

PRESIDENT'S LETTER

Serving as BWL's 40th President was nothing short of amazing. Our theme was "Imagine. Innovate. Transcend." And indeed we did! While changing BWL's presentation, we learned its powerful history, used more digital technology at every major event, worked with our youth, spoke against injustice during the height of racial tension in our nation, and continued to grow our fellow professionals. Thank you for trusting me to serve as President.

At the beginning of BWL's bar year, BWL rallied the bar associations to speak against Professor Richard Sander's demands for the academic and bar records of minority lawyers. BWL joined the lawsuit involving Professor Sander against the State Bar, to help the State Bar prevent release of records belonging to minority attorneys. With BWL's advocacy and leadership, Langston Bar Association joined the action, and BWL led several discussions with other bar minority associations around the state educating them about Sander's efforts.



Shannon Humphrey
 2014-2015 President

In November 2014, our Annual Thank-giving Eve Cocktail Sip made its largest profit in well over a decade. With fresh, visionary event chairs, we attracted new sponsors, and displayed them digitally on large monitors for the first time.

Around the same time, police abuses against Black Americans flared up across the nation- Michael Brown, Eric Garner, and Ezell Ford all within months of each other. BWL responded. President Pamela Meanes and the National Bar Association spoke out, and BWL played a part

in the effort. We appointed a special ad hoc committee to work on substantive solutions for how we could address this problem. We created the Committee on Community and Police Relations. We met with California legislators Sebastian Ridley-Thomas and Mike Gipson in January to discuss California bills they might consider to ensure citizens' rights. We also worked with NBA President Pamela Meanes to promote the NBA's demands for action and justice now.

We created BWL's Legislative Web Link for pending legislation on police brutality. It connects the community to pending bills in the California Legislature so they see what is being done about the injustice. Police brutality is becoming one of the biggest issues of this decade. The community looks to its lawyers for direction, and BWL should stay at the forefront of keeping them informed, at the very least.

BWL celebrated its 40th Anniversary this past June, taking the organization back to City Hall for the first time in over a decade. We presented history and years of progress to the legal community so lawyers of

all ages and backgrounds see what black women have done throughout, and for, this city. There are many women's clubs in Los Angeles, but BWL is among the oldest and largest.

We also created BWL's Past Presidents Page, so newer members and officers can know the earlier women who have not been around for a while, but whose hard work built a great institution. BWL has prestigious past leaders and the later generations should have a way to know and appreciate who they are.

BWL's Policies and Procedures were updated for the first time in at least fifteen years. As BWL continues to grow, and our roles change, it was important to have current policies that direct us in these changing times.

It's been an awesome journey, and as the organization continues to evolve upward, I am thrilled to see what we do with it!

Blessings,

Shannon Humphrey
 2014-15 BWL President

BLACK WOMEN LAWYERS ASSOCIATION OF LOS ANGELES, INC. HISTORY

Black Women Lawyers Association of Los Angeles, Inc. is a non-profit corporation whose mission is dedicated to charitable, educational and community-based services. BWL was founded in 1975 after a small group of Los Angeles based African-American women judges and attorneys held a luncheon meeting to discuss the marked absence of an organization which addressed the needs and concerns of African-American women in the legal profession. The dialogue and events that followed became the genesis of BWL. Over the years, BWL branched out and grew through its various community projects and committee activities. The first BWL scholarship luncheon was held in 1975 at the Medallion Restaurant. Since then, BWL has raised scholarship funds for second and third year law students through its annual fundraising efforts by the Black Women Lawyers Association of Los Angeles Foundation.

In 1982, BWL and Women Lawyers Association of Los Angeles ("WLALA") co-founded the Harriet Buhai Center for Family Law ("Center"). The Center has evolved into one of the primary providers of pro bono family law services in Los Angeles County. In recognition of BWL's significant community contributions as a founder and co-sponsor of the Center, the National Conference of Women Bar Associations presented its first annual Public Service Award to BWL and WLALA in July 1985.

In 1991, BWL was among the various ethnic minority bar associations that formed the Multicultural Bar Alliance. Through its continued involvement and support of this alliance, BWL offers a needed channel for communication for attorneys of color, both outside and within the African-American community. In 1992, the BWL Foundation was established to support and fund BWL's numerous charitable, educational and community-based services. BWL also gives holiday food baskets to needy families, donations to shelters for the homeless and battered women, and strives to expand its outreach programs to schools.

The viability of BWL's programs is dependent upon your support and commitment. Thank you for your interest and commitment to our organization.



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Learn more about the incredible women who have served as BWL's Past Presidents:
www.blackwomenlawyersla.org/bwl-past-presidents

*Deceased

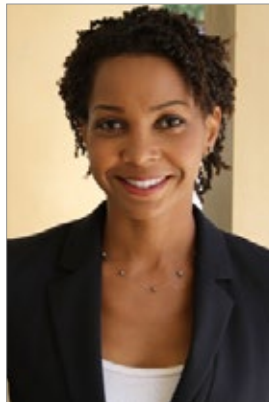
BLACK WOMEN LAWYERS ASSOCIATION OF LOS ANGELES, INC. 40TH ANNIVERSARY LEGENDS RECEPTION

In 2015, BWL celebrated its 40th Anniversary. In honor of this special occasion, the 40th Anniversary Legends Reception took place at Los Angeles City Hall on June 18, 2015, celebrating forty years of service, advocacy and the making of legends in the law.



What's In Your File? Requesting and Handling Personnel File Requests

by Angel James Horacek, Esq.



Angel James Horacek is the principal attorney at Law Offices of Angel J. Horacek, located in Culver City, California. She primarily represents employees. You can reach her at angel@horaceklaw.com.

How does an employee review what's in her personnel file? How should management respond to a request to review one's personnel file? What best practices should be followed by both?

1. The Employee's Rights - In California, an employee is entitled to three sets of documents – “pay stubs,” anything that she signed relating to her employment, and anything related to her performance. **a. Pay Stubs** - Upon reasonable request, an employee is entitled to copy or inspect documents commonly referred to as pay stubs – accurate, itemized statements showing, among other things, gross wages earned, the employee's total hours worked (unless the employee is exempt), all deductions, net wages earned, pay period, the name of the employee, only the last four digits of the employee's social security or tax ID number, the name and address of the legal entity that is the employer, and all applicable hourly rates in effect during that pay period and the corresponding number of hours worked at each hourly rate by the employee. Cal. Lab. Code §226(a),(b). **b. Signed Documents** - If an employee or applicant signs any instrument relating to the obtaining or holding of employment, she shall be given a copy of the instrument upon request. Cal. Lab. Code §432. This set of documents would typically include job applications, I-9 forms, and employment agreements. **c. Performance Documents** - Every current and former employee, or her representative, has the right to inspect and receive a copy of the personnel records that the employer maintains relating to the employee's performance or to any grievance concerning the employee. Cal. Lab. Code §1198.5(a). This set of documents would normally include performance evaluations, complaints regarding the employee, and written discipline. Any such request must be in writing. Cal. Lab. Code §1198.5(b)(2)(A).

2. The Employer's Responsibilities - An employer must allow an employee to inspect or copy her records which were reasonably requested under Labor Code §226 no later than 21 days of the request. Lab. Code §226(c). A failure by an employer to an employee to inspect or copy records within 21 days entitles the employee or the Labor Commissioner to recover a \$750 penalty from the employer. Cal. Lab. Code §226(f).

Upon request, an employer must provide a copy of any document signed by any applicant or employee. If an employer fails to provide such a copy, the employer is guilty of a misdemeanor. Cal. Lab. Code §433. An employer should maintain a copy of each employee's personnel records for a period of not less than three years after termination of employment. Cal. Labor Code §1198.5(c). An employer is required to comply with only one request per year by a former employee to inspect or receive a copy of her performance records. Cal. Labor Code §1198.5(d). An employer may take reasonable steps to verify the identity of a current or former employee or her authorized representative, such as requesting an employee authorization from a former employee represented by counsel. Cal. Labor Code §1198.5(e).

An employer must allow an employee or her representative to inspect or copy her records reasonably requested under Labor Code §1198.5 no later than 30 days of the request, unless both sides mutually agree to a different time in writing. Cal. Labor Code §1198.5(b)(1). If an employer fails to permit an employee or her representative to inspect or copy personnel records within the times specified in this section, or times agreed to by mutual agreement as provided in this section, the employee or the Labor Commissioner may recover a penalty of \$750 from the employer. Cal. Labor Code §1198.5(k). Additionally, any employer or other person acting either individually or as an officer, agent, or employee

of another person who violates or refuses or neglects to comply with any provision of this chapter is guilty of a misdemeanor and is punishable by a fine of not less than \$100 or by imprisonment for not less than 30 days, or by both. Cal. Labor Code §1199.

3. Best Practices - A current employee who wants to inspect or copy documents under Cal. Labor Code §§226(b), 432, or 1198.5 should submit a request in writing to Human Resources, and keep a copy for herself. A former employee should mail a written request to inspect or copy via first class mail certified return receipt, or in some other method to ensure tracking and/or delivery.

When an employee submits a request to inspect, it should be considered as a high priority. Disregarding requests to inspect can place the employer in a vulnerable position.

Employers should maintain employee documents under Cal. Labor Code §§226(b), 432, or 1198.5 up to at least three years after termination of each employee. Once a written request is received, the employer should gather the information and simultaneously contact the employee to determine whether it is more feasible to produce copies or allow the employee to inspect the documents. If the employee has been terminated from employment, it is generally more feasible to send copies. The employer may charge the employee up to the actual cost of reproduction of copies of pay stubs and performance documents. Cal. Labor Code §226(b); §1198.5(b)(1).

Taking the proper steps from the outset to make a reasonable request and to respond thereto protects the employee's rights and keeps the employer in compliance with the law.

10 Tips to Consider Before Opening Your Law Firm

by Demetria L. Graves, Esq.

I nervously opened the doors of my family law practice on July 5, 2005. I was so excited and proud that I owned my own law firm at the tender age of 25. Although I was very excited and eager to begin my practice, I had a lot to learn and I had to learn quickly, starting with actually getting clients. Because of my decision to start my own firm right out of law school (6 months after I passed the bar), I did not fully evaluate my decision to open my firm at that time, and let's just say I did things the “hard way.” Throughout my journey I have learned key lessons which I believe are essential for anyone that wants to open a law practice. I'm sure there are many more, but here are my top 10 considerations before opening your law firm.

1. Truly Evaluate You. If law firm ownership is actually right for you, owning your own practice will be one of the most daunting yet fulfilling experiences. Before you open your doors take some time and consider the following: Can you handle business inconsistencies; not receiving a steady paycheck; and the task of finding and retaining clients. In addition to your own self assessment, meet with other attorneys who have started their own businesses in order to gain insight on the responsibilities of law firm ownership.

2. Understand the Business of Running a Business. Once you open your practice, please understand you are now a business owner. You must decide how you will structure your business; how you will manage potential clients; intake procedures for new clients; oversee staff (if you desire to have staff); and manage your finances. The list goes on, and I can assure you that with time, everything will be manageable. But before you began, understand the business of running your business.

3. Marketing is Your Business. Outside of effectively running your business, marketing is the next most important aspect of law firm/business ownership. If people don't know who you are and what you do, it will be challenging to grow your practice. You must identify a marketing plan for yourself and an effective way to get clients. For example, networking with your colleagues (referrals from other attorneys is golden); networking at bar association events; having a social media and web presence; and creating blog and video postings, are some ways to acquire potential clients. Whatever you decide, marketing IS your business and will continue to be your business long after you are successful.

4. Keep Your Expenses Low. Your goal as a business owner is to make a profit and not spend all of your earnings on expenses. When you begin, make a list

of what you absolutely need, what you think you may need, what you want and what you can live without. For example, you may not need a fully staffed office building. Maybe you can invest in an executive suite to start, which will provide a business phone number, a business address, and use of the conference room for a reasonable fee, versus renting an entire office space. The same applies to staff, you may not need staff, and if you do, there are many virtual assistants, and other ways to obtain assistance without full time staff. Until you are aware of your cash flow and the needs of your practice, try to refrain from expensive overhead.

5. Mentor - Get One. Throughout the practice of law, you will always have questions or need advice on a case. I strongly suggest you identify someone in your field that can assist you when the uncertainties arise or if you want to receive feedback on a complicated case.

6. Feast or Famine. In most areas of practice, there are good months, slow months and bad months. You must cultivate the skill of managing your money during the really great months to prepare financially for the bad months.

7. Work/Life Balance. Although challenging, find a way to continue to make time for your loved ones. When you are getting your practice off the ground, it may not seem possible to maintain close



Demetria L. Graves, Esq. is a Family Law Certified Specialist in Pasadena, California. For any questions regarding this article or law firm ownership, please email demetria.gravesesq@gmail.com.

relationships, however you want to stay connected to those who love and support you. Also be aware of those who do not understand your vision, do not be afraid to let go of those who can not or will not support you.

8. Every case is not a good case. Even when you want to say yes, the answer is no. Not every potential client is a good client. You must always follow your intuition and listen to your gut when retaining new clients. As the saying goes, “not all money is good money.”

9. Self Discipline. Being your own boss takes A LOT of self discipline. You have the sole responsibility of not only acquiring new clients, but ensuring that you complete the work you have been retained to do. Throughout the years, it has really helped me to plan my daily activities the night before. That way, when my day begins I know exactly what I wish to accomplish.

10. Draft Your Plan. Once you have decided that you are ready to open your own practice, create a plan. I suggest a 3-month, 6-month, 1-year, and a 3-year plan to start. I further suggest sharing your plan with someone that you trust to help keep you accountable to your goals.



How Secure is that Mobile Wallet?

by Karen A. Clark

The very ease that makes mobile payments so appealing – just tap or wave your smartphone or watch to pay – has made some consumers nervous about adopting this technology.

People fear losing their smartphones and devices, and their vital credit card information falling into the wrong hands. They also worry about scam artists and hackers intercepting information.

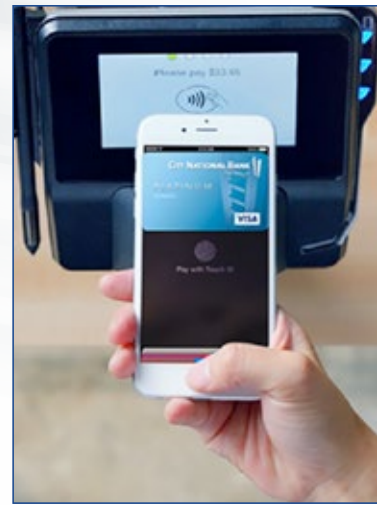
But is there really reason for concern? The reassuring word from security experts is that the mobile wallet is actually much safer than the entrenched system of debit and credit cards with their magnet stripes.

What Makes It More Secure?

For one thing, mobile apps don't expose your card numbers. For instance, a customer using Apple Pay (available for iPhones 6 and 6 plus, Apple Watch, iPad Air 2, and iPad mini 3) to buy printer cartridges at OfficeMax never has to reveal the 16-digit number on the credit card, even to the store.

"Merchants never have the card-number details, which is important because a lot of recent frauds have involved merchants storing card numbers in their systems long after the transaction has taken place," says Vince Hruska, senior vice president of product strategies for City National Bank, which now offers Apple Pay for its credit and check cards.

Buyers use the same debit and credit card accounts they have always used, but instead of the card number being passed, a 16-digit replacement number is used, Hruska explains. After a cardholder enters the card's digits, including an expiration date and security code, into an Apple Pay app, the app is able to scramble the data and communicate it wirelessly to special readers that must be installed at the cashier stand. A new randomized number, known as a "token," is generated with the transaction, so it is only good for that particular purchase and cannot be reused if the wireless signal is somehow intercepted.



The chance of the signal being intercepted is very slim, Hruska notes. It travels just a few feet from the digital wallet to the reader, known as a near-field communication (NFC) device, which is able to associate the random digits to the actual card number so the transaction can go through. When Apple Pay and the NFC reader are used, only the banks know which account numbers were involved in the transaction.

Apple's Touch ID fingerprint authentication system also protects iPhone users in the case of loss or theft of the smartphone with the Apple Pay app. The iPhone's biometric fingerprint scanner must authenticate the user to make a purchase. Without your fingerprint, a thief is out of luck.

Who's Using It?

Addressing security concerns has been the biggest issue facing technology companies and retailers in moving to the mobile wallet. A 2013 survey by Thrive Analytics found that 37 percent of consumers who chose not to use the apps cited fears over security as the main reason.

The poll, involving more than 2,000 consumers, found that 19 percent worried they might lose their cell phones and another 19 percent said they lacked adequate information.

The latter number suggested that more than 80 percent of consumers do know about this technology, but need their fears about security assuaged before adopting.

"What we found was a surprisingly high number of U.S. consumers recognize digital wallets as an alternative to cash-based transactions," Thrive Analytics said in its report. At the time, however, less than one-third of consumers used the technology, and the company said, "Security concerns remain the main barrier to adoption."



Karen A. Clark
SVP, City National Bank



City National Bank is a proud sponsor of The Black Women Lawyers Association of Los Angeles, Inc. Contact Karen A. Clark at (213) 673-9124 for questions regarding any of your banking needs.

LA Law Library: Tremendous Resources for Your Practice, Opportunities to Get Involved.

by Ryan Metheny

What would you say if someone told you there was a place where you could use Westlaw and Lexis for free? What if that person also told you could use virtually any practice guide or treatise published, and find almost any transactional or litigation form you would ever need, at this same place, also for free? That it offers affordable and sometimes even free MCLE courses, and affordable office space and conference room rentals to use during a trial, or to hold a deposition or meet with a client?

What if you were told this place was centrally located across the street from the Stanley Mosk and Foltz courthouses, with additional locations throughout the county? And that you could get all of these services even more affordably, plus get access to convenient downtown parking and get to use valuable legal databases from home, by participation in an enhanced-services Members Program?

It all seems a bit too good to be true, yet it is. LA Law Library used to be the best kept secret in the Los Angeles County legal community. But it's not such a secret any more.

LA Law Library is the largest public law library in the U.S. after the Law Library of Congress, and provides on-site access to both its print collection and comprehensive database subscriptions, including WestlawNext, LexisNexis, and CEBOnlaw, to members of the Bar and the public. Access is provided at no cost for on-site visitors, and at little cost for e-delivery of cases, Shepard's reports, annotated statutes, or sections of a treatise or practice guide, to anywhere in the world.

LA Law Library also has convenient branch locations throughout the county. For example, LA Law Library recently opened an e-Branch – a computer station with free access to all of the major databases, including Westlaw, Lexis, CEBOnlaw and more – in the Southeast Superior Court in Norwalk, and in the East District Superior Court in Pomona. LA Law Library also offers database access and basic print collections through the Pasadena Public Library, at the Compton Public Library, at the Long Beach Deukmejian Courthouse, and at the Torrance Superior Court. All of these locations feature the opportunity to consult with seasoned reference librarians during office hours each week; for more information, visit www.lalawlibrary.org.

In addition to maintaining and providing access to its collection, LA Law Library has also been developing a variety of innovative educational and legal assistance programs.

The programs offer an opportunity to earn MCLE credit affordably, and give back to the community through pro bono service.

For example, during the library's annual Law Week (last week in April) and Pro Bono Week (third week of October) celebrations, LA Law Library offers week-long slates of free MCLEs, public classes, and legal clinics. LA Law Library also offers MCLE programming throughout the year, and would like to invite members of the Black Women Lawyers to serve as speakers in its growing MCLE program. Experienced speakers and those with established areas of expertise can increase their business contacts and name recognition – while also getting a substantial portion of their own MCLE credit out of the way – by teaching MCLE classes at the library. The program covers many areas of law, and any interested prospective speakers should contact Ryan Metheny, (213) 785-2561 or rmetheny@lalawlibrary.org.

LA Law Library would also love to hear from prospective volunteer attorneys for its Lawyers in the Library program. This program consists of monthly legal clinics in which private practitioners and legal aid attorneys give free consultations to members of the public in need of legal assistance. Lawyers in the Library is a long-established model for providing pro bono legal help in California law libraries elsewhere in the country, but LA Law Library's is the first regular program to

Ryan Metheny is the Members Program and Educational Partnerships Librarian at LA Law Library. Check out the library at www.lalawlibrary.org or call 213.785.2529 for reference assistance, e-delivery of legal resource materials, public classes and MCLEs, room rentals and events hosting.

be established in Los Angeles. Although just initiated this past year, already the program has helped hundreds of people in need, and volunteers have described the experience as both rewarding and inspiring. Interested attorneys should contact Janine Liebert, (213) 785-2538 or jliefert@lalawlibrary.org.

Lastly, solo and small firm practitioners should know about an innovative program LA Law Library developed in 2009, which offers great cost savings and value for those looking to reduce their practice's overhead. Hundreds of attorneys have joined LA Law Library's Members Program. Benefits include remote access to some of the library's research databases, access to the Members Study (a quiet study space adjacent to the downtown courthouses equipped with Wi-Fi, printer/copier, and unlimited database access including Westlaw and Lexis), steep discounts on room rentals and e-deliveries, research assistance and support, and, depending on the type of membership purchased, convenient and affordable downtown parking. For more information about the Members Program, contact Members Services at members@lalawlibrary.org, or (213) 785-2555.

LA Law Library is here to serve – so take advantage, and get involved! Contact us today to sign up for classes, serve as an MCLE speaker, volunteer for Lawyers in the Library, or learn more about the Members Program.

BLACK WOMEN LAWYERS ASSOCIATION OF LOS ANGELES, INC.
2014-2015 OFFICERS



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President-Elect
Nicole Hancock Husband



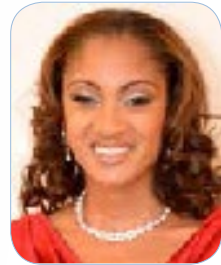
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BLACK WOMEN LAWYERS ASSOCIATION OF LOS ANGELES, INC.
2014-2015 CALENDAR OF EVENTS

**Installation and Awards Dinner –
Imagine. Innovate. Transcend.**
September 26, 2014

**BWL's First General Meeting
#Limitless2015 #BWLIsBack, at a private
home in View Park**
October 23, 2014

**November General Body Meeting:
"Understanding Your Personal Economy"
sponsored by Western Ridge Financial &
Insurance Services at Sara the Wine Bar**
November 20, 2014

**2013 Annual Thanksgiving Eve Cocktail Sip
and Fundraiser at Loews Hollywood Hotel**
November 26, 2014

**2014 Annual Holiday Party and Toy Drive
co-sponsored with the John M. Langston
Bar Association at the House of Music &
Entertainment**
December 5, 2014

Parent Group at the Queen Mary CHILL
January 10, 2015

**Best Practices to Follow In Workplace
Investigations CLE at Reed Smith LLP**
January 15, 2015

BWL Membership Drive
January 2015

BWL Hike! At Temescal Canyon
February 7, 2015

**BWL Young Lawyers Group Paint Me Wine!
At Artshare**
February 24, 2015

**Online Perception is Reality: Gain Clients,
Secure Referrals, and Build Your Brand
With Internet Marketing Tools, sponsored
by Direct Law Strategies**
February 26, 2015

**Path to the Top: Setting Up Your Career
for In House Corporate Counsel, Law Firm
Partner & Executive, sponsored by Manatt,
Phelps & Phillips**
March 19, 2015

**Celebrating Women's History Month,
co-sponsored with Latina Lawyers Bar
Association and Women Lawyers of Los
Angeles at Taix French Restaurant**
March 12, 2015

**2015 Drum Major for Justice Advocacy
Competition at CABL Convention**
April 25, 2015

**Joint Meeting with Association of Black
Women Physicians—Exploring and
Assisting With the Complexities of
Domestic Violence & Abuse Against Women
at the home of Professor Jody Armour**
April 30, 2015

**BWL/Langston Speedmentoring &
Networking Reception at Brownstone
Bistro**
May 19, 2015

**Detecting & Preventing Cyber Fraud,
sponsored by City National Bank at a BWL
Past President's Home**
May 21, 2015

**39th Annual BWL Foundation Scholarship
Fundraiser at Casa Del Mar**
May 16, 2015

**BWL's "Legends" 40th Anniversary
Celebration at Los Angeles City Hall**
June 18, 2015

**2014 Annual Retreat at Belmond El
Encanto, Santa Barbara**
June 26-28, 2015

BWL Membership Dues
Members may pay dues online at
www.blackwomenlawyersla.org.

BWL on Facebook
Like BWL on Facebook and stay connected:
www.facebook.com/BlackWomenLawyersLA



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