



WWL State Reporter

A publication of WASHINGTON WOMEN LAWYERS

SUMMER 2008

Washington's Women Appellate Judges: Have We Arrived?

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By *Richelle Little, Law Clerk to the Honorable J. Robert Leach*

Our Court of Appeals is in good shape when it comes to gender equality on the bench. As of June 2008, half the Division I Appellate judges are women, and women outnumber men four to three in Division II. Although just one woman currently sits on the Division III bench, the overall percentage of female judges on the Washington Court of Appeals (45%) is second only to the Kentucky Court of Appeals (46%). Nationwide, however, women comprise only about 28% of state intermediate appellate judges.

In speaking to female appellate judges, they indicated that having women in the judiciary was essential, but it was also clear that none saw a qualitative difference between males and females in their administration of justice. Most judges agree that women bring to the bench not different decisions but different perspectives. Because female judges have experienced life as women, they sometimes see factual and legal issues differently from men. Gender, like ethnicity, race, sexual orientation, or disability, influences our world view. We would not want all of our judges to come from the same background any more than we would want all judges to come from the same type of law practice. The more the judiciary opens to historically ex-

cluded groups, the better it can respond to the astonishing variety of disputes that arise in a diverse society. Through their distinct perspectives, judges enrich one another's points of view and enhance the court's ability to understand the cases before it.

Diversity on the bench also increases the court's credibility in the public eye. "When society looks at the appellate courts, it is important for the appellate courts to look like society," notes Judge Teresa Kulik, Division III. Judge Kulik also believes that women judges and female leaders are important role models to the girls and women who follow them. Seeing women as judges gives younger women confidence that becoming a judge can be an option for them; it also shows young men that it is not anomalous to find women in positions of power.

Women have been a powerful force in shaping the law—from the fundamental issue of the right to vote to issues of war and peace, economic regulation, environmental concern, science, and censorship. Through political activism and legal advocacy, women have also brought issues like domestic violence, rape, sexual assault, and sexual harassment into the political mainstream. The legal issues particularly affecting women, families, and children are taken more seriously today because women have fought for the right to participate as equals

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WWL Mission Statement

The principal purposes of Washington Women Lawyers are:

- to further the full integration of women in the legal profession, and
- to promote equal rights and opportunities for women and to prevent discrimination against them.

Equal Pay for Equal Work: The Battle Continues

By *Margaret Lee, Goodstein Law Group*

"Gender, disability, national origin, age, disability, or religion should not have any effect on a worker's pay. But sadly, they do." U.S. Senator Ken Salazar on Fair Pay Act, April 23, 2008. The Fair Pay Act, HR 2831, began with Lilly Ledbetter, a retired supervisor at a Goodyear Tire and Rubber Company in Alabama. Soon after Ledbetter retired from Goodyear in 1998, she received an anonymous note informing her that male managers in the same position at the company were making significantly greater salaries than her own. In March 1998, Ledbetter submitted a questionnaire to the EEOC alleging certain acts of sex discrimination. This was followed by a formal charge and an eventual lawsuit in which Ledbetter asserted, among other claims, a Title VII pay discrimination claim and a claim under the Equal Pay Act of 1963 (this claim was later dropped).

At trial, the jury found in Ledbetter's favor, finding it was "more likely than not that [Goodyear]

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PRESIDENT'S LETTER



By Janet Chung,
WWL President

Does gender make a difference on the bench? This newsletter and this year's Annual Leadership Symposium will address this and other important questions

to our legal community.

Taking stock of women in the judiciary serves as one method for assessing the progress women have made— as well as how much further we have yet to go. First, some context: It was not until the mid-twentieth century that women began populating the judiciary around the country. The “firsts” for women of color in the judiciary have taken, predictably, even longer to achieve. The first African-American woman on an Article III court was Constance Baker Motley, appointed to the Southern District of New York in 1966; the first Latina was Carmen Consuelo Cerezo, appointed to the U.S. District Court for Puerto Rico in 1980; and it was only ten years ago that the first Asian American woman joined the federal judiciary — Susan Oki Mollway in the U.S. District Court for Hawaii in 1998.

Progress in the state courts has been somewhat harder to track accurately, as no

one has kept national statistics. However, New York's Chief Judge Judith Kaye described the rise in women state justices, including seventeen female state chief justices (in 2005), as “the most startling development I have seen in all my years.” Richelle Little's article, beginning on page one of this newsletter issue, takes a look at how women are faring in our own state's judiciary, where measurable progress has been made as well.

All these facts still beg the question: what difference does it make to have women on the bench? One simple answer is that when women number half the graduates from law school, they ought to be represented in similar numbers in all sectors of the legal profession — yet that clearly is not the case. What, then, are some of the barriers to women becoming judges? There are many theories, but to list just some: women still are faced with bias in acquiring the requisite “feathers” in their caps to become judges. Further, even when they do achieve the bench, women face bias both by litigants and attorneys; in bar polls, female are often ranked lower than male judges. In turn, such rankings can have a negative impact on women judges. Specifically, in Washington, women judges are more likely to be affidavited — with almost a third of respondents to a 1989 survey citing gender as the reason.

And does the presence of women have a substantive impact on how the courts function? Certainly women cannot be “essentialized” such that anyone would claim that simply being a woman changes the outcome in a court. However, it is just as certain that women's experiences affect their judicial approach — just as other life experiences based on a person's race, ethnicity, sexual orientation, income, and other characteristics do.

Ultimately, there is plenty of fodder for the discussion of whether it makes a difference that there are women in the judiciary, and if so, what that difference is. I will leave you with what one “wise woman” — the only remaining woman on the highest court of the country — has said on the issue: “Our system of justice is surely richer for the diversity of background and experience of its judges. It was poorer when nearly all of its participants were cut from the same mold.”

References

- Judith Kaye, “Women Chiefs: Shaping the Third Branch,” 36 U. Tol. L. Rev. 899, 899 (2005).
- Appendix to Lynn Hecht Schafran, “Not from Central Casting: The Amazing Rise of Women in the American Judiciary,” 36 U. Tol. L. Rev. 953 (2005).
- See Hon. Ruth Bader Ginsburg, “Women's Progress at the Bar and on the Bench,” 54-DEC Fed. Law. 50, 52 (Nov./Dec. 2007).

Washington Appellate Judges

(Continued from page 1)

with men in school, the workplace, and the halls of government.

Having achieved a critical mass on the appellate bench, female judges can concentrate on the legal issues at hand without feeling the pressure of being “the only” woman or one of the select few, says Judge Mary Kay Becker, Division I. “It is now more common to be seen as simply a judge, not as a ‘woman judge.’” But the memories of women judges are rife with anecdotes about what it was like to be a trailblazer for women in the legal profession.

Judge Christine Quinn-Brintnall, Court of Appeals Division II, recalls that, when she served as a law clerk in Division I, some judges insisted they could not hire female law clerks because they felt uncomfortable engaging with women in the kind of arguments they needed to have with their law clerks. After one particularly vigorous discussion with one of these judges, she remarked, “I'm sure glad that you can't *really*

argue with female law clerks.” That judge realized that he could interact with a female law clerk as well as he could with a male clerk and hired his first female law clerk the following year.

At a time when all-female panels were still a relatively new phenomenon in Division II, a particularly memorable case, In re Custody of R., was argued before a panel of three women. The court reviewed an emergency habeas corpus order granting the custody of a son to his father based on a judgment from a Muslim Shari'a court in the Philippines. The boy's mother argued the order was unenforceable. Members of the panel recall that before beginning his argument, counsel for the father commented that in light of the subject of that day's argument, he could not help but notice the panel's composition. But the presence of female judges is no surprise to advocates today.

So, the question remains: have Washington courts arrived at gender equality? While four of our nine Supreme Court justices are

female and our Court of Appeals is gender-balanced, the same cannot be said for our superior, district, and municipal courts. Only 29% of Washington state judges are female, slightly higher than the national average of 25%. This means more women judges are needed in our general and limited jurisdiction courts. Hopefully, the trailblazing will continue, and the gender equality found at the Supreme and Appellate court levels will spread to the rest of Washington's courts.

References

- The American Bench: Judges of the Nation (2008).Bureau of Justice Statistics, U.S. Dept. of Justice, State Court Organization, (2004).ABA Comm'n on Women in the Profession, A Current Glance at women in the Law (2006), available at <http://www.abanet.org/women/CurrentGlanceStatistics2006.pdf>.

Book Review: Law Firm Guide To Balanced Hours

By Leslie Ruiter, Attorney, Stokes Lawrence, PS

This Guide is a great resource for law firms considering a balanced hours program to decrease turnover and retain top talent. NALP presents carefully researched arguments on why law firms should follow the path of accounting firms and adopt balanced hours programs. What is a balanced hours program? It's a formal policy that allows attorneys to work reduced hours without stigma and without sacrificing professional success. The description of such attorneys as "part time" is gone; they are not working part time, just working less than other lawyers. Also, the moniker of the "lifestyle firm" is gone - firms that offer balanced hours programs have very talented and hard-working employees - the management simply recognizes that fair and flexible treatment of attorneys and their schedules makes good business sense.

Talented attorneys are leaving law firms at very high rates because they have not been able to find the work/life balance they need. Departing attorneys are male and female, parents and non-parents, and all seek room in their lives for many purposes, not just child or elder care. Large firms have not been able to retain a critical mass (over 17%) of women partners, despite hiring over 50% women each year. Clients also are demand-

ing that law firms reduce attrition; they are no longer willing to pay for training of junior associates or for a replacement attorney "getting up to speed", and lawyer turnover aggravates clients who benefit from long term institutional knowledge of their business.

Firms that implement balanced hours programs will reap a variety of benefits. The studies and policies discussed in the NALP Guide lay out the benefits of balanced hours programs by evaluating programs at major accounting firms and certain large law firms. For example, firms gain significant cost savings by reducing turnover; industry estimates are that it costs between \$200,000 and \$500,000 to replace a second or third-year associate. Accounting and law firms that have implemented balanced hours programs have documented very significant improvements to their bottom line by reducing the costs of training and attrition. In addition to these financial benefits, firms gain improved client relationships, and improved morale and productivity.

This NALP Guide addresses head on the usual arguments against balanced hours, especially the "myth of unprofitability". Arguments such as "part-time attorneys don't make enough to cover their overhead" are de-bunked by looking at all elements of firm profitability, including productivity,

margin and leverage. Also, the saved attrition costs far outweigh any slight reduction in revenue, even by traditional measures of productivity. The guide also responds to other myths, such as "balanced hours can't work for a litigation practice" and "our clients won't tolerate part-time attorneys." In response to the claim that "part time signals part commitment" the guide states unequivocally that defining "commitment" as availability 24/7 (rather than defining "commitment" as talent, reliability and responsiveness) systematically disadvantages women, who are less likely to have the option to work 10-14 hours a day away from family commitments. Some minority cultures also do not define "commitment" as 10-14 hours a day away from family. Thus, firms in the studies that adopted balanced hours programs were able to increase recruitment and retention of a more diverse group of attorneys - more women, more parents, more minorities.

This Guide also gives practical insight into how a balanced hours policy can succeed or fail in a law firm. For example, all firms acknowledge that there will be times when lawyers, including those in balanced hours programs, will have to increase hours to meet client needs. To deal with the dissatisfaction that comes from "schedule creep", however, firms should monitor hours and ensure managers encourage comp time when working more than the agreed upon hours is required. One of the most difficult issues attorneys face is the stigma attached to reduced hours. The Guide offers several ways in which law firm management can 1) structure and implement a policy to overcome resistance and eliminate stigma, 2) provide a working environment where "commitment" is not confused with "schedule" and 3) make advancement and challenging work available. The guide lays out the economic arguments for paying a pro-rated salary without the extra financial hit, and points out the potential liabilities of such penalties under the Equal Pay Act.

The NALP Guide has worksheets, sample policies and meeting agendas, suggestions on choosing the committee to work on a balanced hours program, and lots of practical information for law firms. Law firm management will appreciate this Guide because it is short, practical, and the conclusions well-supported.

WWL Whatcom County Chapter Welcomes Justices

By Kenni B. Merritt, Crowe & Dunlevy, PC

Washington State Supreme Court Justice Susan Owens and Justice Debra Stephens were special guests at the June meeting of the Whatcom County Chapter of Washington Women Lawyers in Bellingham. The 25 Whatcom County attorneys attending the meeting had the unique opportunity to meet the Justices and ask questions in an informal setting. The Justices provided their insight into the workings of the Court, including judicial conference procedures and the Supreme Court's formal decision-making process. The Justices also fielded many questions about oral argument and provided helpful tips for effective oral advocacy. The Whatcom County Chapter really appreciates the Justices making time during a busy week at the end of the Court's Spring 2008 Docket to travel to Bellingham to provide such a meaningful experience for Whatcom County lawyers.



Bellingham attorneys welcome Justice Stephens and Justice Owens to Whatcom



Member in the Spotlight: Judge Anne Ellington

By Gwen Marie Forrest,
WWL VP Newsletter

About 24 years ago, a young attorney made a last-minute decision

that would change both her life and the lives of many Washingtonians. Judge Anne Ellington, Court of Appeals, Division One, decided to become a judge 15 minutes before the filing deadline for a recently vacated superior court seat position closed. Judge Ellington graduated from University of Washington just 10 years before, and went on to work at the Attorney General's Office and then in private practice before making this career and life changing decision. Fortunately, the superior court seat had been vacated by a woman, leaving the door open for a woman successor. Judge Ellington was fortunate to receive support and encouragement from her partner to run, and went on to win the seat.

Judge Ellington has worked to improve the careers of women lawyers since she was a law student at the University of Washington in the early '70s and attributes the success of many of these women to WWL. She emphasizes the importance of the organization and notes that, "WWL has had a profound effect on the state of Washington." Judge Ellington recalls that in 1971, while she was a student, the King County Washington Women Lawyers came to the UW's Law Women's Caucus (LWC), and how

exciting it was to be around such a feminist crowd. From then on, Judge Ellington was a strong voice in the LWC and WWL, and credits WWL for advancing women lawyers. In 1977 and 1978, Judge Ellington remembers working tirelessly, with other WWL members, to organize chapters around the state and to work with the state board. Judge Ellington credits WWL for the number of women on today's bench, and says, "without WWL, we would be way behind." Indeed, Judge Ellington recalls a time when the guys would roll their eyes at the WWL meetings. If the judge and her colleagues had paid attention to the eye-rolling, Washington might not be where it is today in terms of women judges.

Judge Ellington modestly reflects on her impressive career by saying, "the groundbreaking had been done" even though she "can remember when one woman in a courtroom was a big deal." Judge Ellington began her judicial career in 1984, and was a Superior Court judge for 11 years before she became a member of the Court of Appeals in 1995. Judge Ellington was the first female Presiding Judge, and broke many barriers for those who followed. Humbly, while Judge Ellington discusses her love of the challenges and rewards of being on the bench, she acknowledges that it is also mixed with some terror.

Judge Ellington is proud of how far ahead Washington is in comparison to other states with regards to women on the bench, and

indicates that it is exhilarating to serve with other great women. Judge Ellington reminisced about 1994 and 1995 when there was a clean sweep: women leaders of all major court and justice entities, including herself as Presiding Judge. However, being a female Presiding Judge was not as big of a deal, Judge Ellington indicates, because there were women leaders across the board. When she and Justice Bobbe Bridge attended a conference out-of-state, attendees from other states were surprised by tales these two powerhouses had about the number of women leaders in Washington's judiciary.

Judge Ellington has also mentored a significant number of Washington's female attorneys. She continues to mentor WWL members by offering advice to women law students who seek a life on the bench when she says to "keep your options open." For practicing women lawyers, she would suggest that they be active in the profession and community. Furthermore, take advantage of mentorships, as most judges are happy to advise and consult. So, as Judge Ellington says, "Get over your shyness!" and remember, there is no one path to becoming a judge.



SAVE THE DATE

JOIN WASHINGTON WOMEN LAWYERS
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Leadership Symposium begins at 1 p.m.

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Please visit <http://www.wwl.org> for details and registration information

Kitsap CLE Provides Perspective from the Bench

WWL's Kitsap County Chapter's free brownbag CLE at the Kitsap County Courthouse on May 16, 2008 was a great success!

Superior Court Judge Leila Mills discussed the "Dos and Don'ts from the Bench Perspective."



Judge Leila Mills, Photo Courtesy of Karen Klein

Judge Mills gave an outstanding presentation on practice tips from the bench. Judge Mills shared practical tips on preparedness and how to best impress the court and your client. Her presentation was thorough, and a great way to spend the noon hour. Stay tuned for additional Kitsap CLE's that can improve your lawyering skills!

Are you an aspiring
writer? Do you have
any ideas for the WWL
State Reporter? Have
your voice heard!

Please contact
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Fair Pay Act

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paid [Ledbetter] a[n] unequal salary because of her sex." The Court of Appeals reversed the trial court's decision and the U.S. Supreme Court agreed, concluding, in a 5-4 decision, that the smaller paychecks Ledbetter received as a consequence of possible discriminatory performance evaluations did not constitute discriminatory pay decisions and thus the claims were time-barred.

Title VII provides for 180 days after the alleged discriminatory act to file charges with the EEOC. Ledbetter alleged her employer acted with discriminatory intent when it conducted performance evaluations and as a consequence her paychecks were unlawful because they would have been larger but for the discriminatory evaluations. A majority of the Court did not agree.

Dissenting Justice Ginsburg argued pay disparities are significantly different adverse actions such as terminations and the statute of limitations should run from every disparate paycheck, rather than the initial adverse action which may have been unknown to the employee. She invited Congress to correct the majority's misinterpretation of Title VII, stating "the ball is in Congress' court . . . the Legislature may act to correct this Court's parsimonious reading of Title VII."

Reaction to the Supreme Court decision was swift. Within a month after the decision was filed the Fair Pay Act was introduced to the House. The bill was an amendment to Title VII, the ADEA, the ADA, and the Rehabilitation Act of 1973, and clarified "that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes." The bill passed the House July

31, 2007 but failed to pass the Senate by vote on a motion to proceed April 23, 2008.

The bill faced difficult opposition in the White House as well as the Senate. President Bush threatened to veto the bill if it did pass the Senate, stating the "change would serve to impede justice and undermine the important goal of having allegations of discrimination expeditiously resolved."

Opposition in the Senate reflected this fear, a fear that the Fair Pay Act would increase the number employment discrimination cases filed and, as a consequence, increase litigation costs for corporations. As Senator Mitch McConnell stated, "We think that this bill is primarily designed to create a massive amount of new litigation in our country, and I think that is the reason for the resistance to its passage on our side." Heading up the opposition to the bill was the Chamber of Commerce and the National Association of Manufacturers.

But there is hope for supporters of the Fair Pay Act. Democratic leadership has said they will bring up the bill again for another attempt at a vote in the Senate. Groups such as the National Women's Law Center, the American Association of University Women, the National Organization for Women, the National Partnership for Women and Families, and Legal Momentum, have vowed to keep pushing for a vote in the Senate. Lilly Ledbetter's words before the House Committee on Education and Labor give reason for the fight to continue: "According to the Supreme Court, if you don't figure things out right away, the company can treat you like a second class citizen for the rest of your career. And that's not right."

Spokane Chapter WWL Adopts Rooms at the Women's and Children's Crisis Center

By Kammi L. Mencke, WWL Spokane Chapter President-Elect

The Spokane Chapter of the WWL is diligently trying to do more community service each year. This spring we adopted a room at the Union Gospel Mission women's and children's crisis center. The weeks leading up to the project, WWL solicited monetary contributions and volunteers from its members. We were successful in collecting more than \$700.

Based on the monetary contributions and the number of volunteers the chapter decided to adopt two rooms instead of just one. One room was a single women's room that consisted of three sets of bunk beds and a small hotel-like bathroom. The other room was a mother's room which is intended to house a mom and her children. The mother's room consisted of two sets of bunk beds and a hotel-like bathroom.

A group of 15 WWL members, spouses, and children worked on a Sunday from 9am until 3pm. We painted the rooms with neutral colors, put on all new bedding, throw rugs, pictures, curtains, towels, shelves in both bathrooms, and new shower curtains and bath rugs. The women at the crisis center were very excited to see the finished products and were asking to be transferred to the newly updated rooms.

This community service project not only immediately helped women in need within our community, but will continue to provide comfort for the women who live at the shelter. Additionally, this project brought the members of the Spokane Chapter of WWL together to socialize and be thankful for the blessings we have in our own lives.



BRIEFLY SPEAKING: REPORTS AND ANNOUNCEMENTS



Don't Miss

** Join the **Clark County/St. Helen's Chapter** on Friday, September 5th from 12:00 – 1:00 p.m. for a panel discussion by the female Clark County Judicial Officers, featuring Judge Barbara Johnson, Judge Diane Woolard, Commissioner Carin Schienberg, Commission Kelli Osler, and Commissioner Sonya Langsdorf. This event will be held at the Clark County Public Service Center Training Room (6th Floor) and refreshments will be provided. \$5 for WWL members/\$12 for Non-Members. Membership applications will be available at the event. To RSVP or for more information, email wwlsthelens@yahoo.com.

** The **King County Chapter** and the **Northwest Women's Law Center** invite you to Get Schooled in Title IX on Friday, September 12th. Join them for a discussion on the history, scope and impact of Title IX on local education and school athletics (3:00-5:00 p.m. Olympic Room, Seattle Center), a Salon and Reception (5:15-6:30 p.m., Olympic Room, Seattle Center), and a Storm game (7:00 p.m., Key Arena). For more information about this exciting event, view the event flyer. For further information and to RSVP, visit www.nwwlc.org or call 206.682.9552.

Continuing Legal Education

** **Credibility & Gender in the Courtroom**, September 4, 2008, 11:45 a.m.-1:30 p.m. Location KL Gates, 925 Fourth Avenue, Suite 2900 1.5 Ethics CLE credits
Cost: \$30 for non-WWL members; \$20 for WWL members; free for students (a limited number of student spaces are available)
RSVP to Sara Amies (sara@stellerlaw.com) or Jill Pugh (jill@EmploymentLawWA.com)

WWL Capitol Chapter Welcomes Justice Stephens

By Margaret Lee, Goodstein Law Group

WWL Capitol Chapter co-hosted an event with the Government Lawyers to welcome Justice Stephens to our Olympia community. The cocktail party was enjoyed by all in attendance and gave everyone a chance to get to know the most recent member of the Washington State Supreme Court and a wonderful new mentor in Olympia. Justice Stephens addressed the crowd and talked about how excited she is to be in Olympia and to become part of the community life here. Thank you Justice Stephens for giving us the opportunity to welcome you!

Member Perspective: Justice Susan Owens

By the Hon. Susan Owens, Washington Supreme Court Justice

In 1981, I was living in the wilderness that is Lake Ozette, staying home to nurse my daughter Sunny. One day I received a "Notice of Public Hearing" from my former law partner. It was a hearing notice from the Board of County Commissioners requesting input about whether they should form a new Judicial District Court based in Forks. I attended the hearing and was asked if I would apply for judge. I did and was appointed by the Board to serve as Clallam County District Court II's first elected judge (that came in November 1982).

I never expected to be a judge at such a young age, but the opportunity was there and so was I. I was elected to five terms, until I left for the Supreme Court in 2001.

In 2000, my kids were out of the house more or less, and I was about to serve a year as President of the District & Municipal Court Judges' Association (DMCJA). We had been working on several

important justice initiatives, and when no sitting Judge announced for the two open seats on the Washington State Supreme Court, I quickly began to recruit appropriate candidates. Everyone I approached said, "You should do it!"

I sought a lot of advice from long-time colleagues and friends, but couldn't decide for sure until late June when I realized that the primary fell on my father's 80th birthday and the general election fell on my son's birthday. Sometime the stars have to align and your numbers have to show you a magical sign.

This race was a lot different from a rural county race. I had to cover the state and spent lots of time in Seattle; I had to drive three hours from my home just to be anywhere! But I had great grassroots supporters who worked hard. That's the short version of how I became the 7th woman to serve on the Washington State Supreme Court.

Don't let the size of an undertaking deter you. Be ready when an opportunity presents itself.

The Heart of the Matter: On Deciding to Pursue the Judiciary



By Jane Faulkner, JD, CPCC, ACC

Do you remember the excitement in the air when Sandra Day O'Connor and Ruth Bader Ginsberg were appointed to the Supreme Court?

How do you decide if service on the bench is *your* path?

It's a decision that takes time and experience to make wisely, says Nancy Isserlis, a practicing lawyer in Spokane and a veteran judicial campaign manager for judiciary positions at all levels in our state system. Nancy has chaired or co-chaired at least two-dozen campaigns over the past 20 years (and worked on many more). She generously contributed her thoughts and wisdom to this column.

From my conversation with Nancy, three lenses emerged for evaluating your decision.

1. *First, what inspires you to consider the bench? Do you have a passion for public service?*

The judiciary's role in society is important and can be far-reaching. Take a look at the mission statement of the International Association of Women Judges: "The IAWJ believes that women judges are in a unique position to impact the rights of women through the judicial system, and to protect and empower women throughout the world. These judges operate on the premise that through the exercise of informed and united leadership, women judges can be catalysts for social transformation." www.iawj.org

If you feel passionate about being a judge, your passion will empower you to maintain a positive attitude about the more challenging aspects of the process—such as navigating screening committees, campaigning, and fundraising.

2. *Do your values align with the qualities that will support you in being a well-respected jurist?*

Nancy notes that being a good judge is less about brilliance and more about being well-rounded and having a broad base of legal and real world experience as well as a commitment to public service. That sort of experience contributes to the wisdom and judg-

ment found in the best judges. And once on the bench, judges are asked to be involved in their community and connect with people from all walks of life.

Other qualities often cited as important include detachment, impartiality, discernment, diligence, integrity, and comfort with public scrutiny and the possibility of making mistakes. Additionally, many women have been brought up developing their skills in empathy, understanding, listening, communicating, compassion and relationship building—all qualities that contribute to a balance of head and heart.

3. *Are you committed enough, in your desire to serve on the bench, to approach the selection and election processes wholeheartedly?*

Although approximately 70% of the judges in this state are appointed first, all judges in Washington have to stand for election after a fixed term of two to six years (depending on the court). If you are thinking about serving on the bench, you need to be prepared for the demands of running a campaign. There are stringent campaign, finance and ethical rules and responsibilities that are part of the process, not to mention the public scrutiny and high level of due diligence that are constant companions in the life of a judge.

Nancy suggests that anyone interested in the bench should work on a grassroots-level judicial campaign. The first-hand experience and insight gained is not readily available in any other way, and it may answer any questions still open after you have evaluated your decision through the lenses above.

As Sandra Day O'Connor said, "We don't accomplish anything in this world alone. ... and whatever happens is the result of the whole tapestry of one's life and all the weavings of individual threads from one to another that creates something."

Please join us in welcoming our new columnist, Jane Faulkner, a past practicing attorney and coach. She works with women attorneys to guide them to find fulfillment in their careers and lives, and can be reached at www.embodiedliving.com. Jane will be writing her quarterly column, titled, "The Heart of The Matter."



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<i>VPs, Professional Development</i>	Megan McCloskey, Renea Saade	<i>Seattle University</i>	Lindsay Fisher, Jeannie Duncan
		<i>University of Washington</i>	Elizabeth Mills, Deborah Byrne
		<i>Gonzaga University</i>	Ilaria Hare Heiderich