



ILLINOIS STATE BAR ASSOCIATION

THE CATALYST

The newsletter of the Illinois State Bar Association's Standing Committee on Women and the Law

Chair's column

By Sandra Crawford, J.D.

The Women and the Law Committee (WATL) is what is sometimes referred to as an "odds-and-ends committee," meaning it is a not a topic- or practice-area-specific committee. Having this feature gives WATL a very broad range when it comes to things like planning events, MCLE and cable program offerings, reviewing and commenting on proposed legislation. This wide range also allows us many opportunities to partner with other ISBA committees and groups outside ISBA. Many WATL members also chair or serve on other committees so the scope of interconnectivity within the ISBA is far reaching. This makes for WATL being a wonderfully energetic working group with lively committee meetings and high functioning subcommittees.

Some examples of the diversity of the events WATL has or will be hosting/sponsoring and topics we have or will be tackling this bar year are:

****Power, Prestige and Your Personal Brand.***

This program is aimed at helping ISBA female members, no matter where they are positioned in the market place, to understand how to better present themselves and create a "Personal Brand." This program will be held at Kent College of Law and participants will receive a free year long subscription to the Legal Balance networking group.

****Women's Prison Visit.*** This event will allow a diverse group of practicing women lawyers to come face to face with the female prison population at Dwight Correctional Facility. During this visit we hope to learn firsthand the unique challenges faced by this segment of "women in the law." As a result of this visit WATL hopes to start a dialogue to find new opportunities for programs and initiatives aimed at addressing the special needs of incarcerated women, girls and mothers.

Continued on page 2

Transitions in the law

By Shital A. Patel, Esq.¹

I recently met with an attorney friend who was exasperated with her legal practice. She was considering giving up the law altogether because she found the area of law that she had practiced for the past eight years both unfulfilling and uninteresting.

"This is not why I went to law school," she said. "Should I give up the practice altogether?"

Many attorneys have faced this very question when dissatisfied with their present career. Several of my attorney friends and colleagues have felt similarly at times, and some have transitioned out of legal practice or changed careers

altogether. Before leaving the law altogether, however, some attorneys should consider transitioning from their present practice area to another practice area more appealing to them. Sometimes this can make all the difference.

Before specializing in an area of law in law school became the norm, many attorneys fell into their present practice of law by chance or mere opportunity. I know from personal experience that changing practice areas can seem like a daunting task at first. Indeed, switching from

Continued on page 2

INSIDE

Chair's column 1

Transitions in the law 1

**Chairman Wilma Liebman:
Forging a new process** 4

**Three women on
the Court** 7

**Associate judge shares
insights on success as
a female in the legal
profession...** 7

**Consultant gives tips for
interpreting gender-
linked communications
styles.....** 9

**Mid-Year Assembly votes
to support CEDAW.....** 11

**National Association of
Women Lawyers releases
fifth annual survey... ..** 12

**"Together WE Can Make
a Difference" WOMEN
EVERYWHERE: PARTNERS
IN SERVICE PROJECT.....** 13

**Girl Scouts Project
Law Track 2011.....** 13

**Highlights from the
Luminary of Hope event... ..** 14

**Divorce among
professional women.....** 15

**Photos from Power
Prestige and Your
Personal Brand seminar
on March 4, 2011.....** 16

**Upcoming CLE
programs.....** 17

Chair's column

Continued from page 1

This visit builds on various MCLE programs previously offered by the Committee around the topics of women and girls in the prison system.

***Statewide Outreach to Women Lawyers.** This spring's outreach will take the Committee to LaSalle/Peru to meet with ISBA members and women from that region of Illinois. WATL has been conducting yearly outreaches such as this for over a decade now. These events have helped WATL diversify the make-up of its membership. Through these annual gatherings of ISBA women members WATL fulfills a role as a "good will ambassador" for the organization and encourages greater participation by women lawyers and law students in the ISBA in general.

***Women and Aging.** This day-long MCLE program will address the multifaceted topics of women and aging. It will cover items like dealing with aging clients, dealing with your own aging parents or your own issues around aging and end of life planning. As the

general population is now living longer and women outlive men by 10 plus years, this subject matter is truly a "hot topic." WATL has brought together an interdisciplinary group of outstanding professionals to address the various facets from differing vantage points. The program will be recorded and will be available via webcast for those who are not able to attend in person.

***United Nations Convention to End Discrimination Against Women.** WATL, in partnership with the various other members of the Diversity Leadership Council, took the lead in the run up to the ISBA 2010 Mid-Year Meeting to educate ISBA Assembly Members about the merits of supporting ratification of this UN Treaty, nicknamed "CEDAW." Because of those intentional and concentrated efforts ISBA is now the second statewide bar association in the US to take a public stand to support the ratification of CEDAW. By this effort it is the hope that we have now moved from merely talking in private about the problems of discrimination around the world

to actually becoming more transparent in our conversation about what we are willing to do about the problems. *"The journey of a thousand miles begins with the first step"* - Lao-tzu. ISBA's public support for ratification of CEDAW is one of those wonderful "first steps."

***Educating the Public on Conflict Resolution Process Choices.** WATL will add this to its already long history of quality cable offerings with a program aimed at educating the public around informed consent and process options available when facing legal difficulties. The program will provide information about cost effective alternatives to litigation, such as Mediation, Arbitration and Collaborative Practice.

The above is only a sampling of work the WATL is involved in. For more information about these and other on-going efforts of the Committee, readers should feel free to contact WATL 2010-11 Chair, Sandra Crawford, at lawcrawford@att.net or (312)726-8766. ■

Transitions in the law

Continued from page 1

family law to corporate law, for example, or vice versa might appear difficult, if not impossible. Nonetheless, with patience, perseverance and creativity, transitioning practice areas can be done successfully. Several experienced attorneys shared with me their practical advice on the subject.

Do Your Homework First

Choosing another practice area can be as simple as examining areas of law that interested you in law school or projects you worked on from time to time. However, it might be necessary to conduct more in-depth research through books, journals, and online articles.

After you determine your ideal practice area of interest, articulate clearly your reasons for the transition:

- Why do you want to practice in this area of law?
- What draws you to this area?
- Why would you excel in this practice area?

- What is motivating you to change practice areas?

Your contacts and potential employers will ask these questions. You must, therefore, be prepared to answer these questions as you proceed to the next stage of your career.

Getting Started

Take stock of your contacts. After you identify the practice area you wish to transition into, take stock of your contacts in order to start talking to experienced lawyers in your ideal practice area. To get a better idea of whether you will enjoy an area of law, speaking with other attorneys in that practice area is crucial. If you do not know any attorneys in that particular practice area, start with your mentor and current contacts and ask them if they know any attorneys in your desired practice area that you could talk to for informational purposes. Remember: Asking for a job should not be your priority until you do your homework; networking in the

field will allow you to do both research and lay the groundwork for future employment.

You may also want to speak with contacts who have successfully transitioned from one practice area to another for guidance and advice, even if it does not involve your practice area of interest. Ask your contacts if they know someone who has changed practice areas or started a practice in another area of law.

Reaching out to your contacts. Once you obtain at least one contact, approach the contact from a learning perspective and not as a job hunter. Send a resume for the sole purpose of providing your background. Approach this learning stage with the goals of gathering information and demonstrating your commitment to transitioning to your ideal practice area given the opportunity.

Remember to be persistent: attorneys, like you, are busy. Referrals may not return your call right away, so do not wait on one attorney before reaching out to others. When you

do speak with your contact, ask the attorney if you can take her to coffee or lunch. Face-to-face meetings will allow you to learn and network in a much more personal way and are strongly recommended; however, many attorneys may only have time for a phone call so use your time wisely if this is the method of communication your contact prefers.

Talking to your contacts. You should approach the discussion with your contacts the same way you would approach an informational interview. Find out how they got into that practice area or why they chose it. Candidly ask contacts what they like and do not like about their careers, and what is challenging about it.

Finally and importantly, ask for thoughts, suggestions or guidance from the attorney on transitioning to your desired practice area. You may want to ask your contact what she would look for as an employer from a transitioning candidate. For example, what would strengthen your resume to show aptitude or enthusiasm in that practice area? Much of the guidance you obtain during your quest to transition between practice areas will come from these contacts, so take advantage of the opportunity to ask specific and thoughtful questions you have about your desired practice area.

Rule of 3s. The most significant piece of advice I obtained was from an attorney who transitioned from corporate to family law after practicing corporate law for many years. The attorney, who is now a partner at a major family law firm, suggested the "Rule of 3s."

At the end of the conversation or meeting, ask each contact for at least three additional contacts to talk to for additional information. You may only get two contacts, or perhaps only one of the three will return your call, but the "Rule of 3s" is vital to learning and an eventual job search to transition over. Be patient-- the contact who may recommend you for a position may be several levels down the chain. In the spirit of professionalism and graciousness, always send a follow up note or e-mail to thank the contact for her valuable time.

Becoming Knowledgeable

As you continue learning and networking through contacts, you must be able to discuss and show your enthusiasm and dedication to transitioning into your ideal practice area. Future employers will want to see that you are taking positive steps forward that demonstrate more than just a flighty jump to

a new hot area of the law or switching practice areas without purpose and direction.

You can show your commitment to another area of law in several ways:

- Writing an article in a local bar journal or newsletter.
- Giving a presentation at a practice area meeting of a bar association.
- Joining a practice area group of local bar associations. Remember to contribute to the association and go beyond being a mere member in order to demonstrate leadership, effort, and dedication.

The above-mentioned activities are an excellent way to get your name out in the community, meet other attorneys in that area of law, learn more about an area of law, and obtain advice about how to transition. The contacts you make could also be potential employers: if you make a solid and genuine impression, people will remember you when they hear of an opening, whether at their organization or another.

Additional Thoughts

Other ways to explore a practice area.

Think outside the box when it comes to transitioning between practice areas. Can you build up another practice at your present place of employment? Is this a possibility your firm or organization might welcome? Perhaps specializing in more than one area of law might be a welcome challenge instead of transitioning out of your present practice area altogether. Also, consider volunteering at a legal clinic and/or taking on pro bono cases in your desired practice area **with supervision or co-counsel** in order to try your hand in that area of law and obtain additional experience in the area.

Excel in your current position. Additionally, continue doing well in your current employment as you make efforts to transition. A recruiter in the area of employee benefits advised me that doing a "rock star job" in your present legal position helps to maintain your reputation and keeps your work ethic solid and continuous.

No excuses. Do not use the economy as an excuse. It is inevitable that more than one person during your journey will tell you to "stay put" in this economy or discourage you from pursuing your desired practice area. If a transition is something you truly desire, kindly ignore the naysayers and be persistent. The economy is not an excuse to stay unhappy or stuck. A transition will undoubt-

THE CATALYST

Published at least four times per year.

To subscribe, visit www.isba.org or call 217-525-1760

OFFICE

Illinois Bar Center
424 S. Second Street
Springfield, IL 62701

Phones: 217-525-1760 OR 800-252-8908
www.isba.org

CO-EDITORS

Emily N. Masalski
225 W. Washington St., Ste. 1700
Chicago, IL 60606

Shital A. Patel
spatel0518@gmail.com

MANAGING EDITOR/ PRODUCTION

Katie Underwood
kunderwood@isba.org

STANDING COMMITTEE ON WOMEN AND THE LAW

Sandra Crawford, Chair
E. Nicole Carrion, Vice Chair
Sandra M. Blake, Secretary
Annemarie E. Kill, Ex-Officio

Sheila L. Amiry	Melissa M. Olivero
Hon. Patrice Ball-Reed	Shital A. Patel
Janice L. Boback	Mary F. Petruchius
Gregg A. Garofalo	Ryan E. Robertson
Lynn M. Geerdes	Kimberly L. Robinson
Diana M. Law	Amie M. Simpson
Lori G. Levin	Letitia Spunar-Sheats
Emily N. Masalski	Shira D. Truitt
Julie A. Neubauer	

Elizabeth L. Jensen, Board Liaison
Janet M. Sosin, Staff Liaison
Mary F. Petruchius, CLE Coordinator
Lori G. Levin, CLE Committee Liaison

Disclaimer: This newsletter is for subscribers' personal use only; redistribution is prohibited. Copyright Illinois State Bar Association. Statements or expressions of opinion appearing herein are those of the authors and not necessarily those of the Association or Editors, and likewise the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.

Articles are prepared as an educational service to members of ISBA. They should not be relied upon as a substitute for individual legal research.

The articles in this newsletter are not intended to be used and may not be relied on for penalty avoidance.

Postmaster: Please send address changes to the Illinois State Bar Association, 424 S. 2nd St., Springfield, IL 62701-1779.

edly take time, but it is not impossible—even in a struggling economy.

Pay it forward. As a final note, pay it forward when it comes to networking with contacts as you make your transition. Every attorney that takes of her valuable time to

help you is contributing to the profession. Remember to do the same for other attorneys as you strive to reach your own professional goals. ■

1. Shital Patel is an attorney practicing in Chi-

cago. She can be reached directly at spatel0518@gmail.com. She is co-editor of The Catalyst and a member of the ISBA Women and the Law Committee, and immediate past Vice-President and Chair of Women Everywhere: Partners in Service Project. She has practiced in the area of civil defense litigation, including employment law and torts.

Chairman Wilma Liebman: Forging a new process

By Melissa Olivero

The National Labor Relations Board is an independent federal agency that was created on July 5, 1935, by the National Labor Relations Act (the Act). The Board is charged with protecting the rights of certain private sector employees to organize and designate representatives for collective bargaining, determining appropriate bargaining units, conducting representation elections, and enforcing prohibitions against specified employer and union unfair labor practices.

The NLRB is organized into two major components: a five-member governing Board and the Office of the General Counsel. Board members and the General Counsel are appointed by the President and confirmed by the Senate. The Board is a quasi-judicial body that decides labor issues, while the General Counsel investigates and prosecutes cases. The Agency's headquarters are located in Washington, D.C. It has field offices in 51 U.S. locations.

On January 20, 2009, Wilma Liebman was appointed as the 20th Chairman of the National Labor Relations Board by President Obama. Although she does not see herself as a trailblazer, Chairman Liebman is only the second woman to serve in this capacity since the creation of the Board in its current form. Chairman Liebman, a native of Philadelphia, Pennsylvania, holds a B.A. from Barnard College in New York and a J.D. from George Washington University Law Center. She was first appointed to the Board on November 14, 1997.

I had the distinct privilege of interviewing Chairman Liebman. Seeking a job in labor law, she came to work for the Board in Washington, D.C. as a staff attorney upon her graduation from law school in 1974. She says that working for the Board "seemed like an excellent way to learn the field." Government service, she notes, is a wonderful opportunity, particularly for young lawyers, to learn a field of specialty. Working for the Board exposes attorneys to a broad range of issues and to

parties with different interests and, thus, provides a wonderful learning opportunity, she observes.

Chairman Liebman believes that the Board continues to make a difference. "As a member of the NLRB, I feel that I am doing something that matters, and I feel privileged to have the chance to do it," she says.

Chairman Liebman believes that at its core, the Act is a human rights statute. She explains, "The Act recognizes the right of workers to organize collectively, a form of freedom of association." The freedom of association and the freedom to engage in collective bargaining embodied in the Act are recognized around the world as core principles of democracy, she states. Chairman Liebman fully expects the Act, the collective bargaining system it establishes, and the labor movement itself to endure.

American employees, Chairman Liebman observes, may need the Act's protections more than ever. "Every day," she says, "I read the cases that come before us about working people who, despite the odds, despite the risks and obstacles, join together to improve life on the job. They work on assembly lines, in industrial laundries, on construction sites, and in mega-stores. They slaughter hogs, drive trucks, clean hotel rooms, and care for the disabled." Although these workers sometimes have unions to help them, other times they act spontaneously to help each other. Chairman Liebman emphatically states that, "anyone who says that workers do not want, or need, some form of representation in today's economy is mistaken."

Chairman Liebman notes that in the midst of plenty, inequality is rising. "Much has changed in our society since 1935 when Congress enacted the Act in the midst of the Great Depression. Much has changed since the 1950s and 1960s, when millions of Americans came to enjoy a middle class way of life through the collective bargaining system,"

she says.

In her years with the Board, Chairman Liebman has seen significant changes in the dynamics of the American workforce. "Accelerated competitive pressures have certainly led businesses to look for greater flexibility in the employment relationship," she observes. Significantly, Chairman Liebman says, "employers seem to be using more and more part-time employees, temp workers, contract employees, and leased employees, and contracting out many ancillary functions." In her opinion, this has resulted in enormous flux and unpredictability in the employment relationship. She further observes significant volatility in the business world, with the rise of mergers, consolidations, and restructurings and the dislocations that result for countless workers.

Chairman Liebman finds that all of this instability makes collective bargaining more important than ever. "The constant churning of jobs, technological change, elimination of jobs, and creation of different types of jobs, causes tumult, which makes stable collective bargaining relationships very difficult. Enormous strains have been put on the system. Yet, the institution of collective bargaining is flexible enough to play a meaningful role in managing all of this change and allowing the parties to reach their own solutions," states Chairman Liebman.

Her term as Board Chairman has been marked by historic challenges. During a 27-month period that ended with the recess appointment of two members in late March 2010, the Board operated with only two members: Chairman Liebman and former Chairman and Board member Peter Schaumber. They decided nearly 600 cases on which they could agree. On June 17, 2010, the United States Supreme Court ruled that the Board was not authorized to issue decisions when three of its five seats were vacant. *See New Process Steel, L.P. v. NLRB*, 560 U.S. ____

(2010). In July 2010, three-member panels of the Board began considering about 100 cases pending in the courts when the Supreme Court issued *New Process Steel*.

Under Chairman Liebman's leadership, the Board has issued 315 decisions between October 1, 2009 and September 30, 2010. Notably, about 182 decisions have been issued since August 2010.

Several significant decisions have been issued by the Board in recent months. The Board has adopted two new remedial policies: adding daily compound interest to backpay and other monetary awards and requiring many employers and unions to notify employees electronically of NLRB orders in unfair labor practice cases. In addition, the Board recently found that a union practice of displaying large, stationary banners at the businesses of secondary employers (with which unions were not involved in a primary labor dispute) was lawful and not coercive.

Chairman Liebman has mixed feelings about the controversy over the last year surrounding proposed legislation to amend federal labor law and the nomination of new Board members. "While rancorous, it

is in some respects welcome because it has brought important labor issues back into the public eye," she says. Ideally, however, the controversy will lead to a more constructive, sober dialogue about these serious issues.

Labor law practitioners, she believes, will see a more dynamic approach to the law from the new Board, one that will "make the law work better in a changed economy." She would also like to see confidence in the Agency restored. "Many stakeholders have avoided our processes, especially election processes, for years. I think a restoration of confidence will come through a combination of decision making and minimizing delays."

Another of Chairman Liebman's goals for the remainder of her term is to enhance public awareness of the Agency and the value of its work. She hopes that the Agency's current public outreach efforts will allow the Agency to "tell our own story rather than have the story told for us" and in so doing to better educate workers regarding their rights and employers their obligations.

Chairman Liebman has kind words for employees in the field. "I want to thank them all for their commitment and service to this

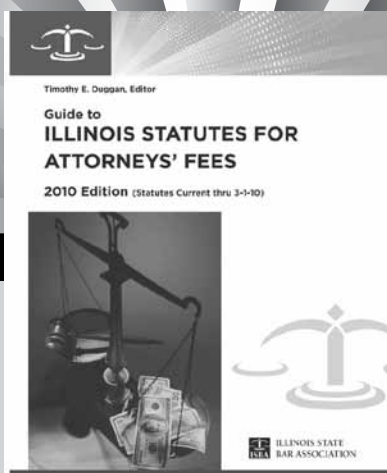
Agency, and to the public, and their dedication to applying this statute in a meaningful way," she said. She recognizes that the controversy of the last few years has been difficult. Chairman Liebman says, "I want to thank everyone for staying with us through this difficult period." She also welcomes input from people who work for the Agency as to ways to make the Agency work more effectively.

"Today's labor laws were the product of tremendous struggle," she says. "We honor that struggle when we take the Act seriously, when we enforce it fairly and thoughtfully, and even when we point out its shortcomings."

In this 75th anniversary year of the National Labor Relations Act, she still sees its significance. "The Act still has vital importance for our country, in supporting a democratic society and a fair economy," she says. "The basic values in the Act are as vital today as they were 75 years ago." But because the Act has gone over 60 years without any substantial revision, "it is our responsibility to try to keep the Act dynamic and vital and make it work in today's changed economy." ■

ARE YOUR FEES RECOVERABLE?

*Find out before
you take your next case.*



2010 GUIDE TO ILLINOIS STATUTES FOR ATTORNEYS' FEES

**New and Updated Listings on Recoverable Fees
Current through March 1, 2010.**

The new edition of this handy book lists provisions in the Illinois Compiled Statutes that authorize the court to order one party to pay the attorney fees of another. No matter what your practice area, this book will save you time – and could save you money! In the 2010 edition you'll find new and updated listings on recoverable fees in Animal Safety, Credit Card Liability, the Marriage and Dissolution of Marriage Act, Consumer Fraud, the Freedom of Information Act, and more. And the new alphabetical listing of Acts makes it even more useful. Prepared by members of the ISBA General Practice Section Council and edited by council member Timothy E. Duggan, it's a guide no lawyer should be without.

Need it NOW?

Also available as one of ISBA's *FastBooks*. View or download a pdf immediately using a major credit card at the URL below.

FastBooks prices:

\$32.50 Members/\$47.50 Non-Members

Order at www.isba.org/store or by calling Janice at 800-252-8908
or by emailing Janice at jishmael@isba.org

2010 Guide to Illinois Statutes for Attorneys' Fees

\$35 Members/\$50 Non-Members

(includes tax and shipping)



Illinois has a history of
some pretty good lawyers.
We're out to keep it that way.

Don't miss this easy-to-use reference guide to the rules of Illinois evidence

ILLINOIS RULES OF EVIDENCE

(Effective January 1, 2011)



ILLINOIS STATE
BAR ASSOCIATION

Illinois State Bar Association

October 2010

ILLINOIS RULES OF EVIDENCE

ISBA's pocket-size edition

Now available! The ISBA's pocket-size edition of the new Illinois Rules of Evidence. The rules, which were prepared by the Special Supreme Court Committee on Illinois Evidence, take effect January 1, 2011.

This convenient pocket-size handbook is perfect for your office, for depositions, for court appearances – anywhere you need a quick reference. A must-have for all lawyers, judges, legal assistants, and anyone else who needs a handy guide. Buy one now for everyone in your office!

Order the new guide at www.isba.org/store/books/illinoisrulesofevidence
or by calling Janice at 800-252-8908
or by emailing Janice at jishmael@isba.org

ILLINOIS RULES OF EVIDENCE

\$9.99 Member/\$14.99 Non-Member
(plus \$2.75 for tax and shipping)



Illinois has a history of
some pretty good lawyers.
We're out to keep it that way.

Three women on the Court

By Michele Jochner

This fall, history was made. For the first time, three women are serving on both the United States Supreme Court and the Illinois Supreme Court. The parallels leading to the unprecedented number of female jurists on both courts at the same time are striking.

In 1981, Sandra Day O'Connor broke new ground when she was appointed by President Ronald Reagan as the first woman to sit on the United States Supreme Court in its 191-year history. O'Connor, who had been a trail blazing legislator and jurist in Arizona, observed that "society as a whole benefits immeasurably from a climate in which all persons, regardless of race or gender, may have the opportunity to earn respect, responsibility, advancement and remuneration based on ability." It would be another twelve years, however, until a second woman was afforded such an opportunity: Ruth Bader Ginsburg joined O'Connor on the High Court when she was appointed by President Bill Clinton in 1993.

It was around this time that Illinois voters elected the first female to this State's highest tribunal. In 1992, Justice Mary Ann G. McMorrow became the first woman to sit on the Illinois Supreme Court in its 173-year history, capping a remarkable career in which she accomplished a series of historic "firsts." Justice McMorrow reflected that "[w]hen I went to law school, women couldn't even dream of such a thing. I hope this would forever indicate that there's nothing that limits women in any job or any profession." Like Justice O'Connor, however, Justice McMorrow had to wait nearly a decade until Justice Rita B. Garman joined her on the bench on 2001.

Justice O'Connor and Justice McMorrow served with distinction until their retirements in 2005 and 2006, respectively. After Justice O'Connor stepped down, Justice Ginsburg became the sole female justice on the High Court until last year's appointment of Sonia Sotomayor by President Obama. In Illinois, the number of female justices remained at two despite Justice McMorrow's retirement, owing to the appointment of Justice Anne M. Burke to fill her vacancy.

It was not until this fall, however, that both courts experienced significant milestones in adding a third female justice to the bench. Upon the retirement of U.S. Supreme Court Justice John Paul Stevens, President Obama nominated Elena Kagan, who is now in the midst of hearing cases during her first term. Similarly, upon the retirement of Illinois Supreme Court Chief Justice Thomas R. Fitzgerald, Justice Mary Jane Theis has been appointed to fill his vacancy, and she heard her first cases during the court's November term.

What effect will the presence of three female justices have on these courts? In a recent interview, Justice Ginsburg opined that the period when women on the bench were "one-or-two-at-a-time curiosities" may finally have passed. Now that women make up one-third of the U.S. Supreme Court and nearly half of the Illinois Supreme Court, the presence of women "will seem natural and proper."

Justice Ginsburg's observations are borne out by a 2006 report issued by the Wellesley Centers for Women. In *Critical Mass on Corporate Boards: Why Three or More Women Enhance Governance*, the Centers found that once a third woman is seated on a corporate board, dramatic changes occur in the group's dynamics, as "having women in the room becomes a normal state of affairs." Significantly, upon attaining a "critical mass" of three seats on a board, "[w]omen start being treated as individuals, with different personalities, styles and interests." Because women are "no longer seen as outsiders," they are therefore "able to influence the content and process of board discussions more substantially." This, in part, flows from the fact that "[n]o longer does any one woman represent the 'woman's point of view,' because the women express different views and also disagree with each other."

One author of this study, social scientist Sumru Erkut, recently penned an op-ed article applying this corporate-board "tipping point" theory to the addition of Elena Kagan as the third female justice on the High Court. Erkut drew parallels between the Court and corporate boards, noting

they are both "small groups" in which "[t]he presence of women has been a rarity." Erkut concluded that similar to the effect of adding a third woman on a board, the addition of a third female to the bench may result not only in "wider perspectives and more incisive questions than those currently asked," but also may "once and for all put an end to talk about whether or not women have a place on the Supreme Court."

Indeed, in addition to bringing gender diversity to the bench, the female jurists on both courts possess a wealth of diverse experience and perspectives. Justice Ginsburg and Kagan were professors of law, with Kagan ultimately ascending to the position of Dean of the Harvard Law School. Ginsburg and Sotomayor also served terms on the United States Court of Appeals, prior to which Ginsburg was the General Counsel for the ACLU and Sotomayor litigated international commercial matters at a New York law firm. In addition, Kagan not only served as an associate counsel to President Clinton, but also as President Obama's Solicitor General.

Similarly, although all three female justices now seated on the Illinois Supreme Court served with distinction on the Illinois Appellate Court, their paths to the bench were varied. Justice Garman served as a Vermillion County Assistant State's Attorney and engaged in private practice prior to her ascension to the circuit court bench. Before her appointment to the judiciary, Justice Burke was a leading advocate on behalf of children with special needs who helped found the Special Olympics, and who later engaged in private practice representing the interests of children and families. Finally, Justice Theis served as an assistant Cook County public defender before she ascended to the circuit court bench.

Time will tell if the predictions of a "critical mass" tied to the number of three female justices on the bench are confirmed. Nevertheless, there is no doubt that this is a monumental moment in history to watch these accomplished jurists make their mark as they shape the law for years to come. ■

Associate judge shares insights on success as a female in the legal profession

By Natalie Lorenz, Southern Illinois University School of Law, Class of 2012

Thirteen years after graduating from Southern Illinois University School of Law, Judge April Troemper returned with some advice and encouragement for the current students, as well as some insight on the issues that women face in the legal profession.

As a recently appointed Associate Circuit Judge for the Seventh Judicial Circuit, and a married mom of two, Judge Troemper certainly had the credentials. However, as she was quick to point out, a few years before, she was just like the students in the audience, “taking classes, studying, working, participating in moot court and extracurricular activities, hoping [she] would pass the bar exam the first go around, and wondering where [her] legal career was going to take [her] during the next five to ten years.”

How did she make the leap from busy law student unsure of her future to successful female judge? It wasn’t easy, but Judge Troemper persevered. The following are some lessons she learned along the way:

- **Plan to be successful.**

Judge Troemper recommended that women “plan a road map” to reach their goals. In planning for their futures, Judge Troemper advised that female lawyers recognize the aspects of their lives that are out of their hands, but take charge of the things they can control. She promised that if women keep their attitudes, character, depth of knowledge, work ethic, and involvement in bar-related or other networking opportunities in check, they will be in a much better position to achieve their goals.

- **Be determined.**

Recognizing that sometimes roadblocks stand in the way of women’s ambitions, Judge Troemper told students, “When life throws a huge obstacle in the way, come up with Plan B and go around it.” One barrier in Judge Troemper’s life was financing her higher education. She wanted to transfer from junior college to a four-year university, but did not receive financial assistance from her parents, and was unsure whether her student loan application would be approved. What was Judge Troemper’s Plan B? She enrolled in

the Army ROTC in hopes of receiving a scholarship. She was determined, so she completed basic training and finished second overall in her platoon, earning the scholarship she desired (though she ultimately declined to pursue her goals through that route and funded her education in other ways).

- **Prepare for the difficulties of achieving a good work-life balance.**

In achieving her goals, “the balancing act was not easy,” Judge Troemper said. There was only a short interval between the time Judge Troemper became a new attorney and the moment she became a new mom. Life as a working mom was difficult, and she had to juggle work and billable hours along with marriage and a child. When she told her employer she was expecting child number two, he asked, “Well, what is this going to do to your career?,” suggesting that most women in the profession who have kids either quit, work part time, or get state jobs. But Judge Troemper chose to do none of the above.

Judge Troemper admitted that at times she felt inadequate as both an attorney and a mom. It was hard for her to hear her kids ask why she did not come to their field trips or why she did not pick them up after school like the other moms. On the other hand, it was hard for her to hear the question, “Why haven’t you made partner yet?” from her successful friends. But again, she was determined, and she turned to her husband for support. He helped take on the traditional “mom” roles, such as picking the kids up after school, and although it was difficult, they were able to make the lifestyle work.

- **Grow some thick skin.**

Judge Troemper emphasized that women have to be prepared for the difficulties that come with entering a male-dominated field. As a young female attorney, Judge Troemper had to deal with other attorneys’ disrespectful and degrading comments. People remarked that she looked like a Barbie doll, and that no one could take her seriously. However, she learned how to deal with those derogatory statements, and grew some thick skin. Once, she arrived at a deposition, and her opponent said, “Well, looks like we are

still waiting for the defense attorney to show up.” She then replied, “No, I am the defense attorney. I guess that means you are still waiting for the court reporter.”

- **Network authentically.**

Encouraging students to be true to themselves when taking advantage of networking opportunities, Judge Troemper warned against creating false relationships to get ahead. Instead, she suggested, attorneys should have legitimate reasons to talk to one another. “This is why networking and belonging to organizations is so important,” she said. She emphasized that women in particular need to take advantage of opportunities to join organizations because they may not be able to form relationships in the same ways as men. For example, women with children cannot frequently hang out with male attorneys at a bar or other social events, she said, because they might be looked down upon for being out with the guys instead of at home with the kids. Being active in organizations (and attending networking and social events within those organizations) also requires time away from the family, but Judge Troemper said that sacrifice was worth it to her because it created the opportunity to form genuine and lasting friendships with both men and women across the state while working with them in pursuit of common goals.

- **Be mindful of your image.**

Judge Troemper reminded students that as female attorneys, “you want to be respected for your intelligence and your work ethic.” If attorneys use new ways of communicating, such as Facebook, MySpace, and other social media sites, they should be careful about doing so, she said. She cautioned that pictures and comments posted on these sites can come back to haunt people, and employers may be looking at this type of information. She also advised students to dress professionally and avoid “revealing” attire. However, she also recognized that female attorneys do not have to be boring, and said that sometimes she liked to “jazz up [her] outfits or suits with trendy jewelry or scarves or shoes.”

Use your strengths and take advantage

of opportunities, rather than feeling entitled.

Recognizing that attorneys come from different backgrounds and have different abilities, Judge Troemper said, "Some have lawyers and judges in their families. Some have financial resources that others do not. Some may be more intellectually gifted than others. Some are "A" type personalities. Some have the ability to lead others. Some are great speakers. Others are great writers. A few may be good at bringing people together for compromise. But one thing for certain is that we are all equipped with our own set of skills and talents. Learning what those are is the key."

Judge Troemper encouraged students to

use their talents wisely, saying, "Remember that while we recognize the disparity between genders and positions of influence, you cannot raise a huge issue about it and argue that you should get that position simply because you're a woman." She continued, "You have to take advantage of opportunities where you can prove yourself ... So, if you are a leader—lead. If you are a team player, be a part of the team. If you come from a family of resources, use them wisely—but under no circumstances should any of us have a sense of entitlement."

• **Keep aiming high.**

Judge Troemper has achieved many professional goals in her life. She has been a suc-

cessful attorney, president of the Central Illinois Women's Bar Association, and a member of the Illinois State Bar Association Board of Governors. Her most recent accomplishment was becoming an associate judge at age 37, a goal she had aimed to meet by age 40. One might think that she has finally earned a chance to take a deep breath and relax for a moment. However, "aiming high" is a habit Judge Troemper has not been able to shake since her first grade teacher observed her and told Judge Troemper's mother that the young girl was going to be "a CEO or something really big."

"Do I have more goals on the horizon?" she asked. "Absolutely." ■

Consultant gives tips for interpreting gender-linked communications styles

By Angela Rollins, Southern Illinois University School of Law, Class of 2012

Although women may prefer to collaborate and make decisions by consensus, men should not mistake this preference as a sign of incompetence or insecurity, a national consultant on gender and communications told law students and lawyers at the Second Annual Women in Leadership Dinner sponsored by Southern Illinois University School of Law in January.

Conversely, said speaker Jane Sanders, women should not mistakenly perceive men as not listening or not caring when men listen silently and avoid eye contact during a conversation. While women may prefer to make eye contact as a way of connecting with the other person in the conversation, she said, men often avoid direct and constant eye contact because it may be perceived as a sign of aggression or flirtation.

Sanders, who has memorialized this and other advice in a book called "GenderSmart – Solving the Communication Puzzle Between Men and Women," was the keynote speaker for the law school's Women in Leadership Dinner on January 14. As president of her own company, GenderSmart Solutions, Sanders has provided consulting services to Fortune 500 companies nationwide, including State Farm, MassMutual, and Toyota.

Sanders told the audience that it's not un-

common for men and women to experience difficulties, in both their professional and personal lives, communicating with members of the opposite sex. One of the keys to overcoming these obstacles, she said, is recognizing differing gender-linked communications styles and perceptions. While it is not certain why these differences exist, Sanders said that one strong possibility is physiological differences between the sexes. The areas of the brain for emotions and verbal use tend to be larger in women, and their brains circulate more oxytocin, a bonding chemical. Meanwhile, men produce 10-100 times more testosterone, a hormone impacting aggression and competition, than women.

Sanders offered several masculine and feminine styles, the perceptions to those styles, and strategies in overcoming those differences to achieve more effective communication. She indicated that the masculine style is generally associated with independence, status, and competition, while the feminine style is more concerned with consensus, connections, and harmony. She emphasized, however, that both masculine and feminine styles are present in both men and women.

One feminine style is the reluctance to boast or sell oneself. Men perceive this as

women's insecurity, causing men to underestimate women's abilities. In overcoming this difference, Sanders suggested that men ask women about their accomplishments, and realize that women are not incompetent simply because they fail to boast. Women can overcome this difference by learning to promote themselves, and taking credit for their accomplishments.

Another feminine style includes the tendency of women to discuss their decisions and collaborate. Sanders said that men may perceive this behavior as indecisiveness, insecurity, or incompetence on the part of the woman. As a strategy for success, Sanders suggested that women strive to make some decisions independently to demonstrate that they are fully competent to do so. Conversely, men should recognize that the preference for collaboration and discussion is simply a matter of style and should not use it to judge a woman's competence.

Sanders said that women also tend to discuss their problems and feelings, which leads some men to perceive this feminine style as too emotional, troubled, and weak. The masculine style, on the other hand, is to avoid emotions, which women perceive this as a lack of caring. Here again, Sanders suggested that men try to recognize this tendency to

discussion emotions as a style and can bolster connections with women by expressing that they understand women's concerns and trying to empathize by sharing a similar story or situation. Men should also refrain from offering solutions, recognizing that the woman may simply be venting. Women, on the other hand, can overcome this communication obstacle by minimizing discussing their personal issues with men. Sanders suggested that women find other sources of emotional support, and realize that even if men avoid discussing emotions, that doesn't mean that they are uncaring or unfeeling. Women can improve communications by asking for what they want or need.

Sanders suggested that women can also help themselves by avoiding overuse of tag questions (for example, "This is a good report, *don't you think?*") apologies, disclaimers, and indirect requests. She said that men interpret these verbal cues to mean the woman is less credible and dependable, vague, indecisive, or manipulative. Men, however, should again simply recognize these techniques as style difference, and refrain from judging women who use them as less competent or weak.

One masculine style, explained Sanders, is that many men find it difficult to ask for help. Women, however, perceive this style as the man being a "know-it-all," wasting time, or simply being reckless. Men can work on overcoming this difference by understanding that asking for help does not equate to weakness or incompetence. Women can foster better communication by being aware that men are "hardwired" for competition and status, which is undermined by the appearance of weakness in asking for help or directions. Both men and women can succeed by ensuring that all team members understand instructions.

Peppered with anecdotes and cartoons, Sanders' presentation was very informative and undeniably entertaining. More information about her communication strategies, consulting and speaking services, or her book, are available at her Web site at www.janesanders.com.

Sanders' presentation was the concluding event of the SIU law school's annual Women in Leadership Workshop, which was first offered in 2010 as a means of addressing gender disparities in leadership roles within the legal profession. Today, women earn law degrees in almost equal number to their male counterparts; according to the American Bar Association Commission on Women in the Profession, women accounted

for 47.1% of J.D.'s awarded in the 2007-2008 academic year. However, women are significantly underrepresented in leadership positions in the profession. For instance, women account for only 19.2% of law firm partners, 24.7% of federal district court judges, and 20.6% of law school deans.

In response to these statistics, Professors Cindy Buys and Alice Noble-Allgire decided to equip their female student with the skills to break the glass ceiling in the legal profession and to educate male and female students about gender and leadership issues. The two-day workshop features a discussion of gender communication barriers, differing negotiating styles, and numerous other leadership topics. Thirty law students participated in the workshop on January 13 and 14 this year. In addition to learning about communication differences between the genders, networking skills, and negotiation skills, students also had the chance to network with local judges, professors, and other leaders in the local legal community.

In addition to the one hour of academic credit for participation in the Workshop, students will have the opportunity to participate in a practicum throughout the semester for two additional credit hours. During the practicum, students will have the opportunity to shadow a local female attorney, give a presentation on gender issues in the profession, and research specialized gender issues according to the student's interests.

Participating students feel that the Workshop has positively impacted their legal education and future career. Natalie Lorenz, a

second-year law student, participated in the 2010 Workshop and practicum. According to Natalie, "the Women in Leadership Conference has given me a great deal of insight into women's roles in the legal community . . . I have also gained confidence, allowing me to use what I have learned to enhance my own experiences in the legal field." Another participant in the Workshop, Ellen Ogden, said, "I have no doubt the insight I gained regarding gender in the legal profession will help me to become a successful attorney." Finding the workshop beneficial for male students, Patrick Sullivan, another second-year law student, stated, "The overall theme was positive, as it embraced the differences between men and women and focused on the role each individual can play to help minimize both active and passive discrimination against, not just women, but all groups that deserve equal treatment."

In addition to the positive response from the student body, the response from the professional community has been overwhelmingly positive to the program. Showing their support of the program, both SIU Chancellor Rita Cheng and SIU School of Law Dean Cynthia Fountaine spoke at the dinner. Members of the community, including judges, professors, and attorneys, participated in the workshop and attended the dinner. Considering the positive response from both students and the community, the workshop may expand in the future to include students from the College of Business and the School of Medicine. ■

Target your message!

- Reach the exact practice area you need with no wasted circulation
- Ads cost less
- ISBA newsletter readers ranked their newsletters 2nd highest of all Illinois legal publications in terms of usefulness. (Illinois Bar Journal was ranked 1st)
- 72% of newsletter subscribers either save or route each issue, so your ad will have staying power.

For more information contact:
Nancy Vonnahmen
Advertising Sales Coordinator
Illinois State Bar Association
800-252-8908 or 217-747-1437



**ILLINOIS STATE
 BAR ASSOCIATION**

Mid-Year Assembly votes to support CEDAW

By Julie A. Neubauer¹

At Issue for vote before the ISBA Assembly at this past December 2010 Mid-Year Meeting, was whether the ISBA should take a position on whether the United States should ratify the international agreement entitled the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW). A fairly lengthy discussion period occurred after a motion for a vote for the ISBA to support CEDAW ratification by the United States. In the end, the ISBA voted overwhelmingly, but not unanimously, to stand in support of the US ratification of CEDAW.

CEDAW was first adopted by the United Nations in 1979. Its purpose was to specifically define discrimination against women as it occurs worldwide and to create an opportunity for sovereign states to take a unified stand against such discrimination by making the promise to create systemic change through statutory and social policy change.

In 1980, President Jimmy Carter signed the treaty, but in order for the international law to become the law of the land, the state must ratify the treaty by a two-thirds majority favorable vote in the Senate. Sadly, thirty years later, the United States remains the only industrialized country that has not yet ratified CEDAW.

For decades, the treaty has languished in the Foreign Relations Committee and failed to become ratified, mostly through strategic and subtle, but deliberate attempts by a minority of our leaders to thwart occasional resurgences of support for ratification that have occurred over the last 30 years.

However, Senator Dick Durbin from our great State of Illinois held the first ever Judiciary Committee hearing on CEDAW ratification in November 2010 and now it is in the hands of Senator John Kerry in his leadership of the Foreign Relationship Committee to bring the issue to vote. Only then will it be set on Motion for vote before the entire Senate.

The Internet is wrought with a bitter verbal battle over CEDAW. There are numerous arguments that ratification of CEDAW is dangerous for America. Really, there is no slippery slope here. There is no hidden agenda. CEDAW is, simply, a promise; a promise to continue the legacy that our great women leaders began over a century ago, to pro-

mote the sustainment of the premise that women and men are fundamentally equal and that gender discrimination in social policy and law is intolerable.

While the United States has lead the world in many policy and legal changes that have narrowed the equality gap between women and men, there is still progress to be made. Until no woman is beaten by her husband, until rape is universally prosecuted to the fullest extent of the law, until a foolproof child support enforcement system is implemented into law, until women and men are paid equally for equal work, until women and children do not constitute the greatest percentage of the homeless and impoverished, and countless other inequalities are no more, we will need a reminder of the path to follow. CEDAW is that reminder.

Kudos to the ISBA for seeing through the rhetoric and standing up for this long-overdue promise. However, our work is not done.

CEDAW will not be ratified unless our Senators get the message that the time is now. In Illinois, we have a champion in Dick Durbin. We can support and bolster the efforts of our Senator, as individual members of the Bar or collectively as Section Councils and Committees of the ISBA by contacting Mr. Durbin to voice our support for U.S. ratification of CEDAW.

In closing, let me reiterate my sentiments I shared in my turn at the microphone at the Mid-Year Meeting. Any example of integrity always begins with a promise and ends with action consistent with that promise. The ISBA has pledged its promise to support the U.S. ratification of CEDAW. Let us now act accordingly. ■

1. Julie Neubauer is a member of the ISBA Assembly and a member of the Standing Committee on Women & the Law. She may be contacted at julieneu19@gmail.com.



Do the Honorable thing.

Lawyers, judges, and law students experience alcohol abuse, drug dependency, and mental health problems at a higher rate than those who work in other professions. These problems can impair your work and strain your relationships.

If you need help – or if a colleague needs help – LAP addresses the problems lawyers face – alcohol abuse, drug dependency, mental health problems including stress and depression, compulsive disorders, and problem gambling.

Lawyers' Assistance Program provides confidential assistance through education, referral to professionals, or peer support from one of our trained volunteers – another lawyer or judge who has experienced a similar problem and confronted it successfully. All requests for information and assistance are handled in complete confidence as guaranteed by Supreme Court Rule 1.6.

If you need help, do the honorable thing.
Call Lawyers' Assistance Program.

LAWYERS' ASSISTANCE



Program

LAWYERS' ASSISTANCE PROGRAM, INC.

20 South Clark Street, Suite 1820 • Chicago, Illinois 60603
312.726.6607 office • 312.726.6614 fax

200 West Third Street, Suite 305 • Alton, Illinois 62002
618.462.4397 office • 618.462.4399 fax

toll free: 800.LAP.1233 email: gethelp@illinoislap.org website: www.illinoislap.org

National Association of Women Lawyers releases fifth annual survey

On November 9, 2010, the National Association of Women Lawyers (NAWL®) and The NAWL Foundation® released the results of their fifth annual Survey on Retention and Promotion of Women in Law Firms. The Survey is the only national study of the nation's 200 largest law firms which annually tracks the progress of women lawyers at all levels of private practice, including the most senior positions, and collects data on firms as a whole rather than from a subset of individual lawyers.

"The 2010 NAWL Survey data is stunning for its constancy, underscoring the negative impact that changing law firm structures are having on women's success in firms," said NAWL President Dorian Denburg, General Attorney for AT&T. "Women attorneys continue to lag behind their male counterparts in firm leadership, equity positions and as rainmakers—three areas so critical to law firm success where women need to be present and be represented."

For the first time, the Survey specifically addressed the impact of non-partner track roles on women's advancement and the role that part-time status plays in the retention of women lawyers in private firms. "Women make up the majority of staff and part-time attorneys at large firms. Staff attorney positions offer little possibility of career advancement, and part-time attorneys are often the first to be let go," said The NAWL Foundation President Stephanie Scharf, Partner at Schoeman Updike Kaufman & Scharf in Chicago, who has designed and developed the Survey since 2006.

"We find some reward in that every year the Survey has identified new opportunities, as well as the barriers, for women to succeed in private practice," added Scharf. "But the snail's pace at which women are advancing and the continued adverse impact of evolving law firm structures on women, especially part-time women, remain disconcerting."

Highlights of the Survey include the following findings:

- **The Impact of Partnership Structure:** Partnership structure continues to evolve with one-tier, two-tier, and mixed-tier firms. The data shows that women appear to be more successful in one-tier firms and mixed-tier firms. In 2010, women lawyers constitute 18% of equity partners

in one-tier firms, 17% of equity partners in mixed-tier firms, and 14% of equity partners in two-tier firms.

- **Fixed-Income Equity Partners:** In the typical mixed-tier firm, approximately 6% of all equity partners are "fixed-income equity partners," and women represent a surprising 73% of these fixed-income equity partners. Fixed-income equity partners are those lawyers in mixed-tier firms who are required to contribute capital to the firm but nevertheless receive only an annual salary and performance-based bonus rather than sharing in the overall profits of the firm.
- **The Impact of Contract and Staff Attorneys:** Approximately 80% of *AmLaw* 100 firms and 50% of *AmLaw* 200 firms hire staff attorneys. Half of large firms hire contract attorneys and about half of the large firms hire both staff attorneys and contract attorneys. The Survey shows that over 60% of staff attorneys are women. This is the highest percentage of women lawyers in any category of practice, and by definition it is a category with little possibility of career advancement.
- **Terminations:** During the 2010 Survey period, 93% of large law firms terminated lawyers. Termination ratios for men and women have remained proportionate to their numbers as associates and partners since the 2009 Survey. But, terminations are highest among part-time attorneys, a position largely occupied by women: 56% of firms terminated one or more part-time employees, and in 83% of those firms, more women than men were terminated.
- **Equity Partnership:** The percentage of women equity partners is unchanged over the last five years; women still only account for about 15% of equity partners. It continues to be much more difficult for women than men—by a factor of almost six to one—to become equity partners in large firms.
- **Law Firm Leadership:** The average firm's highest governing committee includes only one or two women among its members. And about 10% of the nation's largest firms have no women at all on their governing committees.
- **The Compensation Gap:** As in previous years, female associate compensation

appears to be on par with male associate compensation. However, thereafter the compensation gap widens at every higher level. This year the compensation gap widened further at the equity level, as women equity partners earned only 85% of the compensation earned by their male counterparts.

- **Rainmaking:** The pattern seen in the 2009 Survey continues, with women attorneys by and large not receiving credit for rainmaking. 46% of firms credited no women at all among their top ten rainmakers.

The full NAWL Survey Report can be accessed by visiting: <http://www.nawl.org/Assets/Documents/2010+Survey.pdf>.

Since 1899, the National Association of Women Lawyers (NAWL®) has been committed to fostering diversity and advancing women in the legal profession. NAWL is the only national women's bar association with individual and organizational members nationwide, including law firms, law firm attorneys, corporations, in-house counsel, government attorneys, law schools, and law school professors. Please visit www.nawl.org. ■



ILLINOIS STATE
BAR ASSOCIATION

Now Every Article Is the Start of a Discussion

If you're an ISBA section member, you can comment on articles in the online version of this newsletter

Visit
WWW.ISBA.ORG
to access the archives.

“Together WE Can Make a Difference”—WOMEN EVERYWHERE: PARTNERS IN SERVICE PROJECT

Women Everywhere: Partners in Service Project, Inc. (WE) will host its annual Educational Projects Day on Friday, April 15, 2011. WE is a volunteer collective aimed at soliciting and coordinating volunteer activities benefiting women and children in need, with a particular focus on education and community service. The Educational Projects Day invites junior and senior students from local high schools to tour trial or appellate courts in Chicago and to listen to the remarkable experiences of accomplished professional women. Several hundred students participate in the program every year by attending one of the court tours offered. Among the tour locations are the Dirksen Federal Courthouse, the Richard J. Daley Center and the Criminal Courts Building at 26th Street and California Avenue in Chicago. The goal of this annual event is to expose high school women to the importance of education along with the many rewarding career paths that may follow. In recognition of this year's theme, “Women Pioneers,” the Educational Projects Day, with the help of numerous judges and volunteering attorneys, will focus on pioneering women from the fields of public service, law,

sports and science.

WE's Partners in Service Project is not complete until it holds its annual Agency Projects Day, this year on June 17, 2011. This volunteer event brings together several hundred individuals from the legal community to spend the day at dozens of agencies dedicated to the needs of women and children. The volunteers provide direct services such as painting, building, gardening, or cleaning, as well as legal services such as leading discussions with agency clients and presenting topical seminars.

To organize and coordinate these events, WE has an extensive planning committee comprised of volunteers from the legal community. Also, each year a coalition of bar group partners sponsor the Partners in Service Project. WE's partners include the Illinois Judges Foundation, Women's Bar Association of Illinois, Black Women Lawyers Association of Greater Chicago, Diversity Scholarship Foundation, Chicago Bar Association Alliance for Women, Illinois Association of Defense Trial Counsel, Illinois Judicial Council, Illinois State Bar Association Committee on Women and the Law, Illinois Trial Lawyers Association; John Marshall Law School Alumni

Association; Lesbian and Gay Bar Association of Chicago; and Women's Criminal Defense Bar Association. WE is grateful for the generosity and support of not only its bar group partners, but for the backing of numerous Chicago area law firms as well.

Anyone interested in helping WE make a difference in the lives of women and children in need, please consider volunteering on April 15, 2011 for our annual Educational Projects Day or on June 17, 2011 for our annual Agency Projects Day. To complete a volunteer form, go to <http://www.wechicago.org>, or send an e-mail to Martina Brendel at martina.brendel@gmail.com or Sarah Buck at sbuck0427@gmail.com. WE is also seeking to expand its network of bar associations. If your bar association would like to become a sponsor of our project, please contact Margaret Foster at mfoster@mckenna-law.com. For more information about these events or partnering with WE, please visit our website or contact Women Everywhere Planning Committee Co-Chairs Arleen Anderson (acanderson11@comcast.net) or Marcia Maras (marciamaras@aol.com). ■

Girl Scouts Project Law Track 2011

By Emily N. Masalski¹

In January 2011, the Chicago Bar Association Alliance for Women kicked off a program entitled “Project Law Track” in conjunction with the Girl Scouts of Greater Chicago and Northwest Indiana. Project Law Track is a series of interactive sessions all relating to the interesting field of law. Female attorneys with the Alliance committee and several teen Girl Scouts have designed a series of dynamic sessions that will culminate in a mock trial in May 2011.

In order to fulfill the goals of the program, the Alliance and Girl Scouts will jointly host the following workshops:

Session 1: Monday, January 31, 2011: Law as Seen on TV - Law and Order, Judge Judy, Legally Blonde.

Are these all shows that you like to watch? Then come to our first law series to determine fact from fiction.

Help us point out the attorney, judge, jury, and other people who work in the courtroom! We will watch one of these TV shows and discuss the roles and responsibilities of the actors with female attorneys.

Session 2: Thursday, February 24, 2011: Law Career Day – When people think about a lawyer or a career in law, they may not re-

alize how many different types of lawyers there are – so many specialties and so many interests. Girl Scouts will have the chance to interact with various female attorneys, learn about their different careers, find out how they became interested in the law, receive first hand advice and ask questions.

Session 3: Wednesday, March 30, 2011: Law School Day at Northwestern University School of Law.

Have you ever considered a career in law but didn't quite know how to get there? Which undergraduate programs are the best and what type of law field could you

be most successful in? Girl Scouts will have the chance to talk to real law students from Northwestern University School of Law and learn from their experiences. Girl Scouts will get a better understanding of the transformation from undergraduate student to a law school student.

Session 4: Tuesday, May 3, 2011: Mock Trial Preparation – Step into the shoes of a real courtroom attorney by participating in a mock trial exercise. At this preparation session, attorneys from the Chicago Bar Association will introduce the Girl Scouts to a practice legal case that they will get to help try later in the week. Girl Scouts will learn the facts about the case, be assigned a role and then practice giving an argument and/or examining a witness. The attorneys will be there to give tips and help the Girl Scouts practice.

Session 5: Saturday, May 7, 2011: Mock Trial in a Real Court Room – (Note: location will be in Chicago, IL; further details to be announced; requires attendance at mock trial preparation on Tuesday, May 3).

Now the Girl Scouts are ready to try their case in a real courtroom! Girl Scouts will play the same role they practiced at the preparation session, except this time they will get to do it in front of an actual judge. This is a fun exercise in which they will learn what it feels like to be a trial attorney and receive positive feedback from judges, attorneys and other Girl Scouts who will be there to cheer them on. The mock trial will be held from 9:00 a.m. – 2:00 p.m.

Additional opportunity: May 2011 service project activity to help our community with Women Everywhere. While cleaning, shoveling or doing whatever job may be necessary for the public good, Girl Scouts can side-by-side connect with lawyers on a personal level and learn more about the benefits and expectations of a job in the field of law. It is a great chance to ask important questions and a great way to find similarities between a girl and a real hard-working lawyer. (Date to be determined)

Location: Sessions 1-2 and 4 will take place at Navigant Consulting Inc., 30 S. Wack-

er, Suite 3550, Chicago, IL 60606; Session 3 will take place at Northwestern University School of Law

Time: Sessions 1 – 4 will be held from 5:30 p.m. – 7:30 p.m.

We hope that we can live up to the high expectations of the group of about 31 phenomenal Girl Scouts, but we need your help! Please contact Regine Corrado at (312) 861-8844 or regine.corrado@bakermckenzie.com or Maureen Aidasani at Maureen.Aidasani@GT.com or Connie Willegal at cwillegal@girlscoutgcnwi.org if you would like to be part of this program. We need many volunteers, especially for the mock trial. Thank you in advance for your consideration. ■

1. Emily N. Masalski is a volunteer with the Girl Scouts Project Law Track. She is a co-Editor of The Catalyst and the 2010-2011 Coordinator of the ABA YLD Touch 10,000 Program which connects YLD leaders with new bar admittees. She is an environmental litigation associate at Deutsch, Levy & Engel, Chtd. and can be reached at masalski@dle.com.

Highlights from the Luminary of Hope event

By Melissa M. Olivero

Blustery weather could not keep almost 100 people from gathering at the Hegeler Carus Mansion to commemorate Domestic Violence Awareness Month. The annual Luminary of Hope event was held on October 25, 2010 and sponsored by the Zonta Club of LaSalle-Peru.

Illinois Supreme Court Chief Justice Tom Kilbride, the evening's keynote speaker, told the crowd that domestic violence is a problem he wrestles with all too often on the bench. "Children are particularly vulnerable as witnesses to and victims of domestic violence," Kilbride told the crowd. He said that this subject causes him concern as a husband, father, and grandfather. Kilbride also told the crowd about his extensive record protecting crime victims, including a 2003 decision in which the court protected a 20 month old victim of sexual assault from an intrusive medical examination sought by her attacker.



From left to right: Melissa Olivero; Illinois Supreme Court Chief Justice Tom Kilbride; and Ann Maxwell-Weisbrod.

Justices Mary McDade and Mary Kay O'Brien of the Third District Appellate Court were also among the featured speakers. Justice McDade reminded the crowd that children are always watching. Speaking from a child's perspective, Justice McDade said, "When you thought I wasn't looking, I saw you throw my grandfather to the floor, and I learned that the elderly are not to be respected." Justice O'Brien, a member of the Zonta Club of Kankakee, told the crowd that community groups like Zonta play an important role in the fight against domestic violence.

Justices Kilbride, McDade, and O'Brien were presented with awards by the Zonta Club of LaSalle-Peru for their commitment to fairly interpreting the law, while protecting the rights of victims. Officer Adam Conness of the Peru Police Department, Officer Nick Bernal of the LaSalle Police Department, and the patrol division of the LaSalle County Sheriff's Department were recognized for their work in assisting victims of domestic violence.

Judge Cynthia Raccuglia paid tribute to

the late Judge William Banich, co-founder of the Thirteenth Judicial Circuit Family Violence Prevention Council. Banich and Raccuglia often said that the luminary, formerly sponsored by the FVPC, "was always held on the worst day of the year" in terms of the weather. Raccuglia said, "I believe he is here with us tonight."

Margaret Morrison, Executive Director of ADV&SAS and a member of the Zonta Club of Streator, accepted an award for her work on behalf of survivors of domestic violence. The Zonta Club of LaSalle-Peru collected over five hundred dollars and eight shopping carts full of household products last weekend at Hy-Vee and Jewel. Young women from St. Bede Academy also donated buckets filled with cleaning supplies. These items will be given to individuals leaving the shelter, starting new lives free from abuse.

Other guests at the Luminary of Hope included LaSalle County Board members Sandi Billard and LouAnne Carretto, LaSalle Mayor Jeff Grove, LaSalle County Sheriff Tom Templeton, and retired Illinois Supreme Court

Justice Tobias Berry.

Those on hand found the ceremony both moving and informative. Dr. Eric Anderson of LaSalle said, "It was a great ceremony." "The location of this year's luminary was particularly fitting, especially given the strength of the women of the Hegeler and Carus families," said Ann Maxwell-Weisbrod, President of the Zonta Club of LaSalle-Peru.

Master of ceremonies Melissa Olivero told the crowd that service providers for victims have experienced an increased demand at the same time as funding for services has decreased. She asked the crowd to pledge to challenge false assumptions about domestic violence, to use language that promotes hope instead of fear, to model healthy relationships, and to lead by example. Olivero closed by telling the crowd that, "Domestic violence is not a man problem or a woman problem, it is a community problem." ■

1. For more details about the Luminary of Hope event, please contact Melissa M. Olivero, member of the Standing Committee on Women & the Law at melissa.olivero@hotmail.com.

Divorce among professional women

By Karen Pinkert-Lieb, Partner, Schiller DuCanto & Fleck LLP

A recent study found that professional women are three times as likely to get divorced than their stay-at-home counterparts. Why this phenomenon exists is a mystery. One possibility is that because of their status in their workplace, career women are less likely to remain in an untenable situation at home. Another possibility is that a financially independent woman is in a better position to leave if she is unhappy. Of course, there is also the inherent tension relating to division of labor in dual income families that may lead to dissatisfaction in the marriage.

Not only are professional women more likely to get divorced, but the number of women paying alimony has almost doubled since the late 90s. This is because one third of all married women are the primary breadwinners. Their status as the primary breadwinner exposes them to having to support a financially dependent spouse after the marriage is dissolved through the use of alimony, known in Illinois as maintenance.

Moreover, working women are particularly vulnerable to claims that they are not the primary caretaker of the children (and should not be awarded custody of the children), while in the vast majority of the cases, they are, indeed, the ones who are taking care of the kids and managing the household.

How does one protect themselves from such claims in the event of a divorce?

Ask for a premarital agreement. In recent years, there has been a marked increase in the number of women seeking premarital agreements, and with good reason. Illinois law permits a party to waive maintenance in a properly formalized premarital agreement. A court can only invalidate such a waiver at the time of divorce if its enforcement would create an undue hardship and if the circumstances that created the hardship were unforeseeable at the time the agreement was executed. A good premarital agreement will expressly set forth a litany of circumstances that would be deemed foreseeable, such as

cessation of employment, birth of children, sickness or disability.

Further, while a premarital agreement cannot bind a court with respect to child-related issues, there is no reason it cannot be used to demonstrate the parties' intent. An agreement which states that the parties intend that the woman will continue to work, but will also serve as the primary caretaker of the children, may be used as evidence in the event her primary caretaker status is later questioned.

Cut your losses. The longer the marriage, the greater the maintenance exposure. Typically, maintenance is not awarded in very short-term marriages, but can be awarded permanently in marriages of long duration. Every additional year of marriage may result in a longer maintenance award. While there may be many good reasons to try to repair a marriage, if it is clear that the marriage is irretrievably broken, it may be better to get out quickly if you are vulnerable to a maintenance claim.

nance claim.

Encourage your spouse to find a job.

Illinois divorce law favors the status quo. If one spouse was not working during the marriage, it is unlikely the court would require them to seek employment upon a filing for divorce. Similarly, if a party is working during the marriage, the court will not condone voluntary underemployment once a case has been filed. Even in those situations where one's husband is unemployed, it may be a good idea to have full time child care to help

mitigate against later claims that the husband is the primary caretaker.

Protect Non-Marital Assets. Many professional women have accumulated assets prior to marriage. Property acquired before a marriage is considered non-marital property and will be awarded solely to the owner in the event of a divorce. It is critical, however, to keep premarital property segregated and to refrain from making additions during the marriage in order to avoid a later claim that the property has evolved into marital prop-

erty. Also, maintenance can be paid from marital or non-marital property so segregation is not a total protection against potential claims in the event of a divorce.

Hire a matrimonial lawyer with experience representing professional women.

The custody and financial issues confronting a professional woman are unique and complex. It is important to seek an attorney with experience in this arena so that your case is presented in the best light leading to the most successful possible outcome. ■

Photos from Power Prestige and Your Personal Brand seminar on March 4, 2011



(From left to right): Speakers-- Bill Moller (Bill Moller Communications, LLC), Chris Beebe (theVisionaryAgency), Jan Anne Dubin (Jan Anne Dubin Consulting), and panel moderator Kristen E. Prinz (The Prinz Law Firm)



(From left to right): Chris Beebe (theVisionaryAgency), Emily N. Masalski (Deutsch, Levy & Engel), Jan Anne Dubin (Jan Anne Dubin Consulting), Kristen E. Prinz (The Prinz Law Firm), Sandra Crawford (Chair of the Standing Committee on Women & the Law), Bill Moller (Bill Moller Communications, LLC), ISBA President Mark Hassakis

Upcoming CLE programs

To register, go to www.isba.org/cle or call the ISBA registrar at 800-252-8908 or 217-525-1760.

April

Friday, 4/1/11- Chicago, ISBA Regional Office—Military family Law Issues. Presented by the ISBA Family Law Section and the ISBA Military Affairs Section. TBD

Tuesday, 4/5/11- Teleseminar—Debt Collection Liability and Strategies for Businesses, Part 1. 12-1.

Wednesday, 4/6/11- Teleseminar—Debt Collection Liability and Strategies for Businesses, Part 2. 12-1.

Thursday, 4/7/11- Chicago, ISBA Chicago Regional Office—Elder Law Issues for Everyone: Your Aging Clients, Their Parents, and You. Presented by the ISBA Standing Committee on Women and the Law; co-sponsored by the Elder law Section, the General Practice Section and the Senior Lawyers Section. 8:15-4:45.

Friday, 4/8/11- Bloomington, Holiday Inn and Suites—DUI, Traffic and Secretary of State Related Issues. Presented by the ISBA Traffic Laws/Courts Section. 8:55-4:00.

Friday, 4/8/11- Chicago, ISBA Chicago Regional Office—Practice Tips and Pointers on Child-Related Issues. Presented by the ISBA Child Law Section; co-sponsored by the Mental Health Law Section, the ISBA Family Law Section; and the ISBA Education Law Section. TBD.

Friday, 4/8/11- Dekalb, NIU School of Law—Mechanics Liens and Construction Claims. Presented by the ISBA Special Committee on Construction Law; co-sponsored by the ISBA Commercial, Banking and Bankruptcy Section, the ISBA Alternate Dispute Resolution Section, and the ISBA Real Estate Section. 8:55-3:45.

Tuesday, 4/12/11- Chicago, ISBA Chicago Regional Office—Recent Developments in IP Law. Presented by the ISBA Intellectual Property Section. 9:30-11:30.

Tuesday, 4/12/11- Teleseminar—Creditor Interests in Partnership, LLC and S Corp Interests. 12-1.

Thursday, 4/14/11- Teleseminar—Ethics Issues for Transactional Attorneys. 12-1.

Thursday, 4/14/11- Chicago, ISBA Chicago Regional Office—Civil Practice Update. Presented by the ISBA Civil Practice and Procedure Section. 9-4.

Friday, 4/15/11- Chicago, ISBA Chicago Regional Office—Liens. Presented by the ISBA Tort Law Section. 9-12:30.

Monday, 4/18/11- Chicago, ISBA Chicago Regional Office—Illinois Supreme Court in Review: Important 2010 Cases, Procedures and Rules. Presented by the Illinois State Bar Association. 11:45-2:00.

Tuesday, 4/19/11- Teleseminar—Structuring, Administering and Investing Charitable Endowments, Part 1. 12-1.

Wednesday, 4/20/11- Teleseminar—Structuring, Administering and Investing Charitable Endowments, Part 2. 12-1.

Tuesday, 4/26/11- Teleseminar—2011 Retaliation Claims Update. 12-1.

Thursday, 4/28/11- Chicago, ISBA Chicago Regional Office—The Ethics of Good Regulatory Decision Making. Presented by the ISBA Energy Utilities, Telecommunications and Transportation Section; co-sponsored by the Chicago Bar Association Public Utilities Law Committee. 1:00- 3:15.

Thursday, 4/28/11- Friday, 4/29/11- Spoon River College, Macomb—Attorney Education in Child Custody & Visitation Matters in 2010. Presented by the ISBA Bench and Bar Section; co-sponsored by the ISBA Child Law Section and the ISBA Family Law Section. 8:30-4; 8:30-1.

May 2011

Tuesday, 5/3/11- Teleseminar—Ethics & Confidentiality in a Digital World. 12-1.

Tuesday, 5/3/11- Chicago, ISBA Chicago Regional Office—Hanging Out a Shingle or Putting Up a Roof. Presented by the ISBA Young Lawyers Division. 12:30-4:00.

Wednesday, 5/4/11- Chicago, ISBA Chicago Regional Office—Settlement in Federal Courts. Presented by the ISBA Federal Civil Practice Section. 11:55- 4:15.

Thursday, 5/5/11- Teleseminar—Securities Law Issues for Medium and Smaller Businesses. 12-1.

Thursday, 5/5/11- Chicago, ISBA Chicago Regional Office—Municipal Administrative Law Judge Education Program. Presented by the ISBA Administrative Law Section; co-sponsored by the Illinois Association of Administrative Law Judges. TBD.

Friday, 5/6/11- Lombard, Lindner Conference Center—Business Purchases Involving Real Estate. Presented by the ISBA Real Estate Section. 8:55-4:30.

Friday, 5/6/11- Chicago, ISBA Chicago Regional Office—Legal Ethics in Corporate Law- 2011. Presented by the ISBA Corporate Law Department Section. 12:30-4:45.

Tuesday, 5/10/11- Teleseminar—Managing a Trust: Trustee Duties, Liability, and Investment Decisions, Part 1. 12-1.

Tuesday, 5/10/11- Chicago, ISBA Chicago Regional Office—A Primer on Trademark Office Actions- A Panel Discussion. Presented by the ISBA Intellectual Property Section. 9:30-11:30.

Wednesday, 5/11/11- Teleseminar—Managing a Trust: Trustee Duties, Liability, and Investment Decisions, Part 2. 12-1.

Wednesday, 5/11/11- Chicago, ISBA Chicago Regional Office—Effective Advocacy for Juveniles with Mental Health Needs. Presented by the ISBA Mental Health Law Section; co-sponsored by the ISBA Education Law Section, the Child Law Section and the ISBA Standing Committee on Disability Law. TBD.

Thursday, 5/12-Friday, 5/13/11- Chicago, ISBA Chicago Regional Office—2011 Annual Environmental Law Conference. Presented by the ISBA Environmental Law Section. 9-5; 9-1. ■



LET US HELP CLIENTS FIND YOU
IllinoisLawyerFinder.com

A Member Benefit provided by the Illinois State Bar Association

ISBA's Illinois Lawyer Finder service provides the public with thousands of referrals each year to local lawyers, in a number of areas of law. It's just one way we're helping our members connect with prospective clients.

Sign up for a basic listing – FREE to ISBA members – and put your name in the IllinoisLawyerFinder.com internet directory. Or sign up at the \$50/yr. premium level and get an enhanced directory listing plus automatic membership in the Illinois Lawyer Finder telephone referral service, giving clients two ways to find you.

Find out more at www.isba.org/lawyerfinderforms