Once you



Anne E. Collier

craft your mission statement and create your brand description (be on the lookout for Steps 4 and 5 in upcoming issues of *Raising the Bar*), you will feel more confident about going to networking events and answering the ever-present and recurring question, “What do you do?”

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, a step-by-step guide to developing your personal brand, is available at Arudia.com.

Who What/How

To be a leading tax strategist, advisor, and technician giving CEOs peace of mind and saving their companies' money.

Why

To harness risk and build value in energy.

What/How Why Who/Goal

Navigating Muddy Waters: Strategically Managing Office Politics

By Lisa B. Horowitz, JD, MSOD, Founder and Principal Advisor of the Attorney Talent Strategy Group

All organizations, including (or dare I say, especially) law firms are political. To be successful as a lawyer—in a law firm, legal department, government agency, or nonprofit—you need to understand and effectively navigate your workplace's political environment. Opting out is not an option. You must be politically savvy.

Women can be at a disadvantage in highly politicized legal environments. In her excellent article: [*How Political Dynamics Undermine Gender Balance in Law Firm Leadership and What Your Firm Must Do About It*](#), Ida Abbott writes that “lawyers who are ‘in the know’ and privy to inside information through their connections to influential leaders—and who tend to be men—have an unfair advantage over those who may be equally talented and productive but less well-connected” (emphasis added).

Much can and needs to be done at the organizational level to delimit the disproportionate impact of office politics on the careers of women lawyers. In the meantime, however, here are steps that you can take immediately to be politically informed, astute and strategic.

Forge strong relationships—up, down, and across. When I was growing up, my mother used to say to me: “*It’s not what you know but whom you know.*” It made me furious. There I was with my nose to the proverbial grindstone and it wasn’t enough. Despite my objections, the school of hard knocks taught me that my mother was right. Developing supportive, strategic, and influential relationships is as critical, if not more critical, to career success as working hard and doing a good job. To effectively navigate office politics, it is essential to build a strong network of internal and external relationships and alliances with people “up, down,

and across” who support you and help you get what you need to succeed: information, opportunities, guidance, mentoring, and sponsorship.

Understand written and unwritten rules. Information is power. In addition to “*whom you know*,” there is an often-overlooked “*what*.” The “*what*” you need to know to successfully navigate office politics must include the written and unwritten rules that govern critical processes and decisions that impact your career.

“Understanding who has power and influence in your organization is also essential to being politically savvy.”

Unwritten rules often define what is *really* expected of you and how you add value: the *real* evaluation criteria, *real* criteria for advancement and promotion (including those who need to support you), how many billable hours you *really* need to work, what is *really* billable and what unbillable work is *really* valued. They may also govern how to *really* get important assignments, *really* be assigned to significant client teams, how to *really* be included on high profile client pitches, and how to really get credit for business development. While some firms are becoming more transparent (there is no excuse not to know the written rules), there still exist many unwritten rules. To succeed, you need to know them. Your mentor, sponsor, champion, and even peers can help.

Identify who has power and influence. Understanding who has power and influence in your organization is also essential to being politically savvy. It may be important, for example, to

identify who can (or must) help you make partner. Conversely, it is crucial to know who can really hurt your career. Your supporting relationships can again be invaluable in guiding you in this regard.

Know your organization’s strategy and goals. To navigate your organization’s political environment, it is very useful to understand its strategic plan and goals. This can sometimes be a challenge. Surprisingly, not all organizations (including law firms) have written strategic plans and if they do, they often do not share them beyond the partnership level. Having an understanding of your organization’s strategy and goals (written and unwritten) will help you better understand what is valued and where to focus your efforts.

Create your individual strategic career plan. Having a strategic career plan with a vision and annual SMART (Specific, Measurable, Attainable, Realistic, Timely) goals and action steps is central to your professional growth. Having such a roadmap also helps you navigate office politics. With a strong vision and specific goals in mind, you can be politically savvy in developing relationships, identifying written and unwritten rules, and in your choices.

Pick your battles. Being politically savvy requires that you pick your battles intelligently. Not all battles are created equal. Knowing your end-game as well as who has influence and power will enable you to determine which battles to fight, which landmines to avoid, and when to simply keep your head down. And because it is a very small world, being politically savvy means trying to



Lisa B.
Horowitz

resolve conflict in a way that preserves relationships whenever possible.

Practice empathy and listen actively to advance mutual interests. To effectively navigate office politics, it is important to be attuned to the needs, concerns, and interests of others. Practicing “empathy”—stepping into

the shoes of others—and listening actively are essential skills. They allow you to influence others by identifying common interests and creating buy-in for mutually beneficial actions that advance your goals and those of others.

Manage your emotions. Finally, be self-aware and self-manage. To

successfully navigate office politics, understand your “hot buttons” and how to carefully manage them.

So don’t hesitate. Jump into the muddy waters of office politics and succeed by navigating strategically.

Lisa B. Horowitz, JD, MSOD, is the Founder and Principal Advisor of the [Attorney Talent Strategy Group](#). She spent almost 30 years as a partner, associate, counsel, and senior talent development professional in AMLAW 100 law firms. She currently shares her experiences coaching attorneys on achieving their career goals and advising law firms and legal departments on the design and implementation of strategic talent development solutions.

Stolen Passports of Children

By Sylvia Pacher, Managing Director, CCG – Virtual Corporate Services

Several news agencies were recently discussing issues about stolen passports in regards to the Malaysian Airlines incident. Passports apparently were stolen from adults and used to board international flights with unknown intent. People may buy and use stolen passport to seek asylum, some may want to travel and do illegal business under a concealed identity, some may intend to initiate a terrorist attack. No matter what the reason is to conceal one’s identity, the intent is to do something that can’t be done within legal boundaries.

However, the issue of stolen passports of children and the implications of such thefts typically are not mentioned. It is a very different type of crime. It can be stated without reasonable doubt that a child at a very young age does not want to do illegal business or plot a terrorist attack. So how and why are stolen passports used?

Sometimes people seeking asylum use them for their children. The family wants to leave the country but does not have the right travel documents to do so. The black market offers passports of any kind; it is just a question of money to obtain them. The most expensive ones are those with the least

visa requirements to enter the most countries. A passport from the U.S., Australia, Canada, and the European Union are at the highest demand, for the highest price.

Divorcing parents disputing custody can use the false identity of a child to move between countries because facial features of young children change dramatically. If a photograph of a 6-week-old child is used when the passport is issued, by the time the child is 3 years old, nobody can truly confirm if the child in the photo and the one travelling are one and the same. Since the U.S. passport lacks information on immediate family members, it makes it easy to use it for an older child of the same race. Nobody will be able to tell the difference.

Unfortunately, there are smugglers in the illegal international adoption or organ donor business who also use stolen passports. Travelling with a sleeping child in hand on a passport that has an old picture without identification of the parents can be seen every day at airports. Nobody can tell if the child is travelling with the true parents.

There are countries that do not issue individual passports to a child under 5 years of age to avoid such identity issues. The passport issuing authority places a stamped or labeled passport page into the mother’s passport, assuming that a baby or a very young child would not take an international trip without her or his mother. That way the parents are identified; the mother and the child both have a picture in the same passport. Since these are usually scanned pictures, it makes forgery of the passport more difficult.

So what would be a safer alternative for a U.S. passport for children, particularly under the age of 5, to further prevent the illegal use of these passports? First, both parents should be listed in the passport by name and preferably with a photograph. If only this information was added to the pages and to the chip built into the body of the passport, it would be extremely hard to use the passport for any illegal purpose. The photograph of the mother and father in the child’s passport would match the ones in each parent’s passport.

I would personally be willing to pay more for my child’s passport for this level of security. Wouldn’t you?

Sylvia Pacher is a managing director at Corvinus Consulting Group, a boutique firm offering forensic (fraud) investigations and prevention program preparation. Sylvia has over 15 years of experience in the financial and forensic arena, working on some of the high-visibility domestic and international cases involving entities and governments the U.S., Europe, Asia and Africa. She holds an MBA, and is a Certified Fraud Examiner and Certified Anti-Money Laundering Specialist.

Ukraine-Related Actions Update

By Kay C. Georgi, Partner, Arent Fox

Activity levels involving Russia and Ukraine continue at a torrid pace, with daily developments. At the time of this writing diplomatic overtures have been made over the past few days, along with a suspension of export licenses to Russia, legislative action, and further sanction releases. We have aggregated the various developments and continue to monitor all sanctions-related activity as it happens.

Putin-Obama Call May Lead to a Diplomatic Solution?

Russian President Vladimir Putin called President Barack Obama on Friday, March 28, 2014 to discuss the U.S. proposal (which was presented at a meeting at The Hague) for a diplomatic resolution to the crisis in Ukraine. President Obama suggested that Russia “put a concrete response in writing,” and agreed that Secretary of State John Kerry would meet with his Russian counterpart, Foreign Minister Sergey Lavrov, to discuss this matter. According to the White House, President Obama noted that the Ukrainian government continues to “take a restrained and de-escalatory approach to the crisis and is moving ahead with constitutional reform and democratic elections.” Not surprisingly, the Kremlin had a different interpretation of the conversation.

Notwithstanding the differing interpretations of the discussion, the phone call between the two leaders appears to be a first positive step towards a diplomatic solution to the Ukraine crisis. Although Secretary of State Kerry and Foreign Minister Lavrov were unable to reach an agreement during discussions on March 30, both sides have agreed to keep talking.

U.S. and U.K. Suspend Issuance of Export Licenses for Exports to Russia

On March 25, 2014, the U.S. Department of Commerce’s Bureau of Industry and Security (BIS), which oversees items on the Export Administration Regulations’ Commerce Control List, announced that since March 1, 2014, it has placed a hold on the issuance of licenses that authorize exports or re-exports of items to Russia. BIS said they will continue this practice until further notice.

Two days later, on March 27, 2014, the U.S. Department of State’s Directorate of Defense Trade Controls (DDTC), which oversees the International Traffic in Arms Regulations’ U.S. Munitions List, announced it was halting the issuance of licenses that would authorize the export of defense articles and defense services to Russia. The DDTC also stated they would continue this practice until further notice.

These decisions apply only to new license applications and will not affect existing BIS-issued licenses. Regardless, these temporary decisions have the potential to significantly disrupt trade between the U.S. and Russia—possibly more broadly than the designation of Russian “cronies” as Specially Designated Nationals (SDNs).

While most commercial products exported to Russia do not require an export license, according to BIS’s annual report, in 2013, BIS approved 1,832 licenses for the export of BIS-controlled items to Russia. The licenses were for \$1.5 billion, \$800 million of which were for devices described as “designed to initiate an energetic charge,” classified under ECCN 1A007.

The U.S. has not acted alone. On March 18, 2014, the U.K. announced that it has suspended all “extant licences and application processing for licences for direct export to Russia for

military and dual use items destined for units of the Russian armed forces or other state agencies which could be or are being deployed against Ukraine.”

Bills to Aid Ukraine and Sanction Russia Poised to be Sent to White House

On April 1, 2014, the U.S. House of Representatives passed HR 4152, the bipartisan bill that provides financial aid to Ukraine while imposing sanctions on Russia for Vladimir Putin’s annexation of Crimea. The Senate passed the bill on March 27, 2014, leaving only the President’s signature for its official passage into law.

HR 4152 provides \$1 billion in loan guarantees to Ukraine and imposes penalties on Russia. The blocking and visa sanctions authorized by the bill break no new ground. Instead, they largely track sanction authority established by President Obama in the first two Executive Orders, promulgated under the International Emergency Economic Powers Act (IEEPA). The bill also imposes IEEPA sanctions on any person violating, attempting to violate, or conspiring to violate any regulation, license or order issued to carry out the sanctions. Again, since the existing Executive Orders are promulgated under IEEPA, this sanctions provision also simply reinforces existing administrative law.

The bill also authorizes the Executive Branch to impose blocking and visa sanctions on Russian government officials who take part in acts of significant corruption in the Russian Federation, including the expropriation of private or public assets for personal gain. This sanctions power for corruption and expropriation of property within Russia is a significant expansion from that exercised by the President in the Ukraine Executive Orders.

Executive Orders

On March 20, 2014, President Obama signed his third executive order (13660) that provides for further sanctions against Russia. Specifically, the new executive order authorized designating persons as SDNs for persons who operate in designated sectors in Russia such as financial services, energy, metals and mining, engineering, and defense and related materiel.

This Executive Order followed President Obama's March 6 and March 17 Executive Orders (13660 and 13661, respectively) that initiated the imposition of Russian sanctions and authorized blocking, visa and donation sanctions.

OFAC Released SDNs

On March 20, 2014, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) designated 19 additional Russian individuals and a bank, Bank Rossiya, adding them to the Treasury Department's SDN list pursuant to Executive Order 13661 (President Obama's second executive order on the Ukraine crisis). The March 20 SDN designations freeze the assets of 19 additional Russian individuals, including both senior Russian officials and President Putin's inner circle, a/k/a "cronies," whom the White House describes as having "substantial resources and influence who provide material support to the Russian leadership." Their names appear with the designator, "[UKRAINE2]." OFAC also added Bank Rossiya, the personal bank of many Russian officials and President Putin's inner circle, to the SDN list on the grounds that it "provides material support to these individuals."

SDN Screening

Screening for SDNs is one of the most difficult areas of U.S. sanctions compliance – and the Russian sanctions are no different.

Under OFAC's policy, a person or company on the SDN List is considered to have an interest in all property and interests in property of an entity in which it owns, directly or indirectly, a 50% or greater interest. This is the case

even when that entity is not specifically listed on the SDN List.

A company will generally not be considered to be a SDN solely because a party on the SDN is a director or officer of a company. However, OFAC has stated that persons should act with "caution" when considering a transaction with a non-blocked entity in which a blocked person has a significant ownership interest that is less than 50% or which a blocked person may control by means other than a majority ownership interest. Thus, a company in which the President or Managing Director is on the SDN List may be blocked by OFAC in the future even if the President owns less than 50% of the company.


The problem is that OFAC usually will not provide guidance on which companies are owned or controlled by SDNs—leaving it to companies to figure it out for themselves. Restricted party screening providers are also not in position to provide further information on whether a company may be owned by a SDN since they rely on the government issued lists. Thus, companies have to rely on public sources, private investigators or other resources in the

target country to determine if a potential customer is a SDN or not.

Another common way to handle this is to request the current or potential business partners to certify in writing that they are not owned by a blocked person. Many contracts now contain representations and warranty language that the parties are not on, or owned, or controlled by parties on the SDN List or other restricted party lists.

In the case of the Russian sanctions, many of the 33 persons named on OFAC's SDN List are government personnel and do not appear to have any ownership interests in companies. However, the majority of the March 20 designations include individuals with significant business interests.

Kay C. Georgi is ranked as one of the nation's leading International Trade: Export Controls & Economic Sanctions lawyers by Chambers USA. Arent Fox has significant experience in helping companies navigate and comply with U.S. sanctions laws and export controls.



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President's Column

By Jessica E. Adler, WBA President

The Women's Bar Association of the District of Columbia is gearing up for the WBA and WBAF's **Annual Dinner** on May 21, 2014, which serves as our annual meeting for the year. We hope that you will join us for this wonderful event at the National Building Museum as we celebrate this year's bar theme, *Civility*.

Civility is a very important part of practicing law and a great way to live one's life. Using civility and treating others with respect creates a better society for everyone. Some ways to utilize civility in your daily life include being polite in your interactions with others, volunteering your time, and serving as a mentor. The WBA provides a plethora of opportunities to exercise civility, including mentoring and volunteering. I try to use these tenets in both my personal and professional life. Helping others is very rewarding and through volunteering and mentoring, I receive at least as much as I give.

Our WBA programming continues to be both interesting and plentiful. Our mentoring pairings are up and running and we have had many successful programs to support these pairings sponsored by our Mentoring Committee. Please continue to check the **WBA website** and our News and Events email blast, and register for our exciting 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 application from our website**. Please follow us on **Facebook** and Twitter (**@WBADC**). Feel free to contact me at **jadler@jessicaadlerlaw.com** if you have any questions or ideas for the organization. I hope to see you soon at one of our many wonderful upcoming events!



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WBA Foundation



WBA Foundation President's Letter

By Amy L. Bess, WBAF President

I'm pleased to introduce the WBA Foundation's impressive 2014 grant recipients! Following a lengthy deliberation and evaluation process over the course of many months, the WBAF Board recently voted to award grants totaling \$50,000 to seven outstanding local nonprofit organizations. The grants will be awarded at the WBAF's Fifth [Annual Grant Awards Reception](#) on April 24 at Morgan Lewis & Bockius.

Each of our impressive 2014 Grantees has launched a project devoted to serving the unique legal needs of women and girls in our community. The WBAF's six-member Grants Committee started its process in August by launching its request for proposals, seeking qualified applicants to present projects addressing the legal and related needs of women and girls in the DC metropolitan community. A record 33 nonprofits submitted initial Letters of Intent describing the project for which they sought funding. Over the course of many subsequent months, 13 qualified finalists were selected and asked to submit full proposals. Of those, seven projects ultimately were recommended and voted on by the full Board. Following is a brief introduction of our outstanding 2014 grantees.

The [Asian Pacific American Legal Resource Center](#) is a 13-year-old organization whose mission is to advocate for the legal and civil rights of low-income Asian Americans in the metropolitan DC community

with limited English proficiency. Its project, Justice for Filipino Teachers, has been selected to receive a WBAF grant to support its efforts to provide legal services and support to female teachers who have been the victims of labor trafficking and brought to the United States under false promises of obtaining teaching positions. The project will assist the women in prosecuting the crimes against them as well as obtaining immigration relief.

[Bread for the City](#), now a DC institution, was started in 1974 as a volunteer-run free clinic, and has grown to a comprehensive social services provider, including its Domestic Violence Community Legal Services Project, which will receive a WBAF grant to help it assist low-income minority women who have been victimized by domestic violence to obtain the legal protection and other services they need.

[Break the Cycle](#) is a leading, national nonprofit organization addressing teen dating violence. A WBAF grant will help Break the Cycle improve its delivery and expand its legal services program, including by providing support to young women in campus administrative proceedings, assisting them in meetings with police and prosecutors to report and prosecute their abuse, and representing their young clients in obtaining orders of protection.



Amy L. Bess



The [DC Volunteer Lawyers Project](#) is a local nonprofit whose mission is to address the critical shortage of legal assistance for low-income DC residents, especially in cases involving domestic violence. The Project has been selected to receive a WBAF grant to enable it to increase the number of clients its volunteer attorneys can support in obtaining orders of protection and representing in related custody, divorce and child support matters. The WBAF grant will enable the DCVLP to expand its staff to add two part-time volunteer supervisors.

The [Domestic Violence Legal Empowerment and Appeals Project \(DVLEAP\)](#) fights to overturn unjust trial outcomes in domestic violence cases, advances legal protections for victims and their children through expert appellate advocacy, and trains lawyers, psychologists and judges on best practices. DVLEAP will receive a WBAF grant to support the important ongoing work of its D.C. domestic violence project, DCLEAP.

The WBAF has chosen to award a grant to the [Legal Aid Society of the District of Columbia](#), which, for more than 80 years has made its mission to “make justice real” for persons living in poverty in the District. Our grant will support the Domestic Violence Underserved Communities Representation Project, which will focus on addressing the legal and related needs of domestic violence survivors in underserved areas of the city, such as Wards 4, 5 and 6, where both poverty and domestic violence rates have increased in recent years.

Finally, the [Neighborhood Legal Services Program](#), a private non-profit law firm that has been

providing free civil legal services to low-income DC residents since 1964, was selected by the WBAF to receive a grant for its newly created WBAF Housing Conditions Project. The WBAF grant will be used to fully fund this new project devoted to remedying dangerous housing conditions for vulnerable women and their children through direct legal representation.

On April 24 we celebrated the contributions of our amazing 2014 Grantees to the DC community. Our keynote speaker for the evening was Bea Hanson, Deputy Director of the Office on Violence Against Women, who has devoted her career to ensuring access to justice for victims of crime, including domestic violence.

[Please consider making a gift to the WBA Foundation today.](#) We know that you share our belief that all women and girls in our community deserve the same chance at a safe, healthy and productive life. For more information on our grant process and grantees, or to make a contribution to help us continue this critical work, visit www.wbadcfoundation.org.

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WBAF Style Bible Fundraiser A Big Success



Bloomingdale's hosted the fundraiser.



Attendees enjoyed each other's company, learned how to create their own style, and took advantage of a Bloomingdale's discount.



Lauren Rothman had style tips that everyone could apply.

On Tuesday, March 4, WBAF Foundation supporters gathered at Bloomingdale's in Chevy Chase to hear [Lauren Rothman](#), a local style expert and published author, discuss how we can each create our own personal professional style. All proceeds of the event supported the Foundation's grant-making efforts. Each attendee received a copy of Lauren's new book, *Style Bible: What to Wear to Work*, courtesy of our generous sponsor, [Navigant Consulting](#).

Our guests started the evening by enjoying sparkling wine and hors d'oeuvres while networking with one

another. They then absorbed Ms. Rothman's wisdom on how to build a professional wardrobe and create a unique, signature personal style. She took questions from the attendees following her remarks.

Attendees were able to apply Ms. Rothman's advice while shopping until store closing, with 10% of all sales benefitting the WBAF. We are extremely grateful to Bloomingdale's for its generous hosting and contributions, to Lauren Rothman for her dynamic and relevant presentation, and to our sponsor, Navigant for making the event possible.

WBA Foundation Donors

Many thanks to our supporters! The following donors made a gift to the WBA Foundation between February 1, 2014 and March 31, 2014. 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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Committee & Forum Highlights

Fourth Annual Mentoring Supper

By Lynne Milne, Federal Communications Commission; Co-chair, Communications Law Forum

On Wednesday, February 26, 2014, the **WBA's Communications Law Forum**, in partnership with the **Young Lawyers Committee of the Federal Communications Bar Association (FCBA)**, presented their **Fourth Annual Mentoring Supper**. Held at the law offices of Hogan Lovells US LLP, the program featured many prominent practitioners in the field of communications law acting as mentors to a diverse group of young lawyers and law students.

The program began with a spotlight on FCBA President **Joseph Di Scipio** of Fox Television Stations, Inc. and **Rebekah Douglas** of the Federal Communications Commission (FCC), who set the stage for the evening. Introduced by FCBA Young Lawyers Committee Co-chair **Lindsey Tonsager**, this mentor and mentee described how their mentoring relationship evolved and how these connections benefited their careers and contributed to their career development. Their discussion provided an informative and valuable look at mentoring in action, and showcased the advantages that mentoring can provide to mentor and mentee alike.

The rest of the program was structured as three series of mentoring sessions, with attendees seated at tables of six. Each table included two or three mentors, joined by three or four mentees, to discuss their careers and professional development, all while enjoying a delicious dinner and dessert. The mentors led the discussion, relating the career paths that brought them to their current positions and responsibilities and describing the jobs they held along the way. Attendees were encouraged to ask any questions

of the mentors, including those about career development and opportunities for professional growth. After a set time period, the mentors moved to another table to continue the dialogue with another group of mentees. This format allowed the mentees to meet and learn from multiple mentors and hear different perspectives about the varied career paths available to communications lawyers.

The three co-chairs of the WBA's Communications Law Forum—**Lynne Milne** of the FCC, **Laura Mow** of The Law Office of Laura C. Mow, and **Natalie Roisman** of Wilkinson Barker Knauer, LLP—and the co-chairs of the FCBA's Young Lawyers Committee—**Lindsey Tonsager** of Covington & Burling LLP and **Justin Faulb** of the National Association of Broadcasters—engaged in months of preparation for this evening program. These five co-chairs very much appreciate the other mentors who volunteered their time to provide welcome career advice to the mentees participating in this program, including **Ryan Wallach** of Comcast Corporation; **Julie Kearney** of Consumer Electronics Association; **Yaron Dori** of Covington & Burling LLP; **Krista Witanowski** of CTIA—The

Wireless Association; **Laura Phillips** of Drinker Biddle & Reath LLP; **Brett Freedson** of Eckert Seamans Cherin & Mellott LLC; **Daniel Alvarez**, **Brendan Carr**, **Rebekah Douglas**, **Renee Gregory**, **Nese Guendelsberger**, **Gigi Sohn**, and **Philip Verveer** of FCC; **Mary Beth Richards**, formerly of FCC and Federal Trade Commission; **Joseph Di Scipio** of Fox Television Stations, Inc.; **Megan Anne Stull** of Google; **Mark Brennan** and **Michele Farquhar** of Hogan Lovells US LLP; **Richard Whitt** of Motorola Mobility; **Jane Mago** of National Association of Broadcasters; **Gregory Lewis** and **Michelle Shanahan** of National Public Radio; **Jennifer Duane** and **Angela Simpson** of National



Telecommunications and Information Administration; **Margaret Tobey** of NBCUniversal; **Monica Desai** of Patton Boggs LLP; **Luisa Lancetti** of T-Mobile US, Inc.; **Robert Branson** of Verizon; **Megan Brown** and **Peter Shields** of Wiley Rein LLP; **Scott Blake Harris** and **Rosemary Harold** of Wilkinson Barker Knauer, LLP; **Nirali Patel** of Willkie Farr & Gallagher LLP; and **Patricia Paoletta** and **Christopher Wright** of Wiltshire & Grannis LLP.

The WBA's Communications Law Forum and the FCBA's Young Lawyers Committee thank the law firm of **Hogan Lovells US LLP** for graciously hosting this event for the fourth time. This mentoring program would not have been possible without the additional financial



contributions of this program's other sponsors: **CenturyLink, Inc., Comcast Corporation, Consumer Electronics Association, Covington & Burling LLP, DIRECTV, Inc., Drinker Biddle & Reath LLP, Eckert Seamans Cherin & Mellot,**

LLC, Frontier Communications Corporation, Motorola Mobility, National Association of Broadcasters, T-Mobile US, Inc., Wilkinson Barker Knauer, LLP, Willkie Farr & Gallagher LLP, and Wiltshire & Grannis LLP.

International Law Forum Update

By *Nausheen Hassan & Nora Whitehead, Co-chairs, International Law Forum*

On March 5, the WBA **International Law Forum** held a joint happy hour along with four other co-sponsors: **ABA Section of International Law, DC Bar International Law Section, American Society of International Law (ASIL)** and its **Women in International Law Interest Group**, and the Washington Foreign Law Society. ASIL held a drawing for a free copy of its latest edition of *Careers in International Law* – the lucky winner was **Eva Hempfl!**

There was a tremendous turnout, with over 85 people in attendance. Fortunately, Café Citron in Dupont Circle was spacious enough to handle the large crowd in its upstairs VIP lounge. The Latin-themed venue served up mojitos and tasty guacamole & chips, along with other drinks and appetizers. The happy hour then led into the weekly salsa DJ and dancing that Café Citron hosts every Wednesday night. The International Law Forum signed up over 40 new people to its email list, and at least one attendee told us she plans to

join the WBA as a member. Many attendees thanked us for organizing a fun opportunity to network with other international law colleagues. The happy hour was a great way to raise the Forum's profile amongst fellow international law organizations, plug the Forum's next event scheduled in April, and encourage potential new members to join the WBA.

On March 19, the Forum co-sponsored a briefing organized by the **ABA Export Controls & Economic Sanctions Committee** about the emerging U.S. sanctions pertaining to the political crisis in Ukraine. The event was also co-sponsored by the **Washington Foreign Law Society** and the **National Council on International Trade Development**. In a very timely panel, just days after the U.S. administration issued two Executive Orders imposing sanctions on certain Russian and Ukrainian government officials, U.S. government officials provided their insights and analysis about the latest developments. Panelists included: **John Hughes**, Acting Deputy

Director, Office of Sanctions Policy & Implementation, U.S. Department of State; **John E. Smith**, Associate Director, Office of Foreign Assets Control, U.S. Department of Treasury; and **Daniel Silverberg**, National Security Advisor to House Majority Leader Steny Hoyer. **Kay Georgi**, partner at Arent Fox LLP and immediate past chair of the ABA Export Controls & Economic Sanctions Committee, moderated the sanctions briefing. It was held at **Arent Fox** and was also made available via live teleconference, with a combined in-person and phone attendance of approximately 200 people. In conjunction with its co-sponsors, the WBA International Law Forum will hold a follow-up panel discussion at the end of May, so stay tuned for the latest updates on international sanctions related to the Ukraine crisis. You can also check out Kay Georgi's article on [page 7](#) for an overview of sanctions developments thus far.

On April 3, the Forum hosted a speed mentoring and networking event at Haynes and Boone's new office in downtown DC. Attendees enjoyed light refreshments

and great conversation as mentees rotated amongst mentors representing a variety of international law career paths, including mentors from government organizations like **USAID**, the **U.S. Trade & Development Agency**, and the **Office of Foreign Assets Control Chief Counsel's Office**. Other mentors hailed from private

firms like **Cooley LLP**, **Nixon Peabody LLP**, **Bryan Cave LLP**, and **Arent Fox LLP**. The non-profit sector was also well-represented, with mentors participating from **Human Rights First** and the **International Center for Not-for-Profit Law**. Mentees received helpful advice regarding a wide range of substantive

practice areas, including transactional international trade work, sanctions and export controls, immigration and asylum work, and antidumping and countervailing duty and WTO litigation. The event was a great success!

A Conversation with the Honorable Gladys Kessler

By Lynne Milne, Federal Communications Commission; Co-chair, Communications Law Forum



l-r: Richard Roberts, Lorie Masters, Gladys Kessler, Emmett Sullivan, Mary Rose Hughes

Although large, fluffy snowflakes continued to fall outside the conference room windows during the entire program, almost 60 people gathered in the law offices of **Perkins Coie LLP** on Tuesday, March 25, 2014, to honor **Judge Gladys Kessler** of the United States District Court of the District of Columbia. Everyone enjoyed a delicious buffet luncheon and visited with friends and colleagues before former WBA President and Perkins Coie partner **Lorelie S. (Lorie) Masters** started her interview of Judge Kessler.

After Judge Kessler provided a brief synopsis of her career path, the skillful questioning of Ms. Masters produced detailed anecdotes of major milestones of Judge Kessler's professional life. For example, Judge Kessler contrasted the treatment of women undergraduate students at Cornell University with the treatment of women students at Harvard Law School, where women were told that each woman student prevented a deserving male student from attending that law school. Judge Kessler praised the National Labor Relations Board as a place where she gained valuable litigation experience as an appellate attorney. Judge Kessler explained that she was the only woman working as a legislative assistant for a U.S. Senator during the time that she worked on Capitol Hill. Subsequently, Judge Kessler co-founded a public interest law firm. She provided details of the types of cases that she undertook at this law firm.



Almost 60 people gathered to hear Judge Kessler.

Judge Kessler related that a group of law students visited her law office to ask her to teach a class on women's legal issues. As a result, Judge Kessler co-taught a class for a number of years on "Women and the Law" at George Washington University's National Law Center. In 1970—long before text books were published on this topic—it was a challenge to craft a syllabus, but Judge Kessler explained that there was much case law to analyze. She provided details on what it was like in 1979 to travel to California for the founding of the National Association of Woman Judges, for which Judge Kessler later served as its third President.

Judge Kessler was appointed in 1977 to the Superior Court of the District of Columbia, and in 1994 to the U.S. District Court for the District of Columbia. Judge Kessler compared the types of cases she handled and her case load at these two courts.

Judge Kessler also commented on some of her very significant cases. For example, Judge Kessler employed an innovative technique to submit direct testimony by an army of experts, which focused courtroom time on cross-examination of those same experts. This and other techniques limited the length of a RICO trial brought by the U.S. Department of Justice against major tobacco companies to nine months. She commented that it then took her nine months to write her decision, which was heavily based on scientific evidence. In addition to insights about some of her decisions regarding Guantanamo detainees and Constitutional challenges to the

Affordable Care Act, Judge Kessler explained the importance of the Freedom of Information Act in making the public aware of federal government actions in certain instances when government officials would prefer secrecy.

During this interview, Judge Kessler displayed charm, humor, and insight into human nature. At its conclusion, it was clear why she has a reputation as a superlative mentor of both men and women, as well as being known as an inspiring leader in efforts to advance the rights of women, minorities, and children.

The WBA's Communications Law Forum acknowledges that this luncheon would not have been possible without the assistance of **Lorie Masters**. The Forum also very much appreciates the financial assistance provided by **Perkins Coie LLP** as the sole sponsor of our annual celebration of Women's History Month. This financial assistance allowed us to honor another trailblazer in the local legal community.



The event brought together WBA past and present presidents: Paulette Chapman (2003-2004), Monica Parham (2011-2012); Jessica Adler (2013-2014); and Liz Medaglia (1982-1983). Not pictured: Jennifer Maree (2008-2009)

Government Attorneys Explore Legislative Careers

By Catherine Pagano, on behalf of the Government Attorneys Forum Co-chairs

On March 26, WBA's **Government Attorneys Forum** presented a very successful brown bag program entitled, "Exploring Legislative Careers: Tips on Pursuing and Enhancing a Legislative Career."

This was the first Government Attorneys Forum program focused on legislative and policymaking careers, and the exciting presentations and engaged conversation illustrated a lively interest in this practice by our WBA members. Our 30-plus attendees heard a thoughtful panel share tips from their fascinating legislative career paths.

Our knowledgeable panelists shared their varied and in-depth policy experience from a wide background of legislative careers, and shared tips about how they reached their careers and how to advance in the policymaking area. Our speakers who shared their valuable advice and thoughts were: **Velvet Johnson**, Counsel for the Senate Homeland Security Committee; **Michal Freedhoff**, Director of Oversight & Investigations for Senator Edward J. Markey; and **Margaret Gottlieb**, Career Service Director, for the George Washington University Graduate School of Political Management. Our moderator, **Katie White**, was Director of Employer Outreach, Center for Professional Development & Career Strategy, at The George Washington University Law School (also with KT White Law Careers, LLC).

We were impressed by the energy in the room, the great conversations, and by attendees' interest in future discussions or events on this topic. Also, both of our panelists from The George Washington University are from career offices, work with job seekers and employers, and had excellent tips as well.

For example, the Yale resource on finding jobs on Capitol Hill can be found at: www.law.yale.edu/documents/pdf/CDO_Public/CDO_Working_On_Capitol_Hill_Public.pdf

Hogan Lovells US LLP was our generous host for the Program, and kindly shared their moot courtroom for our brown bag program.

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Member News

Feichko Featured as MCCA Rising Star

WBA Environmental Law Forum Co-chair **Holli Feichko** has been named a “**Rising Star**” by the Minority Corporate Counsel Association’s (MCCA) Diversity & the Bar magazine. Rising Star recognition highlights lawyers whose accomplishments and dedication will catapult them into leadership positions in the years to come and set the standards for excellence in the legal profession. Ms. Feichko

is Environmental Counsel for W. R. Grace & Co., one of the world’s leading specialty chemicals and materials companies with operations in over 40 countries. She provides environmental, health, and safety (EHS) compliance counseling and training, manages complex projects and litigation, and advises on the EHS strategy for the global Grace organization.



Masters Joins Perkins Coie

WBA past president and current WBA Foundation Board member, Lorelie (“Lorie”) S. Masters, has joined Perkins Coie’s Washington, DC office as partner in the firm’s Insurance Recovery group. Ms. Masters was most recently a partner with Jenner & Block LLP. Ms. Masters has more than 30 years of experience as an insurance litigator and counselor, representing policyholders. She handles all aspects of complex commercial litigation and arbitration and has recovered hundreds of millions of dollars of coverage for her clients under many different types of insurance.

In addition to her busy practice, Ms. Masters has served in leadership positions in the American Bar Association (ABA) and other bar associations. She has served as the national policyholder chair of the ABA Insurance Coverage Litigation Committee (2000-2003), and on the ABA Commission on Women in the Profession (2009-2012), and ABA Gender Equity Task Force (2012-present). Lorie was WBA President in the 2007-2008 bar year. She has also served on the DC Bar’s Board of Governors (2010-2013).



Best Places to Work

Sterne, Kessler, Goldstein & Fox P.L.L.C. has been listed in the *Washington Business Journal*’s **Best Places to Work**, in the 151 or more employees category. The top company in each of three categories will be announced at an event on May 9. Companies on the list were selected based on the results of an employee survey that evaluates

team effectiveness, retention, employee alignment with company goals, trust with co-workers, individual contribution, manager effectiveness, trust in senior leaders, feeling valued, work engagement, and people practices.

Welcome New Members

The following persons joined the WBA in February and March 2014

Olusola Annamaria Aina	Jennifer K. Frank	Ashley Ann Krapacs	Jessica Retka
Amy Waller Apostol	Megan Gibson	Sibelle Lambrio	Sydney Sgambato
Gizelle Babik	Grace Graham	Ilona Lindsay	Joanna Sherry
Josie Beets	Kate M. Growley	Deborah Lodge	Carla D. Smith
Samantha Belin	Danielle Hart	Alexandra Jean Marinzal	J. Nicole Stankewicz
Melissa Zlotnick Borofsky	Aisha E. Henry	Andrea Michelle McNamara	Lauren Sun
Tiffany L. Callahan	Christina M. Hill	Deborah R. Meshulam	Miora Sweazey
Angelique Carrington	Pamela Hunter	Suzanne Hassell Milton	Maria Antonieta Trejo
Ashley Cladouhos	Joycelyn James	Abioye Ella Oyewole	Caitlin Vogus
Gypsy Clement	Laura Jeltema	Gayatri Patel	Rachel Wilhoit
Denise R. Cunningham	Katherine Ann Johnson	Lauren Kearney Peay	Canby Wood
Kathy Downey	Daniela Juvani	Helen M. Poon	Esther Yong
Debrah Farnell	Larysa Kautz	E. Carmen Ramirez	Aiqui Zhang
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For information regarding WBA Member Benefits and getting involved with a Committee or Forum, see [Membership & Benefits](#) and [Committees & Forums](#).



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FOOD FROM THE BAR


WBA
WOMEN'S BAR ASSOCIATION
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Upcoming Events

Tuesday, May 6, 2014

Non-Profit Board Service: Benefits & Burdens

Presented by: Tax and Business Law Forum and Non-Profit Organizations Practice Forum

Our panel will discuss the joys and benefits of serving on nonprofit Boards of Directors, and will also discuss the responsibilities and burdens of nonprofit board service.

Tuesday, May 6, 2014

Happy Hour Networking Event

Mix & mingle with fellow attorneys interested in learning more about insurance law and what the forum has planned for 2014!

Wednesday, May 7, 2014

Spring Happy Hour and Networking Event

Presented by: Government Attorneys Forum

This is a great opportunity to meet and mingle with fellow government attorneys, as well as with lawyers, law students, and legal professionals who are interested in public service careers.

Friday, May 9, 2014

Strategic Volunteering: Growing Professionally While Giving Back

Presented by: Lawyers at Home Committee & Career Development Committee

Whether you are working full time or part-time, have been out of the work force for a while, transitioning to a new field, or just starting your career, you can build your professional skill set, make connections that enrich your community, and find and foster mentor relationships through Strategic Volunteering. Learn how the advantages of “lending a hand” extend beyond the communities you serve to cultivating networks and skills that will prove invaluable in your professional life. Discover practical resources that will help you get started on finding the right opportunity that lets you give back.

Wednesday, May 14, 2014

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, May 21, 2014

WBA and WBA Foundation Annual Dinner

Join us in honoring our 2014 Woman Lawyer of the Year, Judy Smith, Esq. of Smith & Company. Ms. Smith is a well-known crisis manager, and the inspiration for the Olivia Pope character on ABC's Scandal. During her career, she has bridged the public and private sectors and broken barriers as a woman of color. The theme for the 2014 Woman Lawyer of the Year is “Civility.” The theme exemplifies the WBA's history of promoting the principles of civility by helping others through mentoring, volunteering, and giving back.

Wednesday, May 28, 2014

The Positive Impact of Refugee and Asylum Programs on American Society

Presented by: Immigration Law Forum

Retired Immigration Judge John Gossart will discuss the positive impact of refugee and asylum programs on American society.

Thursday, May 29, 2014

Sanctions Update on Russia and Ukraine

To learn more about the latest international trade developments involved in the political crisis in Ukraine, don't miss this brown bag lunch discussion regarding economic sanctions against Russia and related export control measures. Our panel of experts, hailing from private practice as well as key government agencies, will address the constantly-evolving activity in this arena.

Monday, June 2, 2014

Bridging the Generation Gap in the Workplace

Presented by: Insurance Law and Young Lawyer Forums

A discussion focused on the challenges of having two or more generations occupying the workplace and smoothing over the differences between them. Participants will be educated in how to identify and solve challenges that arise from the different viewpoint each generation brings to the workplace.

Thursday, June 12, 2014

New Member Reception

Presented by: Membership Committee

Members who have recently joined the Women's Bar Association are invited to join us for a New Member Reception. This is an opportunity to meet WBA and WBA Foundation leaders and learn about volunteer opportunities and member benefits.