

# AdvanceSheet™

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## Chief Justice Martha Walters Honored By Lane County Women Lawyers

By Judge Debra Velure



*At the December 13 event (left to right): Attorney General Ellen Rosenblum, Kasia Mlynski (LCWL chair), Judge Debra Velure (LCWL committee member), Chief Justice Martha Walters, Mary Savage (LCWL treasurer), and LCWL committee members Shannon Richard and Ariana Denley*

At a luncheon on December 13, Lane County Women Lawyers (LCWL) presented the Chief Justice Martha Walters Award to its first recipient, the Honorable Martha Walters. The award was created to recognize Lane County attorneys who have demonstrated leadership in the pursuit of equal justice for all. Each recipient of the award will be a person who has transformed the law through advocacy to create or encourage equal opportunities for individuals facing obstacles to achievement and whose innovative approach to workplace culture or mentoring has promoted advancement in the legal profession for all. The award will be presented annually.

In establishing this award, LCWL took its lead from OWLS' annual dinner honoring recipients of the Roberts & Deiz Award, and the Queen's Bench Holiday Luncheon honoring women judges. In addition, feedback from LCWL members with families was that evening events can be difficult to attend. With these formats in mind, LCWL wanted to create something uniquely Eugene that would attract attendance from around the state. LCWL had been discussing such a concept over the years, but the spark that finally launched this event was the election of Justice Walters to serve as the first woman chief justice of the

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## OWLS Fall Conference Addresses Pay Equity

By Erin Dawson

**A**s we approached the second anniversary of the viral explosion of the #MeToo movement—a movement that has propelled many conversations regarding equitable treatment—OWLS members met with national and local experts to discuss current barriers to pay equity.

OWLS President Allison Boomer opened the 2019 OWLS Fall Conference, held on October 18 in Portland, by highlighting our goal for the afternoon: We've wrestled with pay equity for decades. In the year that OWLS celebrates its 30th anniversary, it seems a worthy use of our

time and energy to consider, why, after so long, does the problem persist?

So often, employees are told that the pay gap exists because they did not adequately negotiate a comparable salary or benefits. Maybe they didn't ask for a raise or volunteer for important assignments that could position them for promotion. Or perhaps they took time to care for a loved one, and that additional obligation derailed their workplace trajectory.

As our conference speakers, Maya Raghu, Anne Milligan, and Laura Salerno Owens, explained, those reasons simply highlight the implicit bias

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## President's Message



*Hon. Allison Boomer*

As I write this, we are celebrating winter holidays, fast approaching the end of the year. During this time, we reflect on the past year, express gratitude, and set goals for the next year. Thanks to our hard-working staff and many dedicated volunteers, OWLS has accomplished much in 2019. I am grateful to the many volunteers who give generously of themselves to make OWLS a vibrant and relevant organization. As I review OWLS' numerous achievements, I am filled with pride and awe. It's impossible to include everything, but I will share broad themes and highlights.

*Celebrating and promoting our members.* OWLS recognized Elisa Dozono and Judge Katherine Tennyson with the Roberts & Deiz Award for their significant contributions to promoting women and others outside the dominant culture. The Awards Committee worked year round to nominate members for awards. At the OSB's Annual Awards Luncheon, we celebrated our colleagues including Phylis Myles, a founding member of OWLS and recipient of the OSB's Award of Merit. The *AdvanceSheet* Committee apprised members of news from around the state and shared thoughtful perspectives on the issues of the day. OWLS partnered with the Multnomah Bar Association to compile a diverse speaker database. Contact Kathy Modie at the MBA to recruit a speaker.

*Improving the legal profession.* OWLS worked with a broad coalition to present "Time's Up Oregon: Reckoning with Sexual Harassment in Oregon's Legal Community." The coalition has continued its work as the Oregon Legal Workplace Task Force. Save the date of October 23, 2020, for a CLE by the task force that will focus on improving our legal workplace culture for women and people outside the dominant culture. The Working Parents Committee unveiled its Model

Parental Leave Policy, available on the OWLS website. Read more about the policy in the [Fall 2019 OWLS AdvanceSheet](#).

*Creating a more diverse judiciary.* The OWLS Judicial Work Group updated its "Road to the Bench" written materials and prepared OWLS members pursuing the bench with advice, application reviews, and mock interviews. Several OWLS members were sworn in as judges: Rebecca Guptill, Amy Baggio, Steffan Alexander, Kamala Shugar, Alicia Sykora, and OWLS Past President Angela Franco Lucero. Judge Danielle Hunsaker was appointed to the Ninth Circuit Court of Appeals, and Judge Karin Immergut was appointed to the U.S. District Court, District of Oregon.

*Developing professional skills.* The OWLS Leadership Committee offered numerous workshops, seminars, and mentoring circles on topics including introversion, imposter syndrome, pay negotiation, performance reviews, and litigation strategies. OWLS chapters and the OWLS Membership and PR Committee offered numerous CLEs around the state, both live and virtually via teleconference or Zoom.

*Building community within the legal profession.* OWLS partnered with its sister organization, the OWLS Foundation, to celebrate OWLS' 30th anniversary and launch the Foundation's new Legacy Society. OWLS chapters hosted lunches and socials around the state, helping members connect and develop relationships. The OWLS board celebrated the achievements of our fellow affinity bar groups, attending their gala dinners and receptions. Perhaps most fun of all, a group of OWLS members traveled to Cuba to participate in a cultural exchange.

*Serving the broader community.* The OWLS Community Service Committee organized the annual Dress for Success fashion show, raising the most money in its history. The committee also organized a Habitat for Humanity build in Beaverton and addressed issues relating to reentry through the Fresh Start subcommittee. The Mary Leonard Chapter raised \$13,800 for Mid-Valley CourtCare. The OWLS Unites Families Project maintained a [blog](#) to raise awareness about family

*Continued on page 3*

*Our mission is to transform the practice of law and ensure justice and equality by advancing women and minorities in the legal profession.*

# Upcoming OWLS Events

## Family Detention/Child Separation Call-In CLE: 4 Days in Flint

Featuring Professor Warren Binford, Director, Clinical Law Program, Willamette University  
**Wednesday, February 19**, noon–1 p.m.  
Free to OWLS members, \$10 for non-members. Click [here](#) to register.

## Roberts & Deiz Award Dinner

Portland  
**Friday, March 13**, 5:30–9 p.m.  
Portland Art Museum  
Click [here](#) to register and buy a table.  
[Email Linda](#) to sponsor the dinner.  
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## Pay Up: Negotiating Your Worth at Work

Portland  
**Thursday, April 2**, noon–1:30 p.m.  
Markowitz Herbold  
1455 SW Broadway, Suite 1900  
\$39 for OWLS members, \$45 for non-members. Lunch included.  
Click [here](#) to register.

## Take Your Kids to Work Day

Portland  
**Thursday, April 23**, noon–1 p.m.  
Multnomah County Circuit Court  
1021 SW Fourth Ave.  
No cost. No RSVP required.  
Click [here](#) for more information.

## Oregon Legal Workplace Task Force CLE

(Formerly Time's Up Oregon)  
Portland  
**Friday, October 23**, 11 a.m.–5 p.m.  
Lunch included.

## GrOWLS Chapter

Columbia Gorge  
**First Wednesdays**, noon–1 p.m.  
Riverside Best Western in Hood River  
or Montira Thai in The Dalles  
Contact [Carrie Benson](#) for details.

## Joan Seitz Law Society

Roseburg  
**First Tuesdays**, noon  
Daily Grind Café, 368 SE Jackson St.

## Josephine County Women Lawyers

Grants Pass  
**First Wednesdays**, noon  
La Burrita, 1501 NE F St.

## Lane County Women Lawyers Chapter Meetings

Eugene  
**First Tuesdays** in even months  
noon–1 p.m.  
Cafe Yumm on Broadway  
Contact: [Kasia Mlynski](#)

## Lawyers' Association of Washington County

Hillsboro  
**Third Wednesdays**, 8:30–9:30 a.m.  
Insomnia Coffee, 317 E Main St.

## Queen's Bench

Portland  
**Second Tuesdays**, 11:45 a.m.–1 p.m.  
Mark O. Hatfield U.S. Courthouse  
1000 SW Third Ave.  
Register on the Queen's Bench [website](#).

For more information about OWLS and OWLS chapters, activities, and events, please visit [www.oregonwomenlawyers.org](http://www.oregonwomenlawyers.org).



## President's Message

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separation and child detention policies.

*Growing as an organization.* The OWLS board has committed to understand structural racism and improve OWLS as an organization through that lens. Each board member will attend undoing racism training through the [People's Institute Northwest](#), and many of us have done so already. As a board, we read and discuss articles on topics including white fragility, tokenism, and implicit bias. In 2020, OWLS leadership will begin a tailored program of anti-racism training as a group.

Thanks again to everyone who contributed to OWLS in 2019. We look forward to a bright and promising 2020, filled with much to celebrate.

*Allison R. Boomer*

Hon. Allison Boomer  
President, Oregon Women Lawyers



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# OWLS Members on May Ballot

By Joslyn Keating

Several OWLS members will be on the May 19, 2020, primary election ballot. **Ellen Rosenblum** is seeking her third four-year term as Oregon's attorney general. In that role, she has been active in various local and national legal organizations, including the Executive Committee of the National Association of Attorneys General, the American Bar Association, and the ABA Section of State & Local Government Law. Under her leadership, Oregon has joined other Democratic states in dozens of lawsuits challenging President Trump's policies, including those directed at canceling the DACA program and placing restrictions on medical clinics providing care under Title X. Before becoming attorney general in 2012, AG Rosenblum was a judge on the Oregon Court of Appeals from 2005 to 2011. She served as Multnomah County District Court and Circuit Court judges in the 16 years preceding her role on the Court of Appeals. From 1980 to 1989, she was an assistant U. S. attorney for the District of Oregon.

**Jamie McLeod-Skinner** is running for Oregon secretary of state. In the last general election, Ms. McLeod-Skinner challenged incumbent Greg Walden for the nomination to the U.S. House of Representatives for Oregon's Second Congressional District. Although ultimately unsuccessful, she lost by the smallest margin of any Democrat to ever challenge Rep. Walden. Before running for office, Ms. McLeod-Skinner was the city manager of Phoenix, Oregon, from 2016 to 2017. She also worked as a law clerk intern for the Klamath County Circuit Court.

**Christina Stephenson** is running for a seat in the Oregon House of Representatives for the 33rd District to replace incumbent Mitch Greenlick, who is expected to retire in 2020. The district includes parts of Multnomah and Washington Counties. Ms. Stephenson is currently a civil and workers' rights attorney at Meyer Stephenson Employment Law. She has gained government experience as a board member for the Multnomah County Commission on Economic Dignity, a legislative work group member, and a Democratic Precinct Committee person.

**Kirsten Naito** is running for Multnomah County district attorney, a position currently held by Rod Underhill, who plans to retire at the conclusion of his current term. Ms. Naito is an assistant attorney

general for the Oregon Department of Justice. Before that she was a deputy district attorney in Deschutes County and a criminal defense attorney. Ms. Naito has volunteered with the Campaign for Equal Justice and served as a board member for the Oregon Asian Pacific American Bar Association.

**Ethan Knight** is also running for Multnomah County district attorney. Mr. Knight is an assistant United States attorney. Before that, he was a deputy district attorney in the Multnomah County District Attorney's Office. He serves as the president-elect of the Oregon Law Foundation, has served on the Governor's Juvenile Crime Prevention Advisory Committee, and has served on the board of Boys & Girls Clubs of Portland.

OWLS members **Jennifer Brown**, **Jennifer Gardiner**, and **Manuel Perez** are each vying for Position 15 on the Marion County Circuit Court, a new position created by House Bill 2377. Each contender is currently serving as a judge pro tem / hearing referee for the Marion County Circuit Court. Ms. Brown is also a volunteer mediator for the court and an attorney with LaMont Law, where she has practiced family and personal injury law since 2017. Ms. Gardiner worked as a Marion County deputy district attorney in the seven years before she became a pro-tem judge in January 2018. She also served one year as a senior assistant attorney general for the Oregon Department of Justice and six years as a Yamhill County deputy district attorney. Before Mr. Perez became a pro-tem judge in 2018, he served five years as the deputy executive director for the Public Defender of Marion County. Prior to that, he was a partner at Rader, Stoddard & Perez in Ontario, Oregon, where he worked for 11 years.

OWLS members in uncontested judicial elections include Oregon Supreme Court Chief Justice Martha Walters; Multnomah County Circuit Court Judge Amy Baggio; Jackson County Circuit Court Judges Lisa Greif, Lorenzo Mejia, and Kelly Ravassipour; Washington County Circuit Court Judges Rebecca Guptill, Ricardo Menchaca, and Beth Roberts; Judge Karen Ostrye of the Seventh Judicial District (Sherman, Wasco, Gilliam, Wheeler, and Hood River Counties); Marion County Circuit Court Judges Cheryl Pellegrini and Susan Tripp; and Deschutes County Circuit Court Judge Alycia Sykora.

OWLS members interested in running for office in the May primary should file election candidate forms with the



Christina Stephenson

secretary of state by March 10. Any members not listed above who are running for public office can contact me at [joslyn.keating@gmail.com](mailto:joslyn.keating@gmail.com) to be added to our list of OWLS members running. Good luck to all current and future OWLS candidates.

*Joslyn Keating is an attorney for Tolleson Conratt Nielsen Maher & Replogle in Tigard. She represents employers and businesses.*

## OWLS Board Seeks Candidates

This spring, the 19-member Oregon Women Lawyers Board of Directors will have openings. If you have played a leadership role with an OWLS chapter or committee and are interested in serving on the OWLS Board of Directors in support of the OWLS mission, please consider serving on the board. Board members provide financial oversight, fundraising, and strategic direction and help to shape the future of OWLS programs and policies. The OWLS board is an active board, and members must actively participate on at least two working committees.

Board elections occur in April, with new members taking office May 1 for a three-year term. Meetings are held eight times a year; approximately six of those are held on Saturday mornings. Board members are limited to two three-year terms.

If you want to help guide OWLS through the coming years—and form valuable connections with other attorneys around the state in the process—please complete [this statement of interest](#) and send your current résumé to OWLS President-elect Maya Crawford Peacock, at [maya@cej-oregon.org](mailto:maya@cej-oregon.org), by end of business February 14.

# Roberts & Deiz Award Will Be Presented to Gina Johnnie and Doug Park at March 13 Dinner

By Gina Ko

On March 13, OWLS will present the 2020 Roberts & Deiz Award to Gina Anne Johnnie, of Sherman Sherman Johnnie & Hoyt in Salem, and Doug Park, deputy general counsel for the University of Oregon, who is located in Eugene. We will honor them at the 28th annual Roberts & Deiz Award Dinner on March 13 at the Portland Art Museum.

The OWLS Roberts & Deiz Award is presented each year to individuals selected based on their outstanding personal and professional contributions to promoting those from outside the dominant culture in our community. The award honors the legacies of Justice Betty Roberts (1923–2011) and Judge Mercedes Deiz (1917–2005), who worked to promote and advocate for women, people of color, LGBTQ individuals, and those with disabilities. Justice Roberts served as a leader and mentor in the Oregon political and legal community, becoming the first female appointee to the Oregon appellate bench. Judge Deiz was a trailblazer, working tirelessly to create opportunities for people in marginalized communities. She was the first Black woman admitted to the Oregon bar and the first woman of color on the Oregon bench.

Gina Johnnie has spent her career helping marginalized communities. Her long list of civic contributions includes positions of leadership with the Salem Outreach Center; Salem Kiwanis Club; YWCA Salem; Marion County Bar Association; Boys & Girls Club of Salem, Marion and Polk Counties; Habitat for Humanity of the Mid-Willamette Valley; and the Oregon State Bar Board of Governors. Gina's commitment and passion for service to each of these organizations has been described as "exceptional."

Moreover, Gina's many generous contributions to organizations and individuals have had a profound impact on her community. She single-handedly processes all mortgages for people who are purchasing their first home through the Mid-Willamette Valley Habitat for Humanity program. Jerry Ambris, executive director of the Mid-Willamette Valley Habitat for Humanity, noted that Gina's work "is directly empowering and making life better for countless individuals in non-dominant cultures throughout Oregon." His organization's ability to depend

on Gina's legal counsel has better equipped it to fulfill its mission of providing everyone with a place to live.

Gina has also served as a mentor and an example for attorneys in Salem. She has welcomed many to legal practice in Marion County. Colleagues say that her efforts have "allowed them to feel free to authentically be themselves." Her legal leadership has led the way to creating policies at her firm to better accommodate new mothers, foster better work-life balance, and support nontraditional schedules with flexible work hours and telecommuting. Additionally, her strong voice in the Marion County Courthouse Connection program,



Gina Johnnie

which facilitates discussion between judges, attorneys, and law clerks in the courthouse, has ensured that the group addresses topics like access to justice and environmental justice.

Lastly, Gina was integral in bringing the CourtCare program to Marion County. CourtCare provides free, quality childcare in a safe, licensed environment for children whose parents or guardians have court or other local government business. The program shields children from witnessing tense and disturbing court proceedings, providing a critical resource to some of the most vulnerable



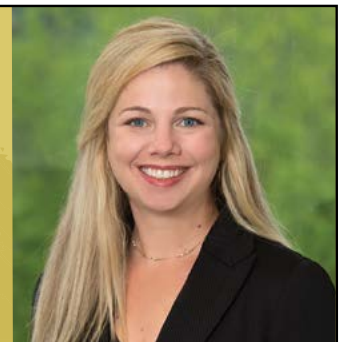
Doug Park

*Continued on page 6*

## Say hello to our newest attorneys.

**Avalyn Taylor** comes to Rizzo Mattingly Bosworth with considerable experience in environmental policy and law. She will represent clients in environmental matters ranging from regulatory compliance to litigation.

**Eva Marcotrigiano** brings nearly a decade of civil litigation experience in Oregon. Her practice will focus on complex construction and environmental litigation.



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## Roberts & Deiz Award Recipients

members of Marion County's marginalized communities.

OWLS is equally delighted to honor Doug Park with the Roberts & Deiz Award. After law school, Doug interned at Eugene Legal Aid and then worked as a public defender in Washington, for the ACLU of Washington, and in the private sector before returning to Oregon to join the Oregon Department of Justice as a senior assistant attorney general in the Trial Division. At the Department of Justice, Doug rose to a position of leadership as one of the few Asian Pacific American litigators to frequently appear in Oregon's trial courts. During his time at the DOJ, he received the Outstanding Achievement Award, the DOJ's highest professional honor. Doug now serves as the first Asian Pacific American deputy general counsel of the University of Oregon.

Part of Doug's success is due to his extraordinary professionalism and ability to connect, even in the midst of contentious litigation. This ability to connect extends to a willingness to mentor students and lawyers on every level throughout the state. As one junior colleague noted, "I can confidently say that I have never

heard someone in the workplace, let alone in a supervisory/senior role, ask, 'How can we best support you?' as much as Doug. Not only has he asked me countless times, but I have heard him ask current law student externs, past law students, and the partners and friends thereof."

Doug's mentorship efforts have included an annual Oregon Asian Pacific American Bar Association picnic at his house, which brings together judges and lawyers from Eugene, Portland, and Salem to meet with students outside the dominant culture. The event allows these students to access and form connections with legal leaders they may otherwise not have the opportunity to meet but for Doug's efforts.

That being said, Doug's most remarkable contribution may be his commitment to using his influence and professional capital to advance those from non-dominant cultures within his own workplace. Doug has actively promoted diversity in hiring at both the Oregon Department of Justice and the University of Oregon's Office of the General Counsel, resulting in palpable changes to the composition of those offices. Fur-

*continued from page 5*

thermore, Doug has required firms hired to represent the university's interests to show a commitment to diversity, opening substantial opportunities for attorneys from outside the dominant culture within the larger legal community. Doug's example and encouragement have also pushed other universities' general counsel offices to apply similar requirements in their hiring decisions, resulting in additional seats at the table for attorneys outside the dominant culture on a national scale.

Congratulations to Gina Johnnie and Doug Park. It is with great honor that OWLS will present them with the 2020 OWLS Roberts & Deiz Award on March 13. OWLS, our community, and our profession are grateful for the work they have done.

*Gina Ko is an attorney at Reinisch Wilson Weier in Portland.*

## Chief Justice Walters

*continued from page 1*

Oregon Supreme Court, as her influence and accomplishments transformed the Lane County legal community into what it is today.

Chief Justice Walters became the first female chief justice when she was elected to the position by her colleagues on the Oregon Supreme Court in June 2018. She was appointed to the Oregon Supreme Court in 2006, becoming the first female justice on the state's highest court in three years. In 2007, Justice Walters was elected president of the Uniform Law Commission, becoming that organization's first female president.

Justice Walters earned her law degree from the University of Oregon School of Law, from which she graduated Order of the Coif in 1977. Prior to joining the Oregon Supreme Court, Justice Walters co-founded the all-women Eugene law firm Walters, Romm & Chanti in 1992. Her practice focused on employment and civil rights and included representing golfer Casey Martin in his lawsuit against the PGA Tour to allow him to use a golf cart during tournaments due to his disability.

The program included remarks from Judge Suzanne Chanti, one of the women who formed Walters, Romm & Chanti with Chief Justice Walters, and then a conversation with Chief Justice Walters, with moderated questions from the audience.

*Judge Debra Velure, a past president of OWLS, serves on the Lane County Circuit Court.*



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## Judge Karin Immergut's Investiture

Senior Judge Anna Brown administers the oath of office to Judge Karin Immergut (right). More than 60 federal and state judges attended Judge Immergut's investiture.



Photos: Houston Bolles for the U.S. District Court

**T**he investiture of U.S. District Court Judge Karin Immergut took place on December 17 at the Mark O. Hatfield U.S. Courthouse in Portland.

Judge Immergut began her service on the federal bench in August, filling the seat formerly held by Senior Judge Anna Brown. OWLS member Steffan Alexander was appointed to fill the seat vacated by Judge Immergut, also an OWLS member, on the Multnomah County Circuit Court.

## Judge Hunsaker Takes a Seat on Ninth Circuit Court of Appeals

**C**ongratulations to OWLS member Judge Danielle Hunsaker, who recently

took a seat on the Ninth Circuit Court of Appeals. Born in Roseburg, Judge Hunsaker earned her JD from the University of Idaho College of Law and had clerked for three federal judges.



Judge Danielle Hunsaker

Judge Hunsaker was a partner at Larkins Vacura Kayser in Portland before being appointed by Governor Kate Brown to the Washington County Circuit Court in 2017. She had served as presiding judge of that court since June 2019. Her nomination to the federal bench was confirmed by the U.S. Senate on November 6.

## Judge Angela Franco Lucero's Investiture



Photo: Chanpone Sinlapasai


Friends and family from around the country attended OWLS Past President Angela Franco Lucero's investiture at Portland City Hall on November 15. Shown here at the event (left to right) are Chanpone Sinlapasai, Judge Lucero, and Elisa Dozono. Judge Lucero was appointed to the Multnomah County Circuit Court in August.

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# Oregon Women Lawyers Annual Report

## October 2018–September 2019

### From the Executive Director

**H**appy New Year. I am so proud of what OWLS volunteers accomplished this 30th anniversary year. Minds and hearts continue to be inspired by the dedication of members all around Oregon who take time to mentor, teach, guide, promote, sponsor, organize, and care.

If you want to join the active volunteer ranks, and have ideas about programming and events you'd like to see in Oregon's legal community, please contact me so we can find the right place to put your talents to good use.

With gratitude,



Linda Tomassi  
Executive Director

### OWLS Chapters

We held our sixth annual chapter summit preceding our Fall CLE in October 2018, featuring leaders from around the state and the OWLS Foundation. OWLS chapters held CLEs and socials and carried out philanthropic activities. Some highlights include the following:

Linn-Benton Women Lawyers held alternating monthly lunch and dinner networking events in Albany and Corvallis. The OWLS Mary Leonard Chapter, in Marion County, presented CLEs in Salem, raised funds for CourtCare, and held a new admittee lunch and a leadership recruitment social. Cascade Women Lawyers continued their bi-monthly networking lunches in Bend and hosted the OWLS board for a reception for a third year. This year it was held at a new women-owned co-working space called the Haven.

The Lawyers' Association of Washington County held monthly networking coffees. GrOWLS met regularly for networking lunches in the gorge and held a Fall CLE lunch and a holiday happy hour. Josephine County Women Lawyers continued to meet monthly for lunch in Grant's Pass.

Clackamas Women Lawyers held their annual wine tasting with the Clackamas County Bar Association. The Queen's Bench chapter, in Multnomah County, held a summer family day in a Portland park and continued its decades-old

monthly luncheons. Lane County Women Lawyers held monthly chapter meetings.

### OWLS and the Community

The OWLS Community Service Committee brought joy to a standing-room-only fundraiser for Dress for Success Oregon at the annual fashion show in Portland, and spent a Saturday again this year helping build a house for Habitat for Humanity. The OWLS for a Fresh Start subcommittee is in its second year, and its members are working with local organizations to assist our formerly incarcerated neighbors to integrate back into the community. Inspired by working on the Fall CLE, OWLS was instrumental in the organization and set-up of the Refugee Civil Assistance Panel at the Oregon State Bar, which is similar to the OSB Military Assistance Panel.

We also screened two movies during the year and sponsored attendees at the annual OAAP-OWLS women's retreat.

### OWLS and the OWLS Foundation

OWLS and our sister organization, the OWLS Foundation, worked together successfully again this year to celebrate the OWLS Roberts & Deiz Award recipients and to raise funds for the Foundation's grants. The organizations also sponsored OLIO, and came together during the summer to celebrate OWLS' 30th anniversary.

### OWLS Partners

OWLS worked with Oregon's affinity bar associations and the Oregon State Bar Diversity & Inclusion Department to present the first half-day CLE addressing sexual harassment in Oregon's legal community. The organizing group continues to work on workplace culture issues, and is now called the Oregon Legal Workplace Task Force.

For a fourth year, OWLS and OGALLA, the LGBT Bar Association of Oregon, and OGALLA's Trans Law Caucus celebrated Pride with a "Brunch and Bedazzle" event co-sponsored by Perkins Coie in Portland prior to the Portland Pride parade. Attendees were then welcome to participate in the parade under the OGALLA banner.

OWLS co-sponsored a Diversity on the Bench CLE with the OSB Diversity Section, followed by a special recognition honoring seven judges representing diversity on the bench.



*The May 8 Time's Up Oregon Keynote Speaker Tina Tchen (middle) with emcees Fay Stetz-Waters (left) and Hon. Angela Franco Lucero*

Again this year, OWLS partnered with the Multnomah Bar Association on a Professionalism CLE. The OWLS board celebrated with all affinity bars that hold awards banquets throughout the year.

Lane County Women Lawyers partnered with the Oregon Hispanic Bar Association and the OSB Diversity Section on a Winter CLE & Social at the University of Oregon School of Law in Eugene entitled "Free Speech – Hate Speech: Is There a First Amendment Problem?"

OWLS joined with the Native American Law Students Association of Lewis & Clark Law School to present a Native American Heritage Month CLE, also sponsored by Perkins Coie.

### Mentoring

Judges at the Multnomah County Courthouse continued to hold meetings of the First Generation Professionals Discussion Group about every other month in Portland, and Lane County Women Lawyers held the first meeting of this kind in Eugene. The chapter also started a litigation mentoring circle.

OWLS co-sponsored and offered scholarships for the 12th Annual Women's Wellness Retreat with the Oregon Attorney Assistance Program.

### Courthouse Connections

OWLS held our annual Federal Courthouse Connection lunch in Portland, with over 100 people in attendance and featuring remarks by Senior Judge Anna Brown. We again celebrated the popular Take Your Kids to Work Day at the Multnomah County Courthouse in Portland.

### Contract Lawyer Service

The OWLS Contract Lawyer Service



provides employers with a medium through which to post contract positions to OWLS members participating in the service. OWLS volunteers also coordinate programs for contract lawyers and sole practitioners that can be accessed in person and by phone.

### Listserve and Social Media

The OWLS listserve connects over 1,200 members around the state for personal and professional referrals, important discussions, and advice, and the OWLS office is able to connect members with referrals around the country through the National Conference of Women's Bar Associations listserve. OWLS' Facebook,



*Law students at the OWLS Fall CLE included Makayla Halkinrude-Allmaras, Sergio Martinez, and Gabby Oyarzun.*

Twitter, and Instagram accounts are also active, promoting OWLS members, events, and other issues of interest to the membership.

### Education

Just before additional travel restrictions were introduced, OWLS members and friends traveled to Cuba for a week of unique CLE experiences and cultural exchanges. New friendships formed, and requests for additional such experiences have been made.

OWLS members were treated once again to the Rothauge Women's Trial Academy in Portland.

Anne Milligan, deputy city attorney for the City of Portland and vice president of Queen's Bench, offered Oregon's first video conference CLE on the Oregon Paid Family Medical Leave Act of 2019. Twice this year, OWLS member Hsin-Cheng Kuo generously provided lunch and offered her popular financial planning workshop for younger lawyers, teaching the basics of financial planning, student loans, and how to get set up financially as an attorney.

The OWLS 2018 Fall CLE, "Journey to America: Access to Justice and the Oregon Refugee Experience," brought community leaders to Mercy Corps to



*Dreams in Bloom Photography*

*Our 2019 Roberts & Deiz Award recipients were Elisa Dozono (left) and Judge Katherine Tennyson.*

educate a sold-out room of people about the challenges to resettlement in Oregon and barriers to access to justice. This interactive CLE was unique in content, substance, and community.

The OWLS Membership Committee offered call-in CLEs. The Leadership Committee held a CLE featuring Lisa Sage entitled "International Rights of Women and Children: Where Do We Stand Now?" The committee also offered popular programming about navigating the legal world as an introvert, for lawyers and also for students at two of Oregon's law schools, and the committee offered a workshop entitled "Selling Your Success During Annual Reviews."

Volunteers started a subcommittee within the Leadership Committee to work on programming for introverts, holding its first CLE in October 2019.

### Awards

The OWLS board honored Judge Katherine Tennyson and Elisa Dozono with the OWLS Roberts & Deiz Award.

### Dragonflies

The OWLS dragon boat team competed in races in Portland; Tacoma, WA; Kent, WA; and San Diego, CA.

### Working Parents

The OWLS Working Parents Committee drafted best practices policies.

### Law Students and New Admittees

Law students pay no cost to be OWLS members. The OWLS Mary Leonard Chapter co-hosts an annual new admittee lunch in Salem, this year featuring a keynote address by Chief Justice Martha Walters. The Queen's Bench chapter dedicates an annual lunch to new admittees in Multnomah County, matching them with established lawyers in attendance.

Queen's Bench held a fun and well-attended law student-attorney mixer at Perkins Coie.

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# OWLS Members Look to the Future

By Kathryn Smith Root

As we celebrated the 30th anniversary of Oregon Women Lawyers, I asked some OWLS members to share information about their experiences, expectations, and hopes for the future of OWLS. These women attorneys represent a variety of ages, career stages, and types of work. The women share a common bond of pride in our organization and a hopeful and positive attitude toward the future.

**Caroline Brinster** (admitted to the Oregon State Bar in 2019) is an associate attorney at Gevurtz Menashe in Portland. Caroline would like OWLS to continue its



Caroline Brinster

long-standing tradition of supporting women in the legal community. She hopes that an OWLS mentorship program will be created/reinstituted to augment the OSB's

mandatory program and any optional programs available through county bar associations. As a new lawyer, Caroline believes that she and others would benefit by having an OWLS mentor facilitate greater involvement within the OWLS community. She also suggests that OWLS create its own young lawyers subgroup, which would focus on producing events and programs directed toward younger and newly admitted attorneys. The programming could include advice on how to navigate the work environment, work with supervisory employees, and thrive within the overall legal community. A young lawyers subgroup would afford opportunities to make connections with those in similar career stages.

**Laurie Craghead** (admitted in 1992) is a private practitioner in Bend. Laurie says that OWLS assisted her with her career development, and she would like others to benefit from that same support. She hopes that OWLS will become more proactive in reaching out to members and chapters located throughout Oregon in demonstrable ways. This should include increased support for producing local

CLEs and programs offered by chapters outside the Portland area, and personal visits by board members and staff. Laurie believes that OWLS should continue to provide personal and career support to members who are ethnic minorities, persons of color, and LGBTQ. Support from OWLS may encourage those members to move to, and establish careers in, locations outside Portland if they know they will have direct support from OWLS. Laurie says that Leg-Up activities should be expanded and offered in chapters across the state, and OWLS leaders should consider moving the Fall Conference to different locations outside Portland.

**Libby Davis** (admitted in 1993) is associate dean of student affairs at Lewis & Clark Law School. She expects OWLS to continue to be a leading organization in the Oregon



Libby Davis

legal community. She hopes that OWLS will continue to bring together all members of the legal community—senior attorneys, new attorneys, law students, and others—for social, educational, and mentoring programs and events. She hopes to see incredibly talented and motivated attorneys continue to become involved with OWLS, particularly in leadership roles, so that the organization will become even more relevant and vibrant.

**Ekua Hackman** (admitted in 2019) has been an active volunteer with OWLS since joining in 2017. She says that OWLS CLE speakers have been a motivating and invaluable resource in her professional development. She has appreciated being able to connect with many peers and legal professionals who have been generous with their mentorship and wisdom. Ekua expects OWLS to support law students by exposing them to diverse lawyers in different legal settings who work in supportive working environments where they can be successful. She also expects the leadership and programming of OWLS "to reflect its stated commitment of addressing the under-representation" of women of color, people with disabilities, and LGBTQ attorneys of color. She

*Continued on page 11*



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# Phylis Myles Receives OSB's Award of Merit

By Teresa Statler

Six OWLS members, including OWLS Past President Phylis Chadwell Myles, received awards at the 2019 Oregon State Bar (OSB) Annual Awards Luncheon, which was held on November 15 at the Sentinel Hotel in Portland. Each year, based on nominations from bar members and the public, the OSB honors a select group of lawyers and judges who have made outstanding contributions to the community and the profession. Former OSB President Chris Costantino presided at the 2019 event and thanked all bar members who volunteer and serve.

The Award of Merit, given to Phylis Myles, is the bar's highest honor. This award recognizes an Oregon lawyer who has made "outstanding contributions to the bar, the bench, and/or the community at large and who exhibits the highest standards of professionalism." Phylis is the assistant dean for placement at Willamette University College of Law, a position she has held since 2004. Chris Costantino noted that Phylis, over the years, has worked hard to diversify Oregon's legal community.

Phylis was the president of OWLS in 1995, and is also a past president of the

Oregon Women Lawyers Foundation (OWLF). She was a "founding mother" of OWLS, helping to start the organization in 1989 while still a student at Lewis & Clark Law School. Phylis helped establish the bar's new lawyers mentoring program. She was also involved in starting the bar's program to support minority law students, Opportunities for Law in Oregon (OLIO), and she continues to work tirelessly to carry out its mission. A short video was shown at the luncheon, with tributes by several people who know Phylis through her work in these organizations.

Phylis is also a longtime board member of the Portland Gay Men's Chorus (PGMC), whose executive director, Richard Jung, said in the video that Phylis was the first woman to be a manager of a gay men's chorus. He also said that PGMC was grateful for Phylis's caring, compassionate, and insightful service over the years. At the end of the video, the PGMC honored Phylis by performing one of her favorite choral pieces, "Give it Back."

OWLS congratulates Phylis for her dedication and inspiration to all bar members, especially to young and minority

lawyers and law students.

Five other OWLS members were also honored at the OSB Awards Luncheon: The Honorable Janelle Factora Wipper received the Wallace P. Carson Jr. Award for Judicial Excellence; Julia Markley was presented the President's Diversity & Inclusion Award; Elisa Dozono and Megan Houlihan received the President's Special Award of Appreciation for their outstanding contributions to the bar, the bench and/or the community; and the Honorable Rives Kistler was given the Edwin J. Peterson Professionalism Award. Congratulations go to all, for their time and service to the legal profession.

*Teresa Statler has a solo immigration law practice in Portland. She is also the chair of the AdvanceSheet Committee.*



Phylis Myles

## OWLS Members Look to the Future

hopes that OWLS and its members will embrace the role of ally—that they will "listen, internalize, and incorporate the feedback from under-represented communities to achieve full participation in the bar, legislature, and judicial branches, and to promote access to justice and equal rights."

**Lisa LeSage** (admitted in 1985) is a bilingual lawyer and international human rights consultant. Lisa recalls that in the early years, OWLS members appropriately focused on mentoring and providing resources and support to lift each other up. She believes that OWLS should continue to focus on mentoring women lawyers and helping them reach their full career potential, whatever that career path may be. Lisa hopes that our more experienced members will seek out mentees and says that mentees should seek out experienced attorneys as mentors. She hopes that OWLS not only will provide encouragement and training to those who'd like to become judges, but will also be in the forefront of the judicial appointments process. Lisa hopes that

OWLS will continue to break down barriers to the full participation of women in the legal profession, which includes encouraging a diverse group of women to participate on OSB committees, as CLE presenters, and as bar leaders. Although Lisa appreciates that we face many important issues and challenges in our society, she believes that OWLS' primary focus should remain promoting women and diversity in the legal profession and the justice system.

**Justice Adrienne Nelson** (admitted in 1996) was appointed to the Oregon Supreme Court in January 2018, having served previously on the Multnomah County Circuit Court. OWLS Founding President Katherine O'Neil introduced her to OWLS. What has stuck with Justice Nelson has been the relationships she's developed with women leaders, including the late Justice Betty Roberts and the late Judge Mercedes Deiz. Through these relationships, she has received guidance, support, and love. These were leaders who taught about being "authentically ourselves," advice that Justice Nelson "re-

ceived with an open heart." Justice Nelson wants OWLS to continue to develop leaders and OWLS members to keep showing up for one another. She says that OWLS

will be a necessary organization for generations to come. Justice Nelson expects that OWLS will continue to bring people together, and says that if we see people missing, we must make sure they are at the table. She hopes that OWLS continues to grow and be a preeminent voice addressing equity in the legal community.

**Karen Stolzberg** (admitted in 1983) has been a solo Social Security disability lawyer since 2001. In the years she has been practicing, she has seen the strides that women, LGBTQ people, and people of color have made in assuming positions



Justice Adrienne Nelson

*Continued on page 12*



# OWLS Offers CLE on Imposter Syndrome

By Joslyn Keating

**D**o you feel plagued by chronic professional self-doubt and inadequacy, like a fraud despite objective proof of your competence and qualifications? If so, you may be suffering from imposter syndrome. At a sold-out CLE sponsored by OWLS on November 6, the powerhouse panel of presenters consisted of Susanne Aronowitz, a former employment attorney and current career coach; Melissa Chureau, a senior assistant attorney general at the Oregon Department of Justice; the Honorable Pat McGuire, a Multnomah County Circuit Court judge; and Chanpone Sinlapasai, a partner at Marandas Sinlapasai Garcia and the 2018 recipient of the OWLS Roberts & Deiz Award. They discussed the causes of imposter syndrome, its deleterious effects, and the methods attorneys can employ to combat it.

The panel identified high-achievers as more likely to experience imposter syndrome due to their self-imposed unrealistic expectations and unfair personal comparisons. Underrepresented members of the professional community are also prone to imposter syndrome. That's a result of society's pervasive unconscious biases and the deficit of minority groups' representation in the upper echelons of the professional world, which can lead to internalized feelings of inadequacy and a self-fulfilling prophecy of failure. The panel explained that imposter syndrome can have costly consequences for those suffering from it. For example, attorneys with imposter syndrome may write off more billed time, set their rates below market value, or decline to take on challenging new clients.

To combat imposter syndrome, the panel offered a series of practical tips. First, recognize and call out the problematic thought, and determine what triggered it. Second, examine the thought by asking if it is helpful or true, and whether there is evidence to support it. Third, reframe the thought by evaluating whether a different explanation may be true, and gather evidence to support the alternative explanation. Then, choose to respond to the thought in a way that is helpful and rooted in reality. To assist in this process, the panel recommended finding a support person or group (such as other OWLS members) from whom to seek validation or reassurance when feelings of inadequacy bubble to the surface.

*Joslyn Keating is an attorney for Tolleson Conratt Nielsen Maher & Replogle in Tigard. She represents employers and businesses.*



*Left to right: Judge Pat McGuire, Susanne Aronowitz, Melissa Chureau, Chanpone Sinlapasai*

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## OWLS Members Look to the Future

*continued from page 11*

of power in both private practice and government. Deep veins of discrimination, however, remain embedded in our culture. Karen says that OWLS must, and will, continue to be a standard bearer addressing inequities in the way that women and minorities are encouraged, compensated, and heard. However, Karen contends that in these times, there are even more profound challenges facing us. It is her profound hope that all new lawyers will keep in mind that the assault on our democracy and the rule of law, and the degradation of our planet, are fundamental. There is no reason to strive for position, wealth, or power, Karen says, if we lose these fundamentals. She contends that finding ways to address these problems is as important, or more important, than the quest for personal growth and satisfaction.

*Kathryn Smith Root is a shareholder at Gevurtz Menashe in Portland, an OWLS Foundation Advisory Board member, and an OWLS founding member.*

# Meet Oregon Supreme Court Justice Meagan Flynn

By Nora Coon

Justice Meagan Flynn decided to become a lawyer at the age of ten, when her father's cousin stayed with the family for the summer while studying for the Washington bar exam. "At that point—the late 70s—neither my mother nor any of my friends' mothers worked outside of the home. In hindsight, getting to know my cousin was a formative experience. I idolized her and decided that lawyer would be a good career path for me as well."

That experience led Justice Flynn first to college at Willamette University and then to law school at Gonzaga University School of Law. There she found an environment welcoming to young women, where "the stand-out students" in her class "were primarily women," as were a substantial number of the professors. Flynn also has especially fond memories of being the first clerk assigned to work for an enthusiastic new judge on the Court of Appeals, recalling "how excited Judge Haselton and I both were when we were able to print a Venn diagram in an opinion."

Setting out as a new lawyer after her clerkship, Justice Flynn discovered that there were "definitely challenges to being not only a new lawyer but a young and female new lawyer." At times, she felt that some of her young male colleagues "benefited from an automatic inclusion, with a corresponding presumption of competence and better opportunities" that she "had to work harder to earn." Other times, even to this day, she has found herself treated as a category rather than an individual by

lawyers who thought they had met me previously because they had met another young woman lawyer with a similar hair style; lawyers who knew me but mistakenly thought I had a particular legal specialty because another woman lawyer with a similar first name was well known for that specialty; lawyers to whom I had to introduce myself repeatedly before I

registered as a person they had met before; and people who mistake me for one of the other youngish (relatively) women appellate judges.

Justice Flynn spent 20 years as an attorney in private practice, and she "loved the excitement of coming up with a potentially-winning argument to advocate for a client I believed in." But, after 20 years, she found that she was starting to be more concerned with whether her legal arguments were right and "less interested in the adversarial role of making the best good faith argument" for her client. That led her to apply for the newly created fourth Oregon Court of Appeals panel. Though she wasn't selected immediately, Governor Kitzhaber ultimately appointed Flynn to the Court of Appeals a year later, upon the retirement of Judge Robert Wollheim. Two and a half years later, Governor Brown appointed her to the Oregon Supreme Court.

On the bench, Justice Flynn loves "working with a team of smart, committed people to discuss and debate the 'big pictures' of the law as well as the smallest nuance of whether to make a particular statement in a particular way." When confronting a new area of law, she tries to "read every relevant case loosely related to the issues, often treatises and law reviews, and anything else that the parties have cited." That approach "is a tremendous privilege that we have at the Supreme Court," where the volume of cases is far smaller than it is at the Court of Appeals.

It's not all work, all the time, for Justice Flynn. On her commute to and from Salem, she listens to audio books: "plot-driven detective series, especially those written by women and set in other countries," as well as memoirs. Off the highway, she enjoys hiking, kayaking, taking casual bike rides, cooking, and traveling with her family.

Justice Flynn recommends that new lawyers join local and affinity bar associations, volunteer for committees and

leadership positions, and participate in organized pro bono activities. "Some of my most significant legal mentors were people whom I never would have encountered apart from working together on committees."

She advises new lawyers that there "are some who will treat you unprofessionally or worse because of your new-lawyer status and perceived inferiority within the legal hierarchy," but "most of the lawyers in your legal community truly want you to succeed."

*Nora Coon is a deputy public defender in the Criminal Appellate Section of the Oregon Office of Public Defense Services.*



Justice Meagan Flynn

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On October 24, the Oregon Chapter of the American Immigration Lawyers Association presented the Richard M. Ginsburg Outstanding Leadership for Immigrant Rights Award to OWLS members (left to right) Rima Ghandour, Hala Gores, and Edie Rogoway.



Jon Oribello Photography





OWLS members attending the OGALLA annual dinner and silent auction on October 18 in Portland included OWLS board members Keshmira McVey (left) and Elizabeth Ballard Colgrove. OGALLA, the LGBT Bar Association of Oregon, supports the needs of sexual minorities and gender non-conforming people in the legal profession.

Support OWLS' work by placing an ad in the OWLS *AdvanceSheet*. Email [executivedirector@oregonwomenlawyers.org](mailto:executivedirector@oregonwomenlawyers.org).

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## Celebrating Black Excellence with the OC-NBA

By Keshmira McVey

The Oregon Chapter of the National Bar Association (OC-NBA) presented a glittering Ebony and Ivory gala at the Embassy Suites in Portland on December 6. The room was filled with talented lawyers celebrating the many accomplishments of the organization and its members.

Oregon's legal community now includes 165 Black lawyers (including judges), a direct result of the perseverance and fortitude of those who blazed trails in the past. A central theme of the evening was recognizing those who came before. As the African proverb says, if we stand tall it is because we stand on the shoulders of our ancestors.

Oregon Supreme Court Justice Adrienne Nelson, an OC-NBA board member, welcomed everyone and introduced the speakers, who included James Walker, a partner at Miller Nash Graham & Dunn, the gala's gold sponsor, and Sherisa Davis-Larry, president of the OC-NBA. Awards were presented to Justice Nelson; the Honorable Kenneth Walker, recently retired from the Multnomah County Circuit Court; Michael Levelle, the first African American president of the Oregon Bar Association; and Jonathan Puente, director of the OSB's Diversity & Inclusion Department.

OWLS was pleased to be a sponsor of the celebration, and we look forward to many more years of celebrating community with the OC-NBA.

*Keshmira McVey works at the Bonneville Power Administration in Portland and serves on the OWLS Board of Directors.*



OWLS members at the OC-NBA event included (left to right) Silvia Tanner, Amber Hollister, and Sara Kobak.

## OWLS Introvert Committee Hosts Networking Event

By Susanne Aronowitz

On December 4, the OWLS Introvert Committee hosted an event at Foster Garvey in Portland titled "Holiday Networking Survival Strategies for Introverts." The event featured master networker (and introvert) Stephanie Arnheim.

Stephanie offered practical advice on how to connect with people in social and networking settings. She suggested that before attending events, conducting research to anticipate who will be present can help minimize anxiety. She also offered tips on how to "read the room" to identify others who are approachable for conversation, as well as strategies to keep the conversation flowing. Stephanie recommends that you focus on opportunities to be a resource for the people you are talking with, rather than worrying about the impression you are making. Following up with people you meet after the event via email or LinkedIn is another helpful practice to solidify relationships.

The OWLS Introvert Committee invites OWLS members to join us. We meet on the first Monday of each month at noon. If you are interested in learning more, contact Cassandra at [cassandra@oregonwomenlawyers.org](mailto:cassandra@oregonwomenlawyers.org).

*Susanne Aronowitz is a career and executive coach and former employment lawyer.*



*Stephanie Arnheim*



# Queen's Bench Luncheon Honors Women Judges

By Elizabeth Ballard Colgrove and Jenna Plank

“Mental health is not an issue of us versus them. It's the story of all of us.” Those were the words of the Honorable Cheryl Albrecht, the chief criminal court judge on the Multnomah County Circuit Court, during her keynote speech at the 2019 Queen's Bench Holiday Luncheon. The luncheon, held on December 10 at the Sentinel Hotel in Portland, was attended by about 275 people. Queen's Bench is the Multnomah County chapter of OWLS.

The event began with the amazing vocals of Courtney Temple, who sang three great songs; the introduction of the 2020 Queen's Bench board; and the presentation of the Queen's Bench pin to incoming president Anne Milligan. Anne announced that the 2020 Queen's Bench luncheon speaker series, titled “Difficult Decisions,” will feature judges discussing difficult, landmark, or other important decisions they have made on the bench.

Multnomah County Circuit Court Judge Beth Allen, a Queen's Bench board member, read the names of the women judges in attendance and presented a \$1,000 check to Multnomah County CourtCare on behalf of Queen's Bench.

In her speech, titled “Hope and Justice,” Judge Albrecht spoke of her work to improve local court practices and also of her experiences in court with a member of her family who is mentally ill and has been involved in the criminal justice system. Judge Albrecht noted that multiple groups, organizations, and agencies are working together to improve access to services for the mentally ill, but that the services currently available are severely inadequate when compared to the need.

Judge Albrecht urged the luncheon attendees to break down the barriers between the civil and criminal bars, to develop an understanding of mental illness and those who suffer from it, to strive for restorative justice, and to just simply get involved. She explained that she had shared her personal story because it's not just her story—it's “the story of all of us,” and she reminded us that we are all one community.

Outgoing Queen's Bench President Elizabeth Ballard Colgrove concluded the event by thanking the holiday luncheon sponsors, Avalon Flowers, and the Multnomah Bar Association (for printing the name tags), and wishing everyone a happy holiday.



At the luncheon (left to right):  
Left: Hon. Cheryl Albrecht,  
Ekua Hackman, Christina Andreoni;  
Below: Hon. Marilyn Litzberger,  
Hon. Kathleen Dailey, Kim Stuart,  
Terry Wright, Olivia Godt,  
Hon. Meagan Flynn



Photos: Dreams in Bloom Photography

Queen's Bench luncheons take place on the second Tuesday of each month, 11:45 a.m. to 1 p.m., in downtown Portland. For more information, visit [www.owlsqueensbench.org](http://www.owlsqueensbench.org).

*Elizabeth Ballard Colgrove is the assistant*

*director at the Oregon Department of Justice's Medicaid Fraud Unit. She was the 2019 Queen's Bench president and serves on the OWLS Board of Directors. Jenna Plank is a senior deputy district attorney with the Multnomah County DA's Office.*



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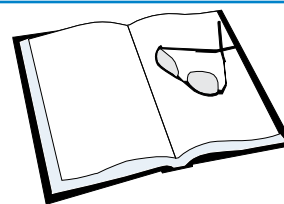
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# The Shield of Silence: How Power Perpetuates a Culture of Harassment and Bullying in the Workplace

By Lauren Stiller Rikleen  
(ABA Publishing, 2019, 308 pages)

Book Review by Rachel Lynn Hull



**L**auren Stiller Rikleen's *The Shield of Silence* scrutinizes the modern workplace with an essential question in mind: Where does harassment flourish, and what can we do to root it out? Importantly, the answer does not depend on changing individuals, but on helping organizations recognize and change the circumstances that allow harassment to happen.

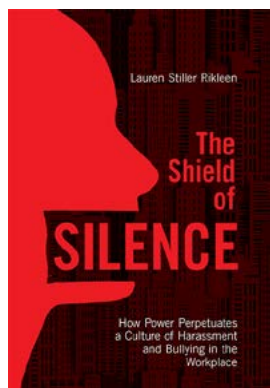
The first half of the book lingers on a description of the problem. Full of statistics, studies, and personal stories, it leaves no doubt that harassment is a serious issue across career paths, including law. Harassment is about power and challenging access to power, whether it is sexual in nature or based on gender, race or ethnicity, age, disability, sexual orientation, or two or more of these factors.

Harassment based on two or more factors—intersectional harassment—is anecdotally common. But as the EEOC has noted, harassment research tends to focus on a single factor or subset of individuals (for instance, most research on ethnic harassment is around male targets). This limits our ability to understand and prevent intersectional harassment, or even accurately estimate its prevalence.

What makes this book worth reading is the "Blueprint for Change" section. This section is the reason I passed the book along to a friend in HR who responds to allegations and whistleblowers within her company. Instead of leaping into making changes to training or trying to root out

individuals, Rikleen encourages organizations to undertake an internal assessment first. Reporting is rare, primarily due to fear of retaliation, which means that leaders cannot depend on reports to assess the prevalence of harassment. Instead, organizations should look to the factors that contribute to harassment, as identified by the EEOC:

- Workplaces with significant power disparities (Low-status workers are especially vulnerable to harassment.)
- Workplaces that "exalt certain employees who are perceived to bring high value and prestige"
- Workers whose compensation is directly tied to customer or client satisfaction (Managers are more likely to dismiss complaints of harassment from clients.)
- Workplaces that provide alcohol as part of social functions
- Workplaces that permit "fiefdoms," in which a single person controls a group—assignments, rewards, growth opportunities—with little additional oversight



- A homogenous workforce (Those who don't "fit the mold" will be vulnerable.)
- A workplace with a high number of young employees, especially those working for the first time
- Workers who do not speak English and may be less aware of rights and legal protections

Once the internal assessment is complete, leaders can determine how to move forward. Training is usually the first thing that comes to mind. But traditional harassment-prevention training is not very effective, and it is often "premised on the notion that negative behaviors are caused by a lack of knowledge about what conduct is and is not acceptable." Instead, Rikleen advises starting with leadership. "If leaders are to be effective champions for change, their engagement should be visible and enthusiastic." Rikleen encourages organization leaders, not HR staff or outside consultants, to conduct live training themselves as a demonstration of commitment. She also emphasizes the importance of training for effectiveness, not as a check-the-box attempt to avoid liability, and including topics like unconscious bias and liability discounting.

Many of the book's other recommendations focus on the implementation of well-written policies. Policies may present a picture of sanctuary and compliance yet fail to prevent harassment for a number of reasons: fear of retaliation, non-neutral reporting options, lack of periodic refreshers on how to report, and lack of transparency about what happens after a report is made. Transparency in the process—who will see a report, lines of authority, how long an investigation will take, and what information the reporter will receive about the outcome—builds the trust that is necessary to create a culture of accountability. Changing an organization can feel impossible, but this book may provide just enough optimism and real direction to convince you to try.

*Rachel Lynn Hull is an attorney for the Bonneville Power Administration in Portland.*

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# Historical Society Event Focuses on Women Lawyers

By Nora Coon

**A**t the U.S. District Court of Oregon Historical Society's recent dinner, the focus was on the advancements and achievements of women lawyers. The event, held on November 7 in Portland, included the presentation of the organization's Lifetime Service Award to the Honorable Anna J. Brown of the U.S. District Court for the District of Oregon, and a panel discussion focused on the theme "Oregon Women in Front of and Behind the Bench."

To discuss that theme, the Historical Society assembled a panel of Oregon women in public service: From behind the bench, there was Chief Judge Trish Brown of the U.S. Bankruptcy Court for the District of Oregon; Judge Susan Graber of the Ninth Circuit Court of Appeals; and Judge Karin Immergut, Oregon's newest U.S. District Court judge. Panelists who appear before the bench were Renata Gowie, civil chief for the U.S. Attorney's Office for the District of Oregon; Lisa Hay, federal public defender for the District of Oregon; and Kelly Zusman, appellate chief for the U.S. Attorney's Office for the District of Oregon. Senior Judge Marsha Pechman of the U.S. District Court for the Western District of Washington moderated the discussion.

The panel touched on a wide range of topics. Judge Graber recalled that when she attended Yale Law School in 1972, "ten percent of our class members were female, which at the time was considered a very high number." Judge Immergut said that as a United States attorney in Los Angeles in the late 1980s, "we didn't wear pants in court." Judge Graber faced challenges as she tried to make it possible to work from home after her daughter was born; court IT staff told her, "You're just going to stay home, and you're not going to want to do any work."

All the panelists saw signs of progress for female attorneys and for more diverse attorneys generally. Judge Immergut worked with a female attorney who was breastfeeding to accommodate her schedule during trial. Zusman, who teaches as an adjunct professor, sees "more women who aren't just sitting in the classroom, but are raising their hands. They're less timid, far more forthright." Judge Trish Brown recalled the vital influence of her mentor, U.S. Bankruptcy Judge Elizabeth Perris: "She saw something in me I didn't see in myself. She helped me throughout my career."

When asked how lawyers can continue making the profession more diverse and welcoming, Gowie said, "We have to hire racially diverse women as lawyers and law clerks, and do that proactively." As an example, she pointed out that attorneys need to re-think the factors used for hiring. One hiring attorney preferred to hire Eagle Scouts, and at a certain point women had to point out that women can't be Eagle Scouts. Gowie believes it's important to "think of that in terms of race" as well. People might "like to hire people with a long history of ties to Oregon," which is not necessarily possible for racial minorities, given Oregon's problematic history.

Judge Pechman described her own attempts to invite newer lawyers into the courtroom: In big cases, "I see ten lawyers on both sides, wearing black suits, red ties, with white hair. They didn't write the brief. I told them next time, bring the person who wrote the brief, and next time it looked like the Rainbow Coalition." Judge Immergut agreed that holding more motions hearings, which allow less experienced attorneys to spend time in court, can give new attorneys an opportunity to gain skills and confidence.

After the panel discussion, the Lifetime Service Award was presented to Senior Judge Anna Brown. Judge Brown recognized her state and federal colleagues on the bench, who "gave [her] resilient examples of a path to follow." She thanked numerous people, including Governor Roberts, who championed female judges: "In just one term, she made 19 appointments of women to the bench." Judge Brown thanked her family for keeping her "well grounded through all the tribulations—and trials—of public service."

Judge Brown also displayed a picture of a protest sign from a particularly contentious trial that read "Judge Anna Brown—Judge Gone Wild." "Next to this evening's honor," she said, "I am most proud of that sign." Judge Brown also quoted Governor Roberts, who wrote of "the scar tissue earned by Oregon women who held the first judicial positions, the



Photo: Nora Coon

Renata Gowie (left) and Judge Susan Graber

first statewide offices, the first seats in our congressional delegation." On the whole, the evening highlighted the work that women lawyers have done to create opportunities for all who follow them.

**Nora Coon** is a deputy public defender in the Criminal Appellate Section of the Oregon Office of Public Defense Services.

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## OWLS Fall Conference

that women and people of color face at work. In short, the data—both anecdotally and in formal study—reveal a very different story.

### The Pay Gap and Pay Equity— What Are We Talking About?

To start the conversation in earnest, Maya Raghu, director of workplace equality and senior counsel at the National Women's Law Center (NWLC), framed the problem for us.

As Maya made clear, when we speak about the pay equity gap, we mean not only the “equal pay for equal work” concept, which has received considerable attention this year, thanks, in part, to the U.S. women's national soccer team, but also the reality that women may not receive the same job opportunities, particularly in higher-wage or management positions.

To make her point, Maya began by sharing some eye-catching statistics:

- A typical woman in the United States will lose out on \$400,000 in compensation in her lifetime compared to her male counterpart; women of color may lose up to \$1,000,000.
- That wage gap will begin to emerge for her within as little as one year after college graduation.
- She will often be offered less at the start of employment; at least one study has shown that changing the gender on a resume—John versus Jennifer—can result in a starting salary difference of \$4,000.
- Due to the anchoring effect caused by a subsequent employer's request for salary history, that difference can persist for years. Only 13 states prohibit asking a job candidate for his or her salary history, a question that often perpetuates the wage gap from job to job.
- Mothers are the sole or primary breadwinners in 41% of families in this country. Thus, the pay disparity directly and dramatically affects the family unit.
- The disparity negatively affects not only individual women and their families, but also industries. When women enter a profession in large numbers, average salaries decrease for that industry.
- Industries with fewer wage protections, such as domestic workers and agricultural workers, are often predominantly populated by women and people of color.

Bringing the issue even closer to home, Maya shared the results of a survey that OWLS circulated in advance of the conference. The survey asked respondents to anonymously answer questions relevant to the conference topics. For example, respondents were asked whether they had ever discovered that they made more or less money than a colleague in a comparable position. Almost 70% of the survey respondents said that they had. Of those respondents, almost 45% felt that the pay difference was a result of race, gender, sexuality, or another protected class.

### What About That Negotiating Idea?

But isn't the answer to the pay gap that women aren't willing to negotiate? For some time, this has been one of the loudest responses to concerns about pay inequity. In short, we have been led to believe that women simply need to ask more often for what they want in order to receive it—ask and ye shall receive.

Maybe not.

At least one study has shown that women do negotiate, and they have been speaking up about their pay needs. The study showed that women ask for a raise as often as men, but stand a smaller chance of getting one. Men who asked for a raise were 25% more likely to receive one, compared to women in similar positions. Interestingly, over 81% of the conference survey respondents said that they had negotiated their pay or benefits.

This is not to say that negotiating won't net a better outcome or that it shouldn't be tried. However, when it comes to the widespread and persistent problem of the wage gap, our conference speakers reminded us that this gap is a systemic problem. It is not specific to a certain woman, person of color, disabled individual, or LGBT-identifying employee. It is not simply the result of our failure to negotiate or raise our hand.

In her keynote, Maya emphasized that a systemic problem requires a systemic response.

Principally, Maya said, two major trends have emerged as key elements in a solution: (1) an increase in organizational transparency, and (2) a shift in responsibility—from employee to employer—for ensuring equity.

### Why Organizational Transparency?

On the one hand, we all know that pay disparity exists. It has been covered in the news and considered, in varying degrees, within our industry. OWLS has certainly

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*The conference speakers were (left to right) Anne Milligan, Laura Salerno Owens, and Maya Raghu.*

not been silent on the topic. (See, for example, the President's Message in the [Fall 2018 OWLS AdvanceSheet](#).)

Yet, when asked whether their firm or organization had a policy on pay and compensation, 32% of our conference survey respondents replied, “I am uncertain.” In addition, almost 56% of respondents said that their firm or organization didn't share the criteria for awarding raises and bonuses, and an additional 16% couldn't even say whether they knew if the criteria were clear.

Thus, it's no great surprise that 42% of the respondents said they were “uncertain” whether a gender pay gap existed at their firm or organization. It's hard to know whether there is a gap between similarly situated employees when you don't know what policy or practice is in use at your organization, or even whether one exists.

Sharing information helps to reveal and highlight the magnitude of the disparity and its causes. And it's important to do that. At least one recent comprehensive workplace study has concluded that employee satisfaction is most closely tied to feelings of equal opportunity and fairness in the workplace. Thus, when employees feel fairly valued, they are more content in their workplace. Content employees are more likely to remain for longer and to meaningfully contribute while there. In other words, it would seem that it's in an employer's best interest to foster transparency.

So where are we with that?

Well, Maya noted that national legislative and executive efforts to increase transparency have not been comprehensive or entirely successful. For example, only 18 states (including Oregon) and the District of Columbia have enacted laws protecting employees from retaliation if they discuss their pay with others.

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In addition, although the EEOC began to collect pay data from employers as a result of an Obama-era executive order, the current administration elected to impose a stay on that data-collection requirement. Maya's organization, the NWLC, sued to challenge the stay. The trial court judge agreed with the NWLC and lifted the stay; that decision, however, is on appeal. Furthermore, the EEOC has announced that it will discontinue the effort to collect pay information after the current reporting period ends in early 2020.

Notably, even if the EEOC were to change course and continue to collect that information, it is not made publicly available unless the employer chooses to disclose it. The recent releases by Citigroup, Intel, and other companies of their pay data have generated surprise and interest, though the results themselves aren't particularly surprising.

### What Is a Pay Audit and Why Should You Conduct One?

A pay audit—called an “equal pay analysis” in Oregon’s statutes—is an organization-wide analysis conducted to determine whether there are wage disparities requiring correction. Although pay audits have been a frequent topic of discussion recently, the majority of our survey respondents (over 65%) did not know whether their firm or organization had ever completed one.

But why should an employer conduct a pay audit? Well, first there's the legal protection it might offer.

The local experts at our Fall Conference, Laura Salerno Owens of Markowitz Herbold and Anne Milligan of the City of Portland, shared insights into conducting a pay audit in our own workplaces.

Laura and Anne noted that Oregon's 2017 and 2019 Equal Pay Act amendments created new categories of damages available to plaintiffs, as well as a partial safe-harbor provision for an employer who conducts a pay audit and makes adjustments to existing compensation to comply with Oregon law. In other words, if an employer is sued for pay equity violations under ORS 652.220, the employer can avoid compensatory and punitive damages if it demonstrates that it conducted a suitable pay audit in the three years prior to the action and took appropriate measures to close any existing wage gap. (Note that ORS 652.235 prohibits an employee from using evidence of a pay audit in an action.) This



*At the conference, the Katherine H. O'Neil Volunteer Service Award was presented to Cristina Sanz (center) for her contributions to the OWLS Foundation. The presenters were Trudy Allen (left) and Diane Rynerson. For details, see the Fall 2019 OWLS AdvanceSheet.*

creates a very real incentive for employers to regularly conduct serious pay audits, not to mention serious consequences if they fail to take action. It also works to push the compliance burden to employers at a systems-wide level.<sup>1</sup>

Another reason to invest time and resources in a pay audit: 58% of our survey respondents said that a firm or organization's record or reputation on pay equity would significantly impact whether they would apply for a position with that organization. Another 34% said it would somewhat impact whether they would do so.

If we are to take one another at face value—and I think we should—then employers would be well-advised to consider the true risks associated with shielding pay information or fostering a culture of non-disclosure. Yes, there might be challenges associated with learning about and addressing pay and opportunity disparity, but with Oregon's new safe-harbor laws, any exposure has been reduced in the employer's favor. The greater risk might be the loss of promising talent or, at a minimum, the loss of morale within the workplace.

OWLS members have never been ones to shy away from leadership and its challenges. As we left the 2019 OWLS Fall Conference with insights from three talented thought leaders, I felt challenged and motivated to effectuate change. I hoped that others did as well.

*Erin Dawson is a litigator at Parsons, Farnell & Grein in Portland, and the co-chair of the OWLS Membership & PR Committee.*

1. A more detailed summary of Oregon's 2017 and 2019 Equal Pay Act amendment requirements and compliance can be found in the [Summer 2019 OWLS AdvanceSheet](#).

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*The conference was followed by OWLS' 30th Anniversary Celebration, which featured remarks by Jeanne Atkins (left), an OWLS founding board member and a former secretary of state. At right is Linda Tomassi, OWLS' executive director.*

## Resources

Interested in the resources relied on in this article as well as a few others that may fuel conversation around the water cooler? Try these:

Alexander W. Watts, [Why Does John Get the STEM Job Rather Than Jennifer?](#), Stanford University, The Clayman Institute for Gender Research (June 2, 2014).

Benjamin Artz, Amanda Goodall, Andrew J. Oswald, [Research: Women Ask for Raises as Often as Men, but Are Less Likely to Get Them](#), *Harvard Business Review*, Gender (June 25, 2018).

Jeff Green and Hannah Recht, [Intel Is First to Share Detailed Pay Disparities. It's Not Flattering](#), *Bloomberg.com* (Dec. 10, 2019).

Jena McGregor, [Citigroup Is Revealing Pay Gap Data Most Companies Don't Want to Share](#), *Washington Post*, Leadership (Jan. 16, 2019).

Maya Salam, [Womansplaining the Pay Gap](#), *New York Times*, In Her Words (April 2, 2019).

McKinsey & Company, [Women In the Workplace 2019](#) (October 2019).

National Women's Law Center, [The Wage Gap: The Who, How, Why, and What to Do](#) (Sept. 27, 2019).

National Women's Law Center, [Combating Punitive Pay Secrecy Policies](#) (Feb. 2019).

Sunu P. Chandy, [We Sued the Trump Administration and Won](#), National Women's Law Center (March 5, 2019, updated Oct. 29, 2019).

Tim Herrera, [Why You Should Tell Your Co-Workers How Much Money You Make](#), *New York Times*, Smarter Living (April 31, 2018).

Tom Dreisbach, ['Pay Secrecy' Policies at Work: Often Illegal, and Misunderstood](#), National Public Radio (April 13, 2014).



OWLS members and friends enjoyed the second annual OFALA gala, held in Portland on October 10. OFALA is the Oregon Filipino American Lawyers Association. Shown at right are OWLS Historian Adele Ridenour (left) and OWLS President Hon. Allison Boomer.

Shown below (left to right) are Hugo Gonzalez Venegas, Cierra Brown, Kamron Graham, Valerie Colas, Rima Ghandour, Kasia Rutledge, and Lucy Taylor.



Photo courtesy of Kasia Rutledge

## OWLF Grantee: Judy Kim

The Oregon Women Lawyers Foundation (OWLF), has awarded the Vernellia R. Randall Bar Exam Grant to third-year law student Judy Kim from Lewis & Clark Law School. Judy plans to focus her career on assisting the Asian and Pacific Islander communities, specifically in the business sector.



Judy Kim

OWLF educates and supports women and minorities in order to further their access to and participation in the justice system. OWLF funds four different grants. The Vernellia R. Randall Grant is available to parents with children under the age of 18 who are in their final year of law school and intend to practice law in Oregon. For details, visit [www.owlsfoundation.org](http://www.owlsfoundation.org).

# OWLS Dragonflies Paddle to Victory

By Stacy Harrop

In 2019, the OWLS Dragonflies, a women's dragon boat team of legal professionals, had another successful and fun year with an amazing group of women. We celebrated our 20th year as an OWLS-sponsored team, and we are now looking for new paddlers of all ages and fitness levels to join us. As a team, we most value the camaraderie and teamwork that dragon boating brings us, and the dragon boating community as a whole both models and inspires those values, which is why so many of us keep coming back each year. That, and racing is just so much fun!

We started our 2019 race season in May in Tacoma, Washington, at the Rainier Dragon Boat Festival, where we came in fourth in the women's "A" division. We then headed to Kent, Washington, in July and took third place in the women's "A" division, after a tough battle on water for the Kent Cornucopia Days Festival.

In early September, we were excited to participate in our home race on the Willamette for the Portland Dragon Boat Festival. We had tough competition from over 30 women's teams, including several from Canada. But we held our own and placed third in the women's "A" division! We also competed in the exciting 2,000-meter race around the bridges.

Later that month, we headed down to San Diego for the San Diego Dragon Boat Race in Mission Bay, and for some fun



Photo: Paul Cunningham Photography

The 2019 OWLS Dragonflies (left to right): Front row: Gretchen Hamilton, Sarah Taha, Jean Back, Kat Miller, Stacy Harrop; Second row: Katie de la Forest, Jen Ferro, Kristin Sterling, Lindsey Craven, Eleanor DuBay, Rebecca Sherman; Back: Gwyn McAlpine, Hannah Shangraw, Emily DuBay, Lindsay Baker, Allyson Swecker, Robin Seifried, Blanche Niksich, Meg Griffin, Louise Hansen, Shelby Robinson. Not pictured: Megan de Bruin, Holly Martin, Summer McChesney, Tina Tran.

with our teammates. We finished second in the women's 20-person boat races. We are most proud, however, to have been awarded the Most Inspirational Team Award, which was an award given based on votes from the race volunteers. We were told that we won the award based on our enthusiasm and expressed appreciation for the hard work of all the volunteers.

We will back on the water in late January, and we are looking for women to join our team. We anticipate other great season, which will include competing in the Rose Festival Dragon Boat Race in

Portland in June. If you are a woman who likes being on the water, please come out and see what we are all about! You can also learn more about us by visiting our website, [www.owlsdragonflies.org](http://www.owlsdragonflies.org), or by contacting our recruiting coordinators Lindsey Craven, at [lindsey.e.craven@gmail.com](mailto:lindsey.e.craven@gmail.com), and Eleanor DuBay, at [eleanor.dubay@gmail.com](mailto:eleanor.dubay@gmail.com).

The OWLS Dragonflies would like to thank our families, friends, and sponsors for helping us enjoy another wonderful season on the water.

**Stacy Harrop** is a staff attorney at the Oregon Court of Appeals.