

Celebrating International Women's Day: Securing Land Rights and a Better Future for Rural Women and Their Families

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By Deborah Espinosa, RDI Staff Attorney

"I now understand that women have equal rights to land." Those softly spoken words once again reminded me of the reason I work for the Rural Development Institute (RDI). The statement came from Bridgette, a Rwandan woman who had lived her life with little understanding of her rights to her most important asset: land. And when she spoke these words, she did so standing in a room of about 700 members of her community. Her bold statement as a part of a community theater production for the Land Dispute Management Project, a collaboration between Seattle-based RDI and our partners, including the Rwandan Ministry of Natural Resources. Community theater honors both Rwanda's oral storytelling tradition and promotes RDI's legal literacy campaign in rural areas of Rwanda.



to celebrate International Women's Day and support RDI's efforts to promote and protect women's rights to land around the world. The importance of the event was apparent by the buzzing attendees celebrating Bridgette and women just like her in their struggle for secure rights to land.

RDI is a non-profit organization of attorneys and land professionals whose mission is to help secure access and rights to land for the world's poorest, particularly women.

Most of the world's population lives in rural areas, relying solely on land for their shelter, food, income, status, and security. Without land to cultivate, rural families struggle just to survive, let alone

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On March 12, 2009, 550 people gathered in Seat-

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.

A Spring Celebration to Shout About

By Jeannie Duncan, WWL Seattle University Liaison

In 1851, the noted abolitionist and women's rights activist Abby Kelley observed, "[M]y life has been my speech. For fourteen years I have advocated this cause [of women's rights] in my daily life. Bloody feet, sisters, have worn smooth the path by which you have come hither." Kelley's understanding that the voice—the voice of the mother, the sister, the child, the advocate—lays the path for our sisters, our children, our friends, our cause is a beautiful narrative of that cataclysmic phenomenon known as Empowered Women.

On March 26, 2009, empowered women and their supporters everywhere had something new to shout about: Legal Voice.

Legal Voice is the organization formerly known as the Northwest Women's Law Center, which, for over thirty years now, has been this region's dedicated catalyst for equality and women's rights. At the annual Northwest Women's Law Center Spring Celebration, this year held at the Paramount Theatre in Seattle, Legal Voice not only unveiled a new name, but also a new logo: the flag bearer, which symbolizes the action and vital force that enables substantive, lasting change for women's rights.

The Spring Celebration was the perfect unveiling for these exciting new developments. The festivities began with a warm welcome from Seattle University Law Student and Spring Event Committee Volun-

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PRESIDENT'S LETTER



By Amy Robinson,
WWL President

Greetings Members
and Friends,

Spring is indeed upon us! I hope this edition of our newsletter finds each of you enjoying the signs of renewal all around us, whether it be the buds of blossoms that are finally blooming in your gardens, the springtime "baby boom" birth of a new generation (I'm pleased to report I became an aunt for the first time during this record baby season!), or just the simple and often unexpected signs of hope springing eternal amongst us in these uncertain times.

For me, I felt the signs of springtime renewal clearly when I hosted the Past President's Brunch on May 2nd in Seattle. It was truly a privilege to gather amongst this group of such noteworthy women lawyers to share the triumphs, tragedies, comedies, and historic moments from their years of service



entrusted me with this year, it is truly an honor.

Thank you again to each of my predecessors who were able to join us this year (pictured above) for the inspiration and encouragement they shared: Kristal Wiitala (80-81), Christina Meserve (81-82), Justice Mary Fairhurst (89-90), Sheryl Garland (91-92), Linda Moran (92-93), Nancy Krier (94-95), Millicent Newhouse (97-98), Joni Kerr (98-99), Suzanne Thomas (99-00), Rosanna Peterson (00-01), Kerry Keefe (01-02), Kristi Helgeson (02-03), Jennifer Grant (03-04),

to Washington Women Lawyers. I am constantly awed and inspired by the legacy that my predecessors and this organization have

Jennifer Smith Meyer (04-05), Tisha Paganilauan (05-06), Joan Tierney (06-07), Janet Chung (07-08). For those of my distinguished predecessors who weren't able to attend, we hope to see you next year as we already have plans in the works to do it again!

I also want to thank Pat Foster (President-Elect) and Tracy Sarich (VP Legacy Project) who helped make this event such a success, and especially Tracy's efforts to capture memories and stories for the Legacy Project. We hope to have an opportunity to share those with you very soon, so stay tuned for more information about the Legacy Project. And, for those of you who weren't able to attend and served in a leadership role for WWL in the past, please consider completing the Legacy Survey and allowing us to recognize the valuable contributions you made to women lawyers in Washington and preserve those memories for the future. The survey can be located on our (new and improved!) website at www.wwl.org. Best wishes! Amy

Spring Celebration



(Continued from page 1)

teer Monica Hartsock, whose lighthearted introduction paved the way for Legal Voice Executive Director Lisa Stone. In typically high-energy fashion, Stone highlighted the past year's accomplishments.

This past September, Thurston County Superior Court ruled that Dean Lake, who quit his job to care for his same-sex domestic partner of 12 years as he battled and ultimately succumbed to terminal brain cancer, was entitled to unemployment benefits because he was part of his partner's "immediate family" and thus, had good cause to leave work. Last October, Legal Voice client Ramona Danny gained a victory in the Washington State Supreme Court, which acknowledged a cause of action for people who are terminated from employment after taking leave in order to deal with domestic violence issues. Aided by Danny's testimony and Legal Voice's advocacy, in April 2008, Governor Christine Gregoire signed into law House Bill 2602, which gives all employees who are victims of domestic violence, sexual assault, and stalking the right to take reasonable leave from work to

address the effects of these crimes and attain safety. And this January, Legal Voice helped persuade the 9th Circuit Court of Appeals that Norma Owens, who, for more than 20 years, stayed home to care for her family, was entitled to a portion of her ex-partner's pension.

Even with these significant victories in hand, Stone promised that Legal Voice would continue fighting tirelessly to make its mantra (inspired by Susan B. Anthony) a reality: *Women's Rights. Nothing Less.* And Legal Voice is currently battling one big fish—pharmacies.

As passed, the Washington Board of Pharmacy rules do not require pharmacists to fill prescriptions to which they object. Instead, the pharmacy itself must ensure that a patient gets her medications, thereby accommodating any pharmacist who objects to filling a prescription for personal reasons. But some pharmacies and other health care providers have challenged these rules in federal court, arguing that they do not go far enough to protect people who conscientiously refuse to fill prescriptions they do not agree with. Legal Voice intervened to defend the rules on behalf of several clients who have either already been refused medications or fear refusal.

One such client, former Washington State Superintendent of Public Instruction Judith Billings, attested to the importance of fighting the pharmacies on this issue. In January 1995, Billings went public with her fight against AIDS, which she contracted after attempting to become pregnant by artificial insemination. In speaking at Legal Voice's Spring Event, Billings noted that her survival, each and every day, is based upon having the exact medicine at the exact time. No exceptions. Bring refused service at a pharmacy would quickly put her life at risk.

Billings was once quoted as saying, "Life was not meant to be lived in fear. . . . Life was meant to be lived in hope. And that is exactly what I intend to do with my life." Her fight will ensure that future patients will not have to live in fear of refusal. And Legal Voice remains committed to advocating for her fight as well as the fight of all women in the region.

Legal Voice's Spring Celebration marked an exciting change in the way we perceive this Northwest icon and provided an uplifting recap of all the ways that it, along with its many volunteers and supporters, is a catalyst for change. We can all look forward to the next victory, the next celebration, and the next cause to shout about.

International Women's Day

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meet basic health needs or pay school fees.

Women's rights are particularly important because women are the primary providers of food for the family and do most of the world's agricultural labor and when assets are within the control of women, children's educational opportunities, nutritional status, and health increases. In addition, women with rights to land experience significantly less physical and sexual abuse and are less likely to be forced to engage in transactional sex, thus reducing the risk of HIV/AIDS.

Yet the barriers that rural women face in obtaining and enjoying rights to land are formidable. In many countries, laws prohibit women from owning property and, in fact, sometimes women themselves are considered property to be owned and sold. But even if legislation provides women land rights, often customary law and practice severely restrict women's roles, making the mere notion of owning land a dream. And even if formal rights exist and local custom allows women to own land, access to information about laws and legal processes is severely limited and in some places, non-existent.

The primary means by which rural women obtain access to land is usually through a male relative. In much of the developing world, purchasing land is rarely an option. However, wives often outlive husbands or the household otherwise breaks down due to abandonment, divorce, male migration, or war. Under those circumstances, unless a woman has her own right to stay on the family land, her husband's death or departure makes her vulnerable to "land grabbing" by her in-laws and/or adult children. She may be given the choice of either leaving the family land (and her children) or marrying a brother-in-law to stay on the land with her children. Often she has no option of returning home to her birth family's land because her parents' land was allocated to her brothers.

Because women's rights to land depend on their relationships with men, the laws governing marriage, divorce, succession, and co-ownership are critical. Where, for example, civil code provisions governing co-ownership include a marital exception, RDI will identify that as an obstacle for women in informal or customary marriages and provide to the government comparative information on neighboring countries' legal treatment of the issue.

That's why we do what we do. So that women like Salome and Bridgette can live their lives knowing that they have a secure home, source of food, and future.

For more information about RDI's efforts to secure women's land rights around the world, please check out RDI's website: www.rdiland.org

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

Please contact
Gwen Marie Forrest at
gwen.m.forrest@gmail.com or Meg Lee at
meglee77@gmail.com

A Basis for Professionalism: Respect

By Molly Kenny, WSBA Professionalism Committee Member

The last WSBA Professionalism Committee meeting discussed the difference between men and women with regard to professionalism. Some women in the audience felt they have been treated poorly in certain situations because the other person believed women did not deserve better treatment. But are there occasions when women may be treated differently, not necessarily poorly – the interesting question is the reason for this difference in treatment.

Is opening the door for a woman as she walks into the courtroom seen as courteous or disrespectful? What is chivalry and how is it received? The Committee explored these issues and came to the conclusion that the heart of professionalism is respect; respect for the opposing lawyer, for the opposing party, for the judge and for all other personnel involved in our legal system.

Respect can be shown in different ways by different people. With regard to chivalry, if the chivalrous act is grounded in courtesy, then it is professional. If the act is grounded in superiority, then it is not professional.

There is an old and familiar saying that "beauty is in the eye of the beholder." But respect and professionalism may exist beyond just the narrow realm of how the receiver perceives it as the actor perceives it as well. This may require us to engage in a conversation with the actor and others within our profession in order to raise awareness.

This is not earthshaking – respect and professionalism have been explored in many arenas. But the varied practice areas, locales, ages, ethnicities and sexes on the committee, and the fact that we were still discussing these issues, suggests that we need to be reminded of this periodically. In the end, everyone on the Committee agreed that if we all act out of respect in our day to day work lives, we will do much to forward the growth of our profession and to enhance its esteem.

The WSBA Professionalism Committee recommends programs to increase professionalism by assisting attorneys in fostering better client relations, improving civility among practicing attorneys, and developing a better public image. Visit our Web site at:

<http://www.wsba.org/Lawyers/groups/professionalism/default1.htm>.



Timeless Professionalism Lessons: The Devil is in the Details

By Cynthia B. Jones, WWL Publicity VP

I came across a story recently while reading the Wall Street Journal's Law Blog about an email exchange between two Boston lawyers William A. Korman and Dianna L. Abdala (The recap of this exchange was posted by Peter Lattman.) While the story is about three years old, the lessons from what happened are timeless. According to Lattman, Abdala had responded to an ad that Korman posted on Craigslist for a criminal defense associate at his firm. Korman offered Abdala a job, came up with a start date, but then decided to hire an additional associate thereby reducing Abdala's salary. Here's the ensuing email exchange:

—Original Message—

From: Dianna Abdala

Sent: Friday, February 03, 2006 9:23 PM

To: William Korman

Subject: Thank you

Dear Attorney Korman,

At this time, I am writing to inform you that I will not be accepting your offer.

After careful consideration, I have come to the conclusion that the pay you are offering would neither fulfill me nor support the lifestyle I am living in light of the work I would be doing for you. I have decided instead to work for myself, and reap 100% of the benefits that I sew [sic].

Thank you for the interviews.

Dianna L. Abdala, Esq.

— Original Message —

From: William A. Korman

To: 'Dianna Abdala'

Sent: Monday, February 06, 2006 12:15 PM

Subject: RE: Thank you

Dianna -

Given that you had two interviews, were offered and accepted the job (indeed, you had a definite start date), I am surprised that you chose an e-mail and a 9:30 PM voicemail message to convey this information to me. It smacks of immaturity and is quite unprofessional. Indeed, I did rely upon your acceptance by ordering stationery and business cards with your name, reformatting a computer and setting up both internal and external e-mails for you here at the office. While I do not quarrel with your reasoning, I am extremely disappointed in the way this played out. I sincerely wish you the best of luck in your future endeavors.

Will Korman

—Original Message—

From: Dianna Abdala

Sent: Monday, February 06, 2006 4:01 PM

To: William A. Korman

Subject: Re: Thank you

A real lawyer would have put the contract into writing and not exercised any such reliance until he did so.

Again, thank you.

— Original Message —

From: William A. Korman

To: 'Dianna Abdala'

Sent: Monday, February 06, 2006 4:18 PM

Subject: RE: Thank you

Thank you for the refresher course on contracts. This is not a bar exam question. You need to realize that this is a very small legal community, especially the criminal defense bar. Do you really want to start pissing off more experienced lawyers at this early stage of your career?

—Original Message—

From: Dianna Abdala

Sent: Monday, February 06, 2006 4:29 PM

To: William A. Korman

Subject: Re: Thank you

bla bla bla

According to Lattman, Abdala filed a complaint against Korman with the state bar board for forwarding her email to an outside party. Korman told a local Boston newspaper: "All I did was forward a non-privileged, non-client communication to somebody who then chose to forward it along. I really don't see where the ethical breach is."

Later, "Young Lawyer" posted the following comment to Lattman's blog: "There is something to be said for the exercise of judgment...or the lack thereof. Chose [sic] your battles wisely!"

Carey Bertolet, writing for LawCrossing.Com, summed up the story as "The 'Bla' Heard Round the World." The email exchange made its way to the major news outlets, including CNN.

Bertolet frames the lesson this way: "If you don't want your conduct to be a topic of conversation, it shouldn't be memorialized electronically." Bertolet goes on to write that a lawyer's professional conduct broadcast (literally) worldwide drew such attention that it was, in Bertolet's words, a bell that will never be unring.

One more thought to ponder: Bertolet shares a story about sitting in a passenger seat as the partner she worked

drove to the courthouse to start a trial. The partner was rudely cut off while pulling into the parking lot. To her amazement, this partner smiled and waved the driver along, and they continued on their way. The partner explained that although he might normally honk, swear, or raise a middle finger, there was at least a small chance that the person who cut him off was going to be seated on the jury for their case.

The moral of this story? I'm learning every day how valuable it is to reflect on my own behavior, even in the most unguarded moments like, say, driving behind the wheel or sending an email. And to be aware of how I may be perceived as a lawyer even when in a private life situation... and how that perception reflects upon our profession.

This article appeared in a different form in the April 2009 DeNovo, published by the Washington Young Lawyers Division of WSBA.

Cynthia B. Jones is VP of Publicity for WWL and is the editor of DeNovo. She practices in the area of commercial litigation at Rafel Law Group PLLC. Cynthia can be reached at 206-838-4195 or cjones@RafelLawGroup.com.

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Legacy Project Goes Global

By Tracy Sarich, WWL VP Legacy Project

WWL's Legacy Project launched in April with a survey that we asked all of our members to complete, a calendar of state-wide events, and an opportunity to connect on Facebook.com and LinkedIn.com (www.wwl.org). We've begun to hear from many old members. Amy Robinson, WWL President, and Pat Foster, WWL President-Elect, planned an inspiring Past-President's brunch on May 2, many of the attendees are energized by the Legacy Project.

We hope to collect more information about all of you at the upcoming KCWWL Judicial Appreciation Luncheon where we will have a table and share more about our work this year.

And we heard from across the world – Kyrgyzstan, in fact – from a former WWL Board Member, Barbara Standal, who is working on human rights issues and has become part of the Women's Bar of Azerbaijan. Barbara sent us a picture of herself with her Azerbaijani colleagues. More about Barbara and her work can be found on the WSBA website (<http://www.wsba.org/media/publications/barnews/dec06-standal.htm>).

We hope you will continue to follow our Legacy Project events and send in your survey. For more information about the project, please contact Tracy Sarich at tracy.sarich@childrenstrust.org.



Former WWL Board Member, Barbara Standal, and Azerbaijani colleagues

BRIEFLY SPEAKING: REPORTS AND ANNOUNCEMENTS

Mark your calendars!

The King County Chapter's Judicial Appreciation Luncheon will be held at the Arctic Club Hotel, 700 3rd Avenue, Seattle, on June 17 from 11:30-1:15 p.m. Celebrate the recipients of the Betty B. Fletcher Judge of the Year Award, the President's Award, the Vanguard Award, and the Special Contribution to the Judiciary Award. Questions: mreiten@tousley.com.

Of note:

WWL will now accept non-time sensitive advertisements in the State Reporter, subject to approval by the State Reporter Editors and Executive Board. Payment must be received prior to printing.

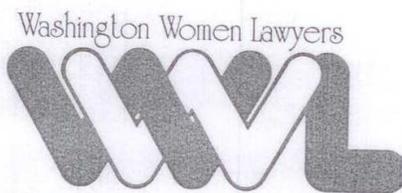
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Remember When...



WWL's March 1989 issue recognized an early member and "founding sister" Jane Noland. Ms. Noland joined WWL in the 1970's when she was a student at UPS, at a time when only 10% of the students in her class were women. WWL provided support for women lawyers facing professional challenges in the 70's, much as it does today. Ms. Nolan was one of many who helped pave the way for women and WWL today: "WWL helped educate people about women as professionals. Women may have a different way of looking at things, but that does not mean women are not competent as professionals."

The March 1989 article also recalled Capitol Chapter's rough beginning, when the chapter was struggling to enroll the requisite ten persons to start the chapter back in 1978. Fortunately the chapter did find those ten people, and flourished with many more members serving as "a source of emotional support, information, and an open door for women and men alike."

King County Chapter is as Active as Ever!

WWL King County Chapter's civic committee and member volunteers visited the women at the Jubilee Women's Center on March 31. Ciara Murphy, the Director of DV Programs for the Salvation Army, provided a presentation for the women and we all enjoyed making and eating dinner together. We also delivered business attire our members generously donated. We had a great response to our call for volunteers and look forward to the next civic event. On April 10, WWL King County Chapter held a CLE with experienced mediator Teresa Wakeen, who discussed gender roles, cultural diversity and personal dynamics in negotiations. On April 16, King County Chapter's Annual Spring Happy Hour was held at Verve in Columbia City. Last year the Chapter had almost 90 people at this event! Finally, King County Chapter presented "Speed Mentorship" on April 17. This event brought women attorneys from diverse backgrounds together with law students for an informative, yet informal and fun evening of mentorship. Law student mentees met for 3 minutes with each women attorney mentor before rotating.

Whatcom County Chapter Commissioner's Forum is a Rousing Success

WWL Whatcom Chapter recently held a "Commissioner's Forum" on March 6, 2009. All three full time Whatcom County Superior Court commissioners, as well as the three pro-tem commissioners attended and shared the experience, ideas and feed back to the legal community. It was a rousing success in building the relationship between commissioners and the local attorneys as well as giving both sides an opportunity to work towards communication and understanding.

Washington Lawyer In the Spotlight: Sara Ainsworth Makes Outstanding Legal Contributions

By Genevieve Hayton, *Legal Voices Intern*



The UW Law Women's Caucus "Outstanding Contributions to Women and the Law" award is presented once a year to an attorney who has substantially furthered women's rights in Washington. True to the award's title, the diverse contributions of this year's recipient, Sara Ainsworth, are truly outstanding.

Ainsworth currently serves as Senior Legal and Legislative Counsel at Legal Voice (formerly the Northwest Women's Law Center), where she has effectively advocated on behalf of women and girls for the last seven years. Describing the impact of Ainsworth's work on Washington women, Lisa Stone, Executive Director of Legal Voice, states that, "Sara's approach to protecting women's rights melds the highest levels of legal acuity with a practical understanding of the realities of women's lives. She brings that understanding to bear when analyzing potential cases and in drafting legislation, so that the resulting law is not just aspirationally good for women, but actually improves their rights and their lives."

Ainsworth has helped promote and draft important legislation to strengthen and reform laws in key areas affecting women, such as domestic violence, economic justice, and reproductive rights. Some of Ainsworth's major victories in these areas include successfully advocating to change Washington law to require time off from work for victims of violence who need to take steps to ensure the safety of their families; helping pass groundbreaking legislation that prohibits discrimination in housing against victims of domestic violence, sexual assault and stalking; and helping a broad coalition of health advocates pass the Healthy Youth Act, a law requiring that sex education, when taught in public schools, be medically and scientifically accurate.

Ainsworth's work at Legal Voice includes developing and coordinating impact litigation to advocate on behalf of victims of violence and sexual abuse. One of these cases resulted in the 9th Circuit

ruling that the "extreme cruelty" requirement of the Violence Against Women Act must be interpreted to include nonphysical acts of domestic abuse. She was involved in a Washington Supreme Court case that importantly established the irrelevancy of the concept of contributory fault to child sexual abuse. In addition to her work in impact litigation, Ainsworth volunteers at the Latina/Latino Bar Association's Legal Clinic at El Centro de la Raza, where she advises people on family law, housing, and public benefits. Ainsworth's background in legal services also includes practicing poverty law for Northwest Justice Project and Snohomish County Legal Services.

Beyond her outstanding legislative and legal contributions to social justice, Ainsworth is actively involved in empowering women through education and community outreach. Ainsworth heads the Board of Directors of the Sexual Violence Law Center, a nonprofit organization that provides survivors of sexual violence with legal resources, training, referrals and consultation. She also currently teaches Poverty Law at the University of Washington, encouraging students to critically examine social problems such as racism and gender and consider how these issues impact the legal rights of people living in poverty.

The 2009 UW Law Women's Caucus "Outstanding Contributions to Women and the Law" award acknowledges and honors Ainsworth's ability to effectively advocate for change in diverse contexts, a skill which has helped ensure progress in the law and has provided important protections for women throughout the Northwest.

Discussing the inspiration behind her work, Ainsworth notes, "I feel just as dedicated to the cause of advancing social justice today as I did when I was a new lawyer. The social movements for equality for the LGBT community, the need to stand for our civil liberties in the face of fear, the movement to defend people who are immigrants, the work to end poverty – each is a daily reminder that our work as lawyers is still necessary and can help lead to lasting, progressive change."



Practicing Law in a "Family Within a Family"

By Carol Bailey Medwell

Family law is challenging and the knowledge required to be able to capably represent clients is somewhat daunting. Yet family law is a practice where lawyers can make a significant contribution to society by practicing in an informed and caring way as a "family within a family." Clients involved in family law matters are often emotionally fragile and do not understand the law, they rely heavily on the advice of their attorneys. Therefore, the advice of the family law attorney needs to be carefully thought out both in terms of legal result and in terms of personal impact in the client's life.

Such challenges in the practice of family law also provide a great opportunity for service. If the lawyer is asking questions about the larger family support system and shows concern and care for the impact of each action on the other parent and on the child, the client will often follow suit and become more conscious of his or her actions and motivations with a focus on the child. The opposite, unfortunately, also happens. If the lawyer adopts a "take no prisoners" approach the client often gets wrapped up in the fight and may lose perspective on the impact the legal process is having not just on the other parent, but on the child, and ultimately on the client.

Because family law is such a challenging practice the structure of the workplace matters a great deal. If the workplace supports a parent's ability to spend time with his or her own family it makes dealing with other people's family problems much more tolerable. A support system within the workplace makes the practice of law more effective and satisfying when the attorney feels he or she and the clients have solid support.

Ironically, it takes several systems, we could call them "small family systems" to support the well being of clients in family law cases. The clients and their lawyers are a "little family system" and that system needs effective communication and conflict resolution skills. In addition, the law office internally is a "small family system" that supports the lawyer and thereby the client. To the extent that we as attorneys are able to create supportive, functional "small family systems" we can make our clients lives better and serve society by our example. This is a challenge, but a fun challenge, like almost all other aspects of family law.

Capitol Chapter Holds Wine Bar Event

On March 5th, the WWL Capitol Chapter hosted an event at Swing Wine Bar in downtown Olympia. The event was well attended by WWL members from Olympia and beyond, and was a wonderful opportunity for new attorneys to network and



others to reunite with friends from other WWL chapters. Thank you Becca Glasgow and the rest of the Capitol Chapter for such a great event!

The Civil Legal Aid Funding Crisis

By Sharon Payant, WWL VP Professional Development and Jennifer Brugger, WWL Kitsap County Rep

It is not news that there is an economic downturn in our country that has affected many people, or that those effects are being disproportionately suffered by people of low income. What those of us in the legal profession may not appreciate, however, is the drastic, and growing, effect it has had on one ideal of our profession: access to justice. The problem isn't just that people aren't as willing to donate money to civil legal aid programs in this economy. According to a recent Washington State Bar News article by Bar President Mark Johnson, the problem has been exacerbated by the increased need for civil legal aid services, most prominently in the areas of housing and domestic violence. In the face of this increased need, there has been a staggering decline in funding.

In Washington, interest on IOLTA accounts goes to the Legal Foundation of Washington. According to the article, that funding source has substantially decreased, in part because of the Federal Reserve's interest rate cut, which has cut the interest earned on IOLTA accounts to a nominal amount – "essentially zero" according to Mark Johnson. IOLTA revenues fell from almost \$9.2 million in 2007 to just under \$4.7 million in 2008, and it appears those earnings may suffer yet another drastic drop in 2009 unless something changes. In addition, the LAW Fund's Campaign for Equal Justice brought in almost half a million dollars less in 2008, totaling a decline of roughly \$5 million in funding. Another source of funding is the Office of Civil Legal Aid (OCLA), an independent judicial branch agency that contracts with the Northwest Justice Project to provide civil legal aid to low income people. The OCLA also experienced a budget cut this year. Unfortunately, the people that suffer from these budget cuts are those who are most in need during these difficult economic times.

How we bridge the gap between the increased need for legal aid services and the decrease in funding for those services has been a recent topic of discussion for many at the Bar and in civil legal service agencies. On May 13, 2009, the Washington State Bar Association Board of Governors held a special public meeting to discuss this topic. Some of the proposals presented at that meeting included:

- A mandatory Bar dues increase of \$70 per member;
- An "opt-out" civil assessment added to yearly Bar dues;
- A reallocation of WSBA reserves, such as a portion of the CLE reserve fund, to the Legal Foundation of Washington;
- The organization of a sizeable campaign for contributions; and
- The initiation of cost-cutting measures by the WSBA.

The above list is just a brief summary of some of the ideas being discussed, many of which would need to be implemented in conjunction with one or more of the other proposals to be effective. There are likely to be more opportunities to be heard on this issue. Your voice is important - please be sure to keep an eye out for future opportunities to discuss, and hopefully resolve, this crisis.



ADDRESS SERVICE REQUESTED

TO:

The WWL State Reporter is a publication of Washington Women Lawyers. It is published quarterly in most years. Please send change of address notices to wwl@wwl.org with the word "Member change of address" in the subject line.

To submit event notices or announcements, please email wwl@wwl.org with the word "Announcement" in the subject line.

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