

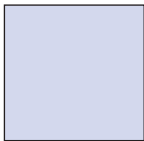


Perspectives

A Magazine for and about Women Lawyers

Surviving the Recession

Any Which Way
a Lawyer Can

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COMMISSION ON WOMEN IN THE PROFESSION
American Bar Association

Gender Equality Knows No Bounds

By Mary B. Cranston



For nearly 25 years, the Commission on Women in the Profession has served as a catalyst for change in securing the full and equal participation of women in the legal profession. This quest for equality is not limited to women lawyers, however. Gender equality is a goal for women in all professional capacities and in all walks of life.

Toward this end, the American Bar Association has partnered with a new national initiative, Vision 2020. Its objective is to move America toward equality by 2020, the centennial celebration of the Nineteenth Amendment granting women the right to vote.

Vision 2020 works for gender equality through its network of national and visionary delegates (representing a broad spectrum of areas, including law), its 44 national organization allies, and a membership of both women and men. The ABA is proud to collaborate with Vision 2020 by serving as one of the national allies, and numerous ABA and Commission members serve as national and visionary delegates, including ABA President-Elect Laurel G. Bellows. The Commission has led the ABA's involvement with Vision 2020 and spearheaded its participation in the second annual congress, which convened on October 12 in Chicago.

Much of the Commission's work parallels the objectives of Vision 2020's Campaign for Equality. For instance, just as Vision 2020 seeks to achieve pay equity, we presented two resolutions on this issue to the ABA House of Delegates urging Congress to pass legislation that ultimately became the Lilly Ledbetter Fair Pay Act of 2009 and to enact legislation consistent with the proposed Paycheck Fairness Act.

Vision 2020 also seeks to increase the number of women in senior leadership positions, and the Commission has worked tirelessly to enable young women lawyers to achieve success. A key effort is our consistently sold-out Women in Law Leadership (WILL) Academy, which

provides concrete advice and guidance on realizing leadership potential, learning how to develop business, and taking one's career to the next level.

The Commission and Vision 2020 strive to attain gender equality not for its own sake but for what it brings: options, opportunities, and success. No one size of success fits all. More and more women are choosing to take matters into their own hands and establish their own law firms, and the Commission has published a new book offering both inspiration and practical advice to women lawyers who may consider following this path. *The Road to Independence: 101 Women's Journeys to Starting Their Own Law Firms* is a collection of 101 letters from women who have taken this step. A panel consisting of several contributors to the book spoke at the ABA Annual Meeting in August, and these women combined forces again on October 24 in a teleconference format. To access materials from that interactive Commission on Women webinar, visit our web site at www.americanbar.org/women.

On a personal note, one of the lawyer visionary delegates to Vision 2020 is Roberta D. Liebenberg, the immediate past chair of the Commission. Her leadership, energy, and enthusiasm during the past three years have taken the Commission to new heights, and we all owe her a huge debt of thanks and gratitude. Her dedication knows no bounds, and she has raised the bar on our impact on gender equality.

I am deeply grateful for the opportunity to chair the Commission, having served previously as a Commission member. This is an exciting time for us, and we look forward to working with you to continue the important work needed to achieve true gender equality, advancement, and success for women lawyers. ☺

Mary B. Cranston is chair of the ABA Commission on Women in the Profession. She is the firm senior partner and immediate past chair of Pillsbury Winthrop Shaw Pittman LLP in San Francisco.

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Redefine the Rules

By Tani Gorre Cantil-Sakauye

I've acquired many new jobs since I became the 28th chief justice of the State of California in January of this year, but the only one I didn't expect was being a career counselor to young lawyers. Or a career explainer to the seasoned lawyers who wonder what kind of path I followed to become the first ethnic minority and second female to hold the position of chief justice in the state.

Truth be told, I didn't have a plan. But along the way, I met lawyers who saw the future of the bench and bar as something other than patrilineal institutions. I am grateful to them for the work they have done for the public. I consider them heroes. They have worked consistently to make access, fairness, and diversity goals of the judicial branch. It is these people, too countless to name, who during the last 25 years dramatically changed the administration of justice. I am a mere benefactress of time and circumstance—and of male and female lawyers and judges who saw the future and me in it.

After finishing law school and passing the bar exam in 1984, my only plan was to get a job. With no leads, no connections, and no holds barred, I applied everywhere.

So when a temporary opening at the Sacramento County district attorney's office was offered to me, I sincerely knew I wanted to be a deputy district attorney, whatever the job entailed. And where exactly was the courthouse again?

Little did I know that as a prosecutor, I would be fulfilling a lifelong dream: Engaging in merit-based arguments against another and getting to have the last word. It was a dream come true for a well-mannered, Filipina youngest child with

two big dominant brothers. I threw myself into trial work with such relish that I bemoaned the weekends when court was closed. Trial preparation and trial work gave me the confidence I needed, the experience I lacked, and the resilience to interpret the word no as "find another way."

I believe that it was these early years as a deputy district attorney



Ignore the rules of the common career trajectory, follow your joy and passion, and serve the public.

and in organizations with lawyer-mentors that made me believe that anything is possible. I ignored advice that I couldn't get a job in the governor's office because I didn't have government law experience. I didn't calculate my odds. When I did get the job, I immersed myself in the work of the executive and legislative branches. In the governor's office I worked for and with the wisest and most insightful leaders at the highest level of influence—all of them guided by a public service ethos.

California Governor George Deukmejian appointed me to the municipal court when I was 30. Seven years later Governor Pete

Wilson elevated me to the superior court, and seven years after that Governor Arnold Schwarzenegger appointed me to the court of appeal. Six years later that same governor nominated me as chief justice, and the public elected me to the position in November 2010. I accepted each appointment thinking it would be my last.

During my trial court tenure, I became a wife and a mother of two. For a few years I put the legal community on hold and went deep undercover into nursery school, Brownies, and gymnastics. I let everyone know that I was putting family first and they should, too. Although I knew my résumé would no longer look like a male judge's résumé, I look back on those years with unbridled joy. In each new position, I was sorry to let the last position go.

And now, as I look back on my personal path, I can offer some very simple career advice: Ignore the rules of the common career trajectory, follow your joy and passion, keep a good attitude, and serve the public. 🙏

In January 2011, Tani Gorre Cantil-Sakauye became the second woman and first Asian Filipina American to serve as chief justice of the State of California. She has served for more than 20 years in the state's appellate and trial courts.

Surviving the Recession Any Which Way a Lawyer Can

By Ann Farmer

After Victoria Martin graduated in May 2011 from Villanova University School of Law in Pennsylvania, she remained glued to the study track and soon passed the Pennsylvania and New Jersey bar exams. So excited was the 24-year-old to finally be able to pursue her dream career that she immediately began applying for lawyer positions. And applying. And applying.

How many jobs has she sought thus far? “I’d say hundreds,” Martin says. “I have a huge stack of rejection letters. And most of the time, I don’t even get rejection letters.”

So Martin is back to waiting tables at a local brewery in Philadelphia, which pays the rent while she keeps looking for a job in the legal profession. “It’s been disheartening,” Martin says. “This is not how I imagined my life would turn out, obviously.”

The unrelenting slump in the economy has ushered in a moribund job market for law school graduates and even affected seasoned lawyers. Many have lost jobs. Some have seized the downturn as a pivotal

moment to wash their hands of the legal field, while others have side-stepped into more promising sectors.

Like many, Cathy Elliott Jones, who operates a solo litigation practice in Ojai, California, struggles to stay afloat with fewer clients. During the 1980s, Jones worked for various law firms before taking 10 years off to raise her three boys, one of whom has autism. When she returned to work in 1999, she opened an office close to home, specializing in custody and educational litigation, as well as criminal and probate cases. “I’ve done pretty much everything,” says Jones, 54, who is now divorced and raising her sons on her own.

Jones made decent money for a while, mostly through referrals, until 2008. She says that’s when she started noticing that things were dipping. With fewer new cases coming in, she sought a firm position. A recruiter told her that her age and lack of recent firm experience left her unmarketable. Undeterred, she sent out scores of résumés. Except for a few polite rejections, she heard nothing.

So Jones devised other ways to keep going. She slashed her prices and began offering flat-fee arrangements. “And I barter,” she notes, describing how she swapped her legal expertise for gardening services from a woman who needed assistance with a DUI charge. For a client who needed help with a landlord/tenant dispute, she obtained two years of tutoring services for her special-needs son. And a local musician gave another son drum lessons in exchange for help with a fair management contract.

Lately, Jones has noticed a slight uptick in her workload. Ironically, it’s largely from individuals who, attempting to save money, got in over their heads trying to handle their own legal matters. But she isn’t optimistic. “I don’t feel the economy is going to recover in time for people like me,” Jones says. “I see the whole legal field changing.”

She’s not alone. One unemployed, but highly experienced, former corporate lawyer, who didn’t want her name published out of

concern it might undermine future salary negotiations, believes the U.S. economy is crippling the legal profession long term.

“America is less competitive. There’s less industry, and the demand for lawyers is going down,” she says. “And it’s so expensive to do litigation, people will think twice.” In fact, she’s got her eye on mediation work as a growing legal niche.

She previously earned more than \$200,000 working overseas for a Fortune 500 company as a senior legal advisor on international intellectual property (IP) issues. She can also boast multiple degrees. But since relocating to the United States—and despite excellent feedback from interviews—she’s received only lowball offers.

“I’m astounded by how crazy the situation is,” she says, noting how a patent lawyer said he’d love her to join his operation, but had lawyers from China willing to work for \$18 an hour. “How do you compete with that?” she asks.

A Fortune 500 company offered her a salary of \$70,000 to travel overseas to China three weeks each month to negotiate IP matters. She says her responsibility would have

been huge, including negotiating \$1 billion in revenue. “They said, ‘The economy is bad. Do you want it or not?’” She turned them down. “If I take a job at \$70K, I’m cementing what I can ask for if I want to move to another firm. No one’s going to double my salary.”

She also considered moving to D.C. or New York. But she’d have to sell her house and take a loss. Instead, she’s staying put where she is (undisclosed location, to protect her privacy) and cultivating her mediation practice along with some technology transfer work. “For me, it’s a question of riding out the storm,” she says. “But I don’t expect it to be the same. I expect it to be a different economy.”

Firms Tighten Belts

To weather the recession, many firms have skimmed off excess fat. Heather Boyer Samuels, a recent graduate from Nova Southeastern University in Fort Lauderdale, Florida, took a job with The Amlong Firm where she worked during law school. This past summer, the Fort Lauderdale-based company temporarily reduced its employees to a four-day workweek. That was okay

with Samuels. “They didn’t let anybody go,” she says. “It’s hard to find jobs right now. As an employment firm, they’re cognizant of that.”

Jacobs, Grudberg, Belt, Dow & Katz, P.C., a prestigious, 75-year-old law firm in New Haven, Connecticut, downsized its operation several months ago from 13 lawyers to seven and streamlined its name to Jacobs & Dow, LC. One of its female partners, Rosemarie Paine, took an active role in ushering her firm through the transition. “This economy is perhaps tighter today than ever before in my lifetime,” says Paine, explaining how she teamed up with the managing partner to address the firm’s operations and high overhead. “I felt it was important,” she points out. “I wanted to know what was happening.”

For one thing, the firm used to have a large domestic and hourly billing practice. “We noticed we had trended away from that,” says Paine, who primarily works on criminal and civil defense cases, one of the firm’s rosier practice areas. As some other employees turn to with their problems, Paine also grasped which employees meshed particularly well. “As a female, I brought a different perspective,” she says. “I was more plugged in.”

Tough decisions were made to create a leaner, more efficient, and transparent operation. Five partners with overlapping practices and shared goals weathered the downsizing. Paine takes pride in the dignified transition. “We did it gradually. There were no abrupt layoffs,” she says. “Everyone was in agreement; looking at the economics, we needed to change.”

Landing in Unexpected Places

Other lawyers have experienced more dramatic changes. Veronica Pastor was in her mid-40s in 2009 when her telecommunications firm began to shrink. She’d begun as an international regulatory lawyer when telecommunications was still burgeoning in many

Best Practices for Solos and Small Firms in the Current Economy

In taking on a new client or matter, the New York City Bar’s Small Law Firm Committee suggests that solo practitioners and small firms be mindful of the following best practices:

1. Keep in mind that the matter should be an area of practice in which you already have experience.
2. Document in writing everything concerning the scope of representation and fee structure.
3. Carefully evaluate potential conflicts of interest.
4. Document everything you do on the case.
5. If the scope of representation or fee structure changes, sign a written document reflecting that.
6. Preserve client confidentiality in all communications.

For the full report, go to <http://tinyurl.com/63g9ce3>.

parts of the world. “We’d go into a country that had a tele-density of 10 percent, and we were told to get it to 70 percent in five years,” says Pastor, who initially rewrote telecom laws and concession agreements. That led to legal transactional work. But as the industry reached greater saturation, her firm, Intelsat, was forced to downsize. Pastor’s job was eliminated—something she wasn’t entirely broken up over. “It had become less interesting.”

Fortunately, she’d tucked away some backup funds and vaulted into the master of laws program in global health at Georgetown University Law Center in Washington, D.C. While she says it felt weird to return to school when the vast majority of students were 20-plus years younger, she also found it stimulating.

She had barely graduated when an innovative medical devices firm, K2M, based in Leesburg, Virginia, hired her as an associate counsel. “There are many parallels between telecommunications then and health law now,” she says. “I can say I was lucky. But it’s also what you put into it.”

Charting a New Course

A recent career trend piece published in the *New York Times* highlighted several lawyers who found the job outlook so bleak they cast off their lawyer mantles to embark on “Plan B.” The recession, the article noted, became the catalyst for these lawyers to transform themselves into bakers and wedding planners, for instance. But most law grads, many of whom are saddled with debt and haven’t yet landed their first lawyer gig, are not ready to cede their ambitions.

Many are bidding their time as law assistants or in other legal-type jobs. Amanda Gonzalez, a 2011 graduate from the University of Denver Sturm College of Law, who began blogging during law school on issues of social justice and diversity, happily assumed the executive editorship of Ms. JD, an online community dedicated to the success of women lawyers.

Anne Marie Pippin saw the writing on the wall long before graduating from the University of Georgia School of Law in Athens. Although she’d envisioned being a real estate transactional lawyer for a big firm, the waning job market motivated her to tuck on a master of business administration. Business classes on environmental law, land use planning, and sustainability piqued her interest. She was just accepted as a Presidential Management Fellow with the U.S. Department of Energy for two years.

“I have always tried to be open and adaptable to situations as they emerge,” Pippin says. “At the same time, I don’t think I have gone off

Most law grads, many of whom are saddled with debt and haven’t landed their first lawyer gig, aren’t ready to cede their ambitions.

course too far that I won’t be able to find my way back to the legal profession at a later time.”

Ruth Lyons, who graduated from Wayne State University in Detroit in May 2011, similarly landed on her feet thanks to college mentors who steered her toward a good job opportunity long before the post-grad rush.

During her first month in law school, a mentor she encountered while networking at a local women’s bar association told her of a clerkship job that wasn’t posted publicly. “I almost didn’t apply,” says Lyons, who was reluctant to interview because it meant withdrawing from a class.

Her mentors pressed her. She got the job and stuck with it throughout law school. The litigation firm, Garan Lucow Miller, P.C., with 10 offices in the Great Lakes Region, has offered her a full-time associate position when she passes the bar. “I feel lucky,” Lyons says. “It’s a good fit, and it’s what I want to do.”

It’s impossible to predict how job opportunities might arise. After graduating last year from Charleston School of Law in South Carolina, Candice Shaver stayed in Charleston, hoping to land a job there. During the day, she worked at a Banana Republic store earning minimum wage. At night, she sent out résumés. She gave up in February, when, she says, “I literally could not stretch out any money that I already didn’t have.”

Forced to return home to Virginia and take up residence in her old bedroom at her parents’ residence, Shaver began experiencing severe temporomandibular joint disorder. During an appointment with her dentist, she unburdened her career woes. Afterward, he took her down the hall to the law firm that handles his business. Long story short, the firm hired her to be a law clerk and is paying for her to take the Virginia bar exam.

“The bright side,” she says, “is that I have a job related to the field I want to be in. The downside is that this is still nowhere near where I thought I would be.”

Living near her high school classmates, Shaver says she is constantly surrounded by people her own age who never went to college but have their own home and new cars and a salary that is double hers.

Setting Up Shop

The New York City Bar’s Small Law Firm Committee issued a best practices guide in May 2011, prompted by how the economy “has caused a considerable increase in the number of attorneys, new and experienced alike, [who are starting] their own law firm,” according to the guide.

Consider Susan Alig, 26, who graduated from the University of Kansas School of Law in Lawrence this year. Alig says she always planned to start her own firm, but only after gaining ample experience elsewhere. Her job applications, however, went nowhere. And some interviews turned her off. "I interviewed for jobs that when I thought of my life working there, I was depressed," says Alig, who decided to strike out on her own.

She approached a defense lawyer she'd met while interning with the district attorney's office, who specializes in family and criminal law and agreed to rent her office space in his suite. "It's a fairly common way to start off," she notes. Not only does he provide free advice, but he sometimes turns over work to her.

Alig's arrangement resembles that of Athanasia Lewis, a 2010 graduate from the Appalachian School of Law in Grundy, Virginia, and a mother of four, who set up a solo practice in a corner of her friend's law office in Pikeville, Kentucky.

"There are not a lot of women lawyers in Pikeville. It's pretty male dominated," says Lewis, who prefers criminal law but is willing to do whatever it takes. Initial cases have involved contract and land disputes, misdemeanors, and custody battles. "A lot of people don't want to deal with the arguing," Lewis says. "I'm immune to it so far."

She has taught herself to do title searches. "Once you do it, it gets easier," Lewis notes.

She put forth her name to be a court-appointed lawyer in the capacity of a guardian ad litem or warning order attorney. And she plans to open an office with another female lawyer who specializes in contract work. "If we're going to struggle, we might as well struggle in our own office," Lewis says.

Like those colleagues, Northville, Michigan-based lawyer Kiana Franulic also took matters into her own hands. After she passed the bar exam, the 2009 Wayne State University Law School graduate told herself, "I can't wait around for someone else to give me my opportunity." So she fired off introduc-

tory letters to every district court judge in her area.


That's how she got her first assignment—a misdemeanor involving the malicious destruction of property. While in court litigating that case, she was appointed to two others. Then to a dozen more. "It's been getting better and better," Franulic says.

She says the job of defending alleged criminals may not be pretty at times. "But everyone deserves zealous representation," says Franulic, who comes from a single-parent household in Detroit and is the only one in her family to earn a bachelor's degree.

She's aggressive in court and out, never overlooking an opportunity to engage someone or pass out her card. Her passionate defenses have attracted new clients. "They will think you'll work hard for them and they'll seek you out," says Franulic, who recently won a reduced sentence for a repeat sexual offender, which attracted local news coverage. "I think good publicity can be helpful."

Franulic became the youngest

elected member to the State Bar of Michigan's Criminal Law Council, where she gets to provide her opinion on court decisions and major legal issues. "It shows you're doing more forward thinking," says Franulic, who also authored a paper on the Juvenile Collateral Consequences Project, which will be published by the American Bar Association this year. "Published work is something prized by law firms," she says.

"You've got to have determination and drive," says Franulic, who's envisioning a position at the Securities and Exchange Commission some day, such as attorney general. "You can't wait for someone to say, 'Here's a job,'" she says. "Things don't work that way anymore. You have to make your own opportunities." 

Ann Farmer is a Brooklyn, New York-based freelance journalist who covers breaking news for the New York Times and contributes stories on culture, law, crime, and other topics to publications including Emmy, DGA Quarterly, Budget Travel, and others.

Lawyers with Depression recommends that lawyers experiencing depression build support by taking the following steps:

1. Visit a psychiatrist for medical advice on whether or not you need medication.
2. Visit a therapist to confront and overcome destructive thoughts and behavior.
3. Share your thoughts and feelings with family.
4. Talk about your depression to select friends.
5. See a nutritionist to become more aware of the connection between moods and what we eat.
6. Get relief via massages.
7. Schedule a trainer or friend to exercise with.
8. Read good books.
9. Listen to good music.
10. Connect to a prayer/meditation group to develop mindfulness.
11. Join or start a support group of lawyers dealing with depression. (Most local bar associations have a Lawyer Assistance Program and/or a Lawyers Helping Lawyers Program.)

For further information, go to www.lawyerswithdepression.com.

Building Client Relationships International Survey Highlights Woman-Style Rainmaking

By Hannah Hayes

Numerous studies have documented the challenges that women lawyers face. Surveys regularly reveal an inherent gender bias in promotion and performance reviews, and statistics show that the slow and steady growth of women in legal executive positions has stagnated. Further, consider the very real compensation gap and reports that women lawyers are underrepresented as rainmakers in large firms, according to a 2010 survey from the National Association of Women Lawyers. All of these factors combine to create a dismal picture.

Yet, despite these bleak reports, women lawyers still manage to build client relationships and become rainmakers even with the traditional old boy network and inherent bias. A new survey spearheaded by an international team of women from the ABA Section of International Law's U.S. Lawyers Practicing Abroad Committee, the Women's Interest Network, and the Diversity Committee suggests that women may have more of a positive attitude and have learned to be more strategic than studies would suggest.

"So many of the discussions around the challenges women lawyers face in achieving success look at deficiencies and obstacles," says Amy Sommers, former cochair of the U.S.

Lawyers Practicing Abroad Committee, who launched the survey. "The obstacles are real, but continued focus on them can be demoralizing."

Sommers, whose legal practice in Shanghai focuses on advising on investment and operations in restricted sectors in China, looked for an approach that acknowledges the existence of these challenges, but she wanted to focus on proactive successful strategies she saw being used around the world.

Bound by Geography, Not Experience

Sommers got the idea for the survey while speaking with Priti Suri, proprietor of New Delhi, India-based PSA Legal Counsellors and an active member of the ABA Section of International Law. Suri enthusiastically described the women lawyers' conference she was organizing in New Delhi, a daylong event providing women lawyers in India with a forum to discuss issues they face in their practices.

"What struck me was that the topics sounded like subjects that had been under discussion for years in the U.S. legal market," Sommers says. Yet this was the first time Indian women lawyers had a forum to share their views and questions about their practices with their peers.

Many lawyers in the Section

of International Law are scattered around the globe, and Sommers wondered how many might be practicing in places like India that have limited opportunities for professional exchange. Further, as a woman practicing in Shanghai, she was curious to hear what both Western and Chinese women had to say about their experiences in China.

Sommers decided to use the geographic diversity of the U.S. Lawyers Practicing Abroad Committee as a starting point for exploring differences and commonality of experiences for women legal professionals. She approached Beth Bunnell, an American legal consultant based in Hong Kong, and, along with Suri, the team of three began gathering information.

With no geographic or practice interest to organize their program around, the three women decided to narrow their focus on building client relationships. "The aim of this project was to aid women legal professionals in developing awareness of approaches counterparts in their community are successfully using," says Bunnell, managing director of Asia Legal Resources in Hong Kong. "Strategies being used in other communities may actually have potential relevance elsewhere."

Called "Focus on Women in Law: Building and Strengthening Client Relationships," the project surveyed 102 women from India, Nigeria, Mexico, China, and the United States.

Information Gathering and Positive Deviance

Participants engaged in moderated discussions concerning the strategies they use to build client relationships. They then completed a survey of key questions drawn up by Sommers and her team.

Unique to the project was the use of “positive deviance” methods to examine challenges and provide practical strategies women legal professionals around the world employ to overcome obstacles they face in building and strengthening client relationships.

“The premise of positive deviance is that with respect to most problems faced by a community or society, there are those within the community who deviate from the prevailing negative norm in a positive way,” Bunnell says. “Rather than trying to impose externally derived solutions, the aim of positive deviance is to identify internally developed solutions and resources to overcome community challenges.”

Information from each session was gathered, analyzed to discover commonalities and differences, and integrated with the survey data. The three women then distributed a list of unified recommendations, which were discussed in two conference calls with participants around the world.

Bunnell and Sommers found that several themes emerged repeatedly across all jurisdictions. Women reported less comfort in directly pursuing their personal contacts, friends, or other circles of affinity for work and were more likely to compartmentalize “work” contacts and “friend” contacts in their personal networks.

Many of the challenges women face are the same across geographies. Not surprisingly, drinking and socializing while engaging in stereotypical male activities posed challenges in many cultures, particularly in India and China. But women reported various tools for surmounting or working around these challenges, such as avoiding late-night activities by having a male colleague attend in their place.

“In India, women had a hard time building up a practice because they don’t go out drinking and engaging in the all-male activities involving their clients,” Suri says. “But women are willing to talk about these issues, address them, and focus on what they need to do to bring about change.”

Suri gave an example from the conference in New Delhi where women discussed how to avoid drink-

ing alcohol when attending high-powered social activities where men drink heavily.

To the contrary, Mexican female lawyers reported they do not feel pressure to socialize in the same way as men, and the fact that they are women gives them a sense of freedom. “None of them feel the need to play golf,

drink, or act in an aggressive manner in any situation,” says Eugenia Gonzalez, a partner at Goodrich, Riquelme y Asociados in Mexico City. “This enables them to focus all promotion efforts on showing their ability and experience as practitioners.”

Not surprisingly, some of the

(Continued on page 14)

Rainmaking

Woman-Style

Recommendations for Building Client Relationships

The following recommendations are adapted from the 2010 Focus on Women in Law: Building and Strengthening Client Relationships survey project:

- Consider ways to use social or new media to strengthen your ties and knowledge. Examples include utilizing LinkedIn or other tools to track contacts or using Google Alerts or other news feeds to follow developments in an industry or a company with which you are involved.
- Get involved in professional, social, or community-focused organizations. Women should be willing to ask for work or promote themselves to contacts and friends in these organizations even when they are social in nature.
- Keep up with important friendships and social ties. Find authentic and pragmatic ways to build on friendships and social ties.
- Focus on client retention and referrals. Take good care of existing clients and provide services with the utmost attention to technical proficiency; this is a key way to get additional work.
- Don’t overlook the possibility of internal referrals. To generate internal referrals, learn to view your colleagues as clients and support their efforts.
- Reach out regularly to clients to maintain ties/awareness. One survey respondent recounted the practice of a leading rainmaker in her firm who sets aside 10 to 20 minutes a day to check in with his contacts. Send articles to contacts or an e-mail congratulating them on a success for their company (see Google Alerts). This keeps contacts aware of you.
- Think unconventionally about developing your career during an economic downturn. Be willing to approach the situation with fresh eyes and think about nonstandard work you can undertake, especially if you are a junior or freshly graduated lawyer.
- Develop strategies to deal with fee pressures and time-constraint demands on projects. One survey respondent reported that her firm adopted a firmwide policy against “rounding” down and writing off time before being requested to do so by clients or without disclosure to clients. Others reported new approaches to implementing global fee arrangements. While strategies vary widely, the consensus indicated the issue of fee arrangements is a top challenge that must be addressed.

Technology Essentials Be Prepared in Case Disaster Strikes

By Hope Viner Samborn

Despite lacking an overall disaster plan, an increasing number of lawyers are using off-site backups to protect their client data and operations files in case of disasters ranging from tornadoes, hurricanes, wildfires, and floods to personal tragedies such as heart attacks and accidents. Ninety-seven percent of the lawyers who responded to the technology survey reported that they back up their office data. Of those who back up data, 37 percent said they use an off-site backup system.

She notes that many lawyers, however, continue to use portable hard drives and tape backups and often store them at home or another nearby location. Thirty-three percent of the ABA technology survey respondents reported that they use external hard drives to back up their files, while 22 percent use tape backups.

“Hurricane Katrina showed us the fallacy of [using hard drives or tapes to back up data] because the disaster can strike at both home and office,” Calloway explains, adding that backups should be located in a geographic area different from the location of a lawyer’s office.

Although Love’s backup—which was located in her community—was spared, she now has two off-site backups of her data in two different locations, and the backups take place continuously.

Advantages of the SaaS Software Model

Calloway says a more elegant solution to off-site backups is cloud-based practice management software. With such a software delivery model, known as Software as a Service (SaaS), the provider maintains the software and data, and lawyers can access their data from any Internet connection.

Cloud-based case management systems are SaaS programs targeted at cases and matter management, including task scheduling, document sharing, client contacts, and docket information. According to Calloway, these systems are an especially good option for lawyers and are available at different price points.

Practice management systems are SaaS programs that handle other office

After an F4 or F5 tornado flattened Julie L. Love’s Tuscaloosa, Alabama, law office in April and left it unrecognizable, the solo practitioner found that having an off-site computer backup of her client documents, billing records, financial information, e-mails, and contacts allowed her to resume her practice fairly quickly.

Computer backups of client documents, billing records, and forms—whether online or on a portable hard drive—are an essential part of a lawyer’s practice.

Yet less than two-thirds of the 881 lawyers who responded to the 2011 American Bar Association’s Legal Technology Survey Report indicated that they have a disaster recovery plan for their office. This is even more surprising considering that at least 16 percent of the respondents had experienced a natural or man-made disaster such as a fire or a flood, and almost half had suffered a hard-drive failure.

Off-Site Backup System Benefits

More lawyers, however, need to use an online, off-site backup system rather than hard drives and tape backups, says Laura A. Calloway, director of service programs for the Alabama State Bar. She says all documents and notes related to a client, internal operational files such as calendaring, contact information, conflicts data, forms, and financial information—especially billing and accounting files—should be copied to an off-site location. “Many firms have substantial amounts of accounts receivable,” she notes. “If they can’t access it, it’s like cutting off their power.”

Online backups work best because the files are immediately copied off-site to secured servers, Calloway says, adding that online services back up data at multiple geographic locations so if a disaster happens or covers a wide area, the data can still be recovered.

tasks such as billing, accounting, time tracking, and conflict checking. Large firms tend to have both practice management and case management systems rolled up together in the form of a cloud-based practice management system. Solos and smaller firms may choose to use only a cloud-based case management system, while maintaining a separate accounting system. Many case management systems are designed to be compatible with other software such as accounting and billing software.

Cloud-based systems are particularly attractive for solos and small firms because they don't require upfront investment. "It is like cable TV—you just pay by the month," Calloway explains. "It's like having software on your computer, but you never have to configure it and you never have to upgrade it."

Technology survey respondents report being interested in cloud services such as calendaring, document management, time and billing entries, centralized case or matter management, contact management, conflict checking, document assembly, accounting, court docketing, and financial reporting.

However, only 16 percent of the responding lawyers report having used a SaaS provider. An additional 9 percent said they don't know whether their firms use such systems. Fewer respondents from firms of more than 100 lawyers reported using such systems compared with solos and firms of two to nine lawyers, possibly because large firms may have their own online software systems, Calloway notes. What's more, young lawyers—those under 40—are more likely to have used such systems than those over 60 years old, according to the ABA survey results.

Lawyers cite two key reasons for their reluctance to use a cloud-based system: concern about whether their clients' confidential data will be protected and the lawyers' lack of control of the data. Other survey respondents are worried about the lack of profes-

sional responsibility or ethics guidance involving cloud computing, the vendor's longevity, the inability to integrate cloud services with other software in their office, and the cost of SaaS services.

Due Diligence for Cloud Computing

Before using cloud-based services, check your state's ethics rules, Calloway advises, because several states are revising ethics rules to address cloud computing. She also recommends that lawyers ask the SaaS provider the following questions:

- Is the data encrypted? If so, who can unlock the data?
- Who has access to the data?
- How are employees screened?
- What physical steps are taken to protect the data?
- Where will the data be stored?
- How will the cloud service provider respond to a subpoena for the data?

To protect law office data, backups should be performed regularly. Sixty percent of the technology survey respondents reported that they back up data at least once a day. However, 14 percent of the respondents back up data more than once a day, while 12 percent back up files weekly. Four percent back up data monthly, and 1 percent does so quarterly.

Without proper backups, lawyers may lose their practices, Calloway says, adding that few businesses continue to survive five years after suffering a disaster.

Digitizing and Smart Phones

Digitizing information, often by scanning, is another essential part of a disaster recovery plan, Love says. In her office, every document, pleading, letter, or item not received in digital format is immediately scanned using personal scanners. Love, who handles insurance litigation, takes pictures of her equipment and inventories each item and its serial number, and she

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Resources for Disaster Preparedness

The ABA Legal Technology Resource Center provides links to information and articles for lawyers interested in learning how to prepare and respond to disasters. Go to:

<http://ambar.org/lawfirmdisasterprep>.

The ABA Committee on Disaster Response and Preparedness recently released *According to Surviving a Disaster: A Lawyer's Guide to Disaster Planning*. The report is available at www.americanbar.org/disaster. The website also includes links to other articles about disaster preparedness.

The guide's recommendations for use of technology to survive a disaster include:

- Develop and implement a policy for the routine backup and retention of electronic and hard-copy records. Create and utilize specific procedures for nightly backups and daily synchronization of firm data.
- Scan and store paper records electronically.
- Implement a strategy for the recovery of critical records in a timely manner.
- Consider cloud storage as a strategy to support both backup and remote recovery.
- Test backup systems regularly.

Changing Course Midstream

By G.M. Filisko

Is it time for a change?

“Sometimes we find ourselves in a job where it’s worked for a long time, but you need a change,” says Elizabeth Murrill, a former law professor who became a Supreme Court fellow and is now deputy executive counsel to Louisiana Governor Bobby Jindal. “You shouldn’t be afraid of that change. There are a lot of things we can do with a law degree, and practicing at a firm isn’t even the beginning.”

Murrill says the keys to landing a new, challenging job are identifying your passion, creating a plan to find a job that allows you to pursue your passion, and being open to every opportunity—even if it’s off the beaten legal path or the move seems risky.

“There’s risk in making any kind of change,” says Maryann Williams, a family law attorney for 20 years who’s now director of section services for the Indiana State Bar Association in Indianapolis. “You go to school to practice law, but you ask yourself, ‘If I don’t practice law, am I doing something less than the law?’ When I was meeting people through my new job for the first time, I always said, ‘I practiced law for 20 years,’ as though that

gave me more credibility. I found I was apologizing a lot. Now I don’t, and I couldn’t be happier.”

Be Your Best Advocate

Sarah Feingold’s plan was quick and targeted. Feingold was challenged by the work she was doing as an associate

at a mid-sized Rochester, New York, law firm. But she wasn’t passionate about it. All the while, she was selling jewelry she designed on Etsy Inc., a Brooklyn, New York-based website that provides a forum for artists to sell their creations.

“I was getting good experience at the firm, but I wasn’t helping artists the way I was hoping to as an attorney,” Feingold says. “I realized I could wait around for someone to give me work to further this passion, or I could do it on my own. I thought what Etsy was doing—giving small artists a place to make money—was really cool. So I started researching the company. I wrote to the support team and pitched myself as a speaker on artists’ intellectual property rights. When the CEO got back to me, I did a pitch for him to hire me, and it worked.”

Etsy’s first and only in-house lawyer says she learned plenty from that experience. “Lawyers are risk averse, and we all think there’s this path of getting a new job that involves going to a headhunter or tracking job postings,” Feingold says. “But when you think outside the box, you never know what’ll happen.”

Serena Minott, a formerly disillusioned big-firm associate, also suggests forging your own path. “I was really tempted to walk away from the law entirely, but I gave it another go because I believed I could build a different kind

of practice actually enjoying what I do,” explains the cofounder of Minott Gore, P.A., a Miami-based trademark and corporate firm launched in July 2007. “When you’re an associate, the pace is fast. You turn in your work and move on to something else. Today, we represent small-business owners in a very relationship-based practice. Every day I’m excited to go to work because I love talking to and working with clients.”

Feingold also cautions against talking yourself out of any opportunity. “I’ve learned not to be afraid of the word no,” she says. “I already didn’t have the Etsy job, and the worst that could have happened was that I continued to not have the job. Don’t be your own worst enemy and make something not happen because you’re scared. Have faith and confidence.”

Erin Nealy Cox agrees self-confidence is critical, and this includes trusting your gut. “Undermining your own self-confidence affects how others view you and how you view yourself,” says the former assistant U.S. attorney for the U.S. Attorney’s Office in the Northern District of Texas who is now executive managing director and deputy general counsel at Dallas-based Stroz Friedberg LLC, an international data security firm. “Trust your instincts. You can make charts and do a pro-and-con list, but you have to go with your gut. If there’s a little voice holding you back, listen to it because if you have too much fear about a change and make it anyway, you may instantly regret it. But if there’s a voice telling you to go for it, listen to that, too.”

Be Patient for Your Dream Job

Carmen Gonzalez’s plan was more long-term than Feingold’s. But as she moved from a law firm to an in-house position and then to a government post, each step pushed her closer to her ultimate goal of landing in academia. “You have to prepare yourself for your ultimate job even if it’s not part of the job you’re

currently doing,” explains the environmental law professor at Seattle University School of Law. “I knew it would be extremely useful as a teacher to have worked in a law firm and in government. So I was laying the groundwork for the broad experience that has been very useful in my current job.”

What made Gonzalez hesitant to shoot for academia earlier? “I’d been thinking about going into academia for a long time, but I didn’t want to make that move yet,” Gonzalez says. “It was the move that seemed fraught with the greatest peril. You either get tenure or you don’t, and if you don’t, it’s over. I had terrible nightmares, of women especially, being denied tenure because two were while I was a student at Harvard.”

Initially, Gonzalez also wasn’t sure how she’d perform as a professor. But while working at the U.S. Environmental Protection Agency, an opportunity to test her teaching skills fell into her lap—and she embraced the challenge. “I was asked to put on a seminar for Mexican environmental officials on environmental enforcement,” she explains. “It came at the eleventh hour because someone dropped out, and it was very challenging because I had to learn the material in a week and present it in Spanish! I knew by saying yes that I’d get in the door to doing international environmental work. But what I really learned was that I truly enjoyed teaching.”

Gonzalez also had trepidation about the scholarship requirements of academia. However, in her government job, she had time to begin thinking about the policy implications of applying and interpreting environmental laws. This made her realize she’d relish having the time to do scholarship and write. With that realization, Gonzalez knew there was no skill-based reason for her to put off the move to academia, and she began seriously pursuing an academic post.

Setbacks? Keep Moving Forward

Even if your next career move is sudden and unplanned, you can land on your feet. Penny White is living proof.

By 1996, the voters of Tennessee had twice elected White to the Tennessee Supreme Court, and her colleagues had selected her to serve as chief justice. In June of that year, what White and her colleagues on the court thought was an innocuous opinion—the judges ruled that the state hadn’t met the requirements necessary for a defendant to be put to

One key to a new, challenging job is to be open to every opportunity that allows you to pursue your passion.

death—caused an uproar over the death penalty and led to her ouster in a retention election six weeks later. “I would have been the first female chief justice in the state,” she says. “It ended up taking 12 more years for that to happen.” (Janice Holder was the state’s first female chief justice from 2008 to 2010.)

The loss shook White to the core, and she says her reaction is an example of what not to do if you’re faced with an unexpected job setback. “The blow was so devastating that it really unsettled my passion for the system,” White explains.

“I plunged myself into the remaining tasks of my job—ridiculously so—continuing to work on projects until the next justice was appointed, even without pay. I just stayed busy. Maybe part of it was denial. Maybe some was my thought on my importance in the role.”

Luckily, White got a call from the dean at Washington and Lee University School of Law in Lexington, Virginia, offering her a one-year teaching position. That led to two more one-year teaching posts. But if it weren’t for another colleague’s encouragement, White wouldn’t be in her current job as a law professor and director of the Center for Advocacy and Dispute Resolution at the University of Tennessee College of Law at Knoxville.

“I applied for the job twice and was rejected both times,” White recalls. “The third time, the dean called and said, ‘We’d like you to apply.’ I said, ‘This is getting a little old!’ She couldn’t say I was going to get the job, but she was so encouraging. And isn’t it interesting it was a ‘she’ who reached out to me? It’s about knowing your sisters. She knew I wouldn’t likely put myself back out there again after having been turned down twice. The intuition she had to reach out to me certainly made a difference.”

The lesson from White’s journey? Follow the three Ps: patience, perseverance, and setting aside your pride. Even the best get the wind knocked out of them during their legal career. “It doesn’t mean you won’t get there,” White says. “I have a magnet on my refrigerator that sums it up: You’re bigger than anything that can ever happen to you. You have to remember that what’s inside of you is still there. Don’t give up if you don’t get what you want the first time.”

G.M. Filisko is a lawyer and an award-winning, Chicago-based freelance journalist who covers legal, real estate, business, and personal finance topics for such publications as the ABA Journal, Consumers Digest, REALTOR Magazine, AARP.com, and Bankrate.com.

WOMAN-STYLE RAINMAKING

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challenges women lawyers identified are not gender related. The top barriers to client relationships appear to be fee pressures, time constraints, and access to clients.

The Positive Surprises

On a positive note, women expressed an overall sense of comfort or positive views of their femininity as it relates to their profession.

“I was surprised to learn that most of the respondents in the survey answered that gender had a positive impact in their ability to cultivate client relationships,” Gonzalez says. “This has certainly been my own experience, and yet I had always assumed that being a woman was a disadvantage in the legal profession. For the first time, I have been forced to consider that this assumption may be incorrect.”

Gonzalez relayed her experience with a male mentor who actively hired, trained, and promoted many women throughout his career. “He did not do it as an ideological or political statement; he simply found that it was in the best interest of the firm. But when I heard answers from Mexican attorneys during the

meeting we had here in Mexico City, I understood that most of them shared this belief.”

For example, specialists in family law said their clients are often more comfortable speaking with women lawyers.

Another somewhat surprising result related to rainmaking: A 55 percent majority of respondents indicated that their employers actively encourage participation in networking and client-development activities. “This may be counter to what some would expect,” Bunnell observes.

The data also showed that 59 percent of the women surveyed said gender has a positive impact on cultivating relationships, while only 20 percent said it has a negative impact.

“Societies where we often think there might be a greater prevalence for more traditional gender roles for women, such as Mexico and Nigeria, reported very positive views of the effect of their femininity when compared to the views expressed by Americans,” Bunnell says.

In Mexico, 79 percent of respondents reported their gender has a positive impact

on their client relationships; what’s more, 43 percent within that percentage said the impact is significantly positive. In Nigeria, 67 percent think their gender impacts client relationships in a positive fashion. But in the United States, only 55 percent of respondents practicing in the United States and 31 percent practicing in China and Shanghai (where, according to Sommers, most worked for Western firms and Western clients) feel the impact is positive.

Wrapping up their findings, the group developed eight practical recommendations on how women can strengthen their client relationships. (See sidebar on page 9.) Sommers emphasizes that the positive nature of the approach is what makes the information compelling.

Further, project participants continue to benefit from the information sharing. “It’s a continuing example of how women can use their social capital to promote professional success and personal satisfaction,” Sommers concludes. 🔗

Hannah Hayes is a Chicago-area freelance writer.

BE PREPARED IN CASE DISASTER STRIKES

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keeps that information off-site. She says this routine allowed her to settle an insurance claim quickly when disaster struck. Seventy-three percent of the ABA technology survey respondents say they scan documents.

Smart phones also can be invaluable during a disaster because lawyers will have stored their clients’ e-mail addresses and phone numbers and can contact them to tell them what happened, Calloway explains.

Soon after the tornado hit Tuscaloosa this past spring, Love’s clients contacted her to ask how she was and what happened to their files. The tornado destroyed her landline phones, so she turned to a smart phone to maintain client communication.

Today, lawyers, especially those under 40 years old working at large firms, use smart phones, particularly BlackBerry devices and iPhones, as part of their practices, according to the ABA technology survey data. Eighty-six per-

cent of respondents said they use a smart phone.

To make the most of a smart phone in a disaster, always keep it fully charged and synchronized with your computer database of contacts, Calloway says. Consider purchasing a device that allows you to charge phones without electricity, such as those available on zagg.com.

Calloway also recommends using strong passwords to protect your phones. And be sure to download applications that allow you to remotely delete data on your smart phone in case the phone is lost or stolen. Applications also can be downloaded to recover lost or stolen phones.

The Laptop as Lifesaver

A laptop is an additional tool that can become a virtual lifesaver when disaster strikes. Love was lucky she had her laptop with her rather than at the office when the

tornado hit. “It was the only functioning computer that we had,” she says.

Ninety-two percent of the ABA technology survey respondents reported that they use a laptop while away from work, and 38 percent indicated that laptops have replaced their desktop computers as their primary computers.

Calloway cautions that there are risks in using a laptop: It could be stolen or client data could be lost because of a virus or a crashed hard drive. She says lawyers should always protect their laptop passwords and encrypt the disk if possible.

And don’t forget to keep any original software installed on your office computer in a safe, weatherproof container. Love reports that her software survived the tornado because it was housed in a plastic tub. 🔗

Hope Viner Samborn is a lawyer and Chicago-area freelance writer.

Call for Margaret Brent Nominations

It's time to nominate your favorite woman lawyer for the **22nd Annual Margaret Brent Women Lawyers of Achievement Awards**. These awards will be presented at a luncheon during the 2012 ABA Annual Meeting in Chicago. The ABA Commission on Women in the Profession established the Brent award in 1991 to recognize and celebrate the accomplishments of women lawyers. Honorees are outstanding women lawyers who have achieved professional excellence within their area of specialty and have actively paved the way to success for other women lawyers. The award will be presented to five women lawyers who excel in a variety of professional settings and who personify excellence on either the national, regional, or local level.

Nomination forms must be received on or before November 22, 2011. For information on the nomination process and criteria, visit www.ambar.org/brentawards.



The Road to Independence: Women's Journeys to Starting Their Own Law Firms

On October 24, the Commission on Women in the Profession presented a 90-minute live webinar and teleconference, "**The Road to Independence: Women's Journeys to Starting Their Own Law Firms**," inspired by the recent publication of the Commission's book of the same name. The book is a compendium of 101 letters recounting the experiences and insights of women lawyers who have taken the courageous and difficult step of creating a law firm of their own, either as a solo or with others.

Six panelists—each of whom contributed to the book—discussed why an increasing number of women are opting to create their own law firms. The women lawyers shared practical advice and lessons learned, addressing issues that included their greatest surprises in starting their firms, biggest roadblocks, how to market oneself, risks involved in going solo, mentor support, skill development, and words of wisdom. The program is a catalyst and inspiration for any woman lawyer contemplating the possibility of blazing her own trail to success and fulfillment.

A CD-ROM recording of the program is available for purchase through the ABA Webstore at www.abacatalog.org (product code CET11RWJCDR).

The Road to Independence: 101 Women's Journeys to Starting Their Own Law Firms

The Road to Independence is a collection of 101 letters written by women who have founded law practices, whether as a solo, with other women, or with men. Focusing on the experiences, challenges, and opportunities of women-owned law firms, these women offer insights on becoming businesswomen, choosing a practice area true to their passion and professional character, and controlling their destinies. Theirs are stories of ambition in action.

Throughout this inspirational book, readers will find—in the words of the founders themselves—business-savvy tidbits and practical tips for starting and growing a successful law practice. Grouped chronologically according to when each lawyer started her woman-owned practice, this collection implicitly portrays the profession's growth,

the society's evolution, the economy's fortunes, and the periodic changes in business models of private practice. Explicitly, the letters unite to reflect not only the drive to practice law but also the impact of cultural changes on women in private practice.

Summary of Contents

Chapter 1—Through 1979: The Pioneers and the First Advocates of Woman-Owned Firms

Chapter 2—1980–1989: The Early Movers—Experimenting with Individual Reasons to Strike Out

Chapter 3—1990–1994: Controlling Types of Clients and Practice Philosophy

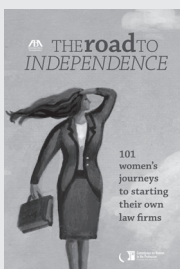
Chapter 4—1995–1999: Creating Work/Life Balance

Chapter 5—2000–2004: Responding to Tighter Constraints in the Large Law Firm Model

Chapter 6—2005–2008: Accelerating into the Recession

Chapter 7—2009–2010 Plus One: Diversifying the Practice Areas, Broadening the Seniority of Founders

Order at www.shopaba.org or 800-285-2221. Product code: 4920046. Paperbound 6 x 9; 425 pp. Price: \$39.95 regular/ABA members; \$35.95 General Practice, Solo and Small Firm Division members.



Save the Date! 2012 ABA Bar Leadership Institute

Join the ABA Standing Committee on Bar Activities and Services and the Division for Bar Services on March 14–16, 2012, at the Chicago Downtown Marriott for the **2012 ABA Bar Leadership Institute**. This must-attend conference prepares presidents-elect and other officers on the presidential track to lead their bar associations in service to members, the legal profession, and the public. For more information, visit www.ambar.org/bli2012.



SHORT Takes

Wal-Mart Employees File New Gender Discrimination Class Action

Current and former employees of Wal-Mart Stores in California filed a gender discrimination class action lawsuit against the corporation on October 27, as reported by the Associated Press and Feminist Daily Newswire. This suit comes in the aftermath of the U.S. Supreme Court's ruling in June, which rejected the initial lawsuit against Wal-Mart filed in 2001 by Betty Dukes, a former Wal-Mart employee, and six other women. In denying class certification and thereby reversing the decision of the U.S. Court of Appeals for the Ninth Circuit, the Court held in a 5-4 decision that the original employment discrimination suit was too varied in its allegations and established no concrete pattern of gender bias.

More detailed and tailored legal claims drafted by the plaintiffs' lawyers may include as many as 95,000 women who have been employed in California's 220 Wal-Mart stores between 1998 and the date the new case goes to trial. The original suit alleged that Wal-Mart systematically paid and promoted women employees less than male employees, and sought what could have been billions of dollars in punitive damages and back pay for all female employees of the nation's largest retailer since 1998.

Gertner Memoir Traces Path from Civil Rights Advocate to Judiciary

From her role as a civil rights lawyer leading litigation on key issues of the 1970s and 1980s to her "neutral" position on the bench, recently retired U.S. District Judge Nancy Gertner (see the "Voices" column in the Spring 2009 issue of *Perspectives*, Vol. 17, No. 4) tackled a myriad of controversial issues and situations. As author of *In Defense of Women: Memoirs of an Unrepentant Advocate* (Beacon Press 2011), she describes her work and the gender biases she faced in the courtroom in intriguing and colorful detail, according to Lauren Stiller Rikleen, who recently reviewed Gertner's book for the *National Law Journal*.

Gertner's response to dismissive treatment by male fellow litigators and the media is instructive for anyone dealing with bias, Rikleen observes, calling the memoir an "intriguing page-turner." The book details the laws and back stories of many cases and the politics behind Gertner's judicial confirmation by the Senate, as well as work/family issues in her personal life.

Rikleen, president of the Rikleen Institute for Strategic Leadership and executive-in-residence at the Boston College Center for Work & Family, is a former member of the *Perspectives* editorial board. 