

Following in the Footsteps of Our Founders:
Activism, Leadership and Empowerment

PRESIDENT'S LETTER

As we reflect on the amazing year we had under 2017-2018 President, Demetria Graves, planning is underway to make the 2018-2019 year just as successful. The theme for the 2017-2018 year was **Following in the Footsteps of Our Founders: Activism, Leadership, and Empowerment**, which was integrated in BWL's programming throughout the year. We continued to be an active voice in the community through such projects as the establishment of the Vera Brown Curtis Project through Harriett Buhai Center for Family Law, created to increase access to free family law services to low income African Americans in South Los Angeles. Our Community Action committee organized donation drives for nonprofit organizations like Prototypes, who assists domestic violence victims, and A New Way of Life, who assists formerly incarcerated women to transition back into society. We also stood in solidarity with thousands of women and men during the Women's March L.A.

Standing out as a leader in the Los Angeles legal community is an important part of BWL's mission. Part of leadership, is staying informed. We offered our members several relevant educational sessions on sexual harassment and the #metoo movement, estate planning, and family planning for the career-focused woman. Our Young Lawyers committee was also active in establishing relationships with local law schools, which culminated in our Fireside Chat, where law students and young lawyers asked poignant questions about the benefits and demands of practicing law to seasoned lawyers across different specialities. We also partnered with other local bar associations and the

Los Angeles Law Library to host programs on various legal topics and to provide free legal clinics.

BWL empowered its members through celebrating each other's accomplishments and always supporting one another. We also sought to empower others by continuing our partnership with the BWL Foundation in presenting scholarships to deserving law students and participating as a founding donor to the Justice Vaino Spencer Endowment Fund for Judicial Externships, in honor of the first African American woman appointed to the bench in California.



Demetria Graves,
2017-2018
President



Hon. Tara Doss,
2018-2019
President

The 2018-2019 board year will continue BWL's mission through the theme **Securing Our Foundation, To Ensure Our Future**. We are already off to a great start! We kicked off the year with our 43rd Annual Installation & Awards Dinner in September, where we installed new President, Honorable Tara Doss, along with officers and committee chairs; and honored legal giants Cynthia Patton (Amgen), Inga Dyer (Revolt TV), and Honorable Irma Brown (Los Angeles Superior Court and BWL Past President). Our Annual General Membership Meeting followed in October, where we welcomed new members and enjoyed a make-up glamour session, professional head shots, and LiveScan

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PRESIDENT'S MESSAGE

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fingerprinting to comply with new California State Bar requirements. Our Community Action committee co-hosted a screening and panel discussion of the timely and thought-provoking film *The Hate U Give* for local high school students.

Our Young Lawyers committee hosted a brunch for recent California bar exam takers to discuss next steps in their legal careers. Our Legislation committee partnered with the Langston Bar Association and California Association of Black Lawyers to organize several voter registration sites and a voter information forum for community members. These are only a few of the activities BWL has participated in thus far.

November ushers in the start of the holiday season, as well as our largest fundraiser of the year, the Annual Thanksgiving Eve Cocktail Sip, where guests will enjoy live music, dancing, food, and fun.

Our Holiday Party follows in December and is co-sponsored with the Langston Bar Association. Here, we will honor new California bar admittees, celebrate our colleagues with career accomplishments, and collect toys for children in need. We look forward to seeing you at these and future BWL events throughout the year.

Cheers to a successful 2017-2018 year and here's to an equally successful 2018-2019! As always, we extend a special thank you to our sponsors and supporters, for without you, our great work would not be possible.



FAMILY PLANNING AND TAKING CONTROL OF YOUR FERTILITY

Hon. Tara Doss

On May 8, 2018, the members of Black Women Lawyers Association of Los Angeles and the Association of Black Women Physicians met in an annual joint symposium at Kaiser Permanente Baldwin Hills Crenshaw Medical Office. The theme for this year's symposium was "Family Planning and Taking Control of Your Fertility." Two dynamic speakers, Dr. LaTanya Hines and Diane Goodman, J.D., Ph.D., discussed the medical and legal aspects of starting a family, including the reproductive cycle, fertility assistance, egg and sperm donation and preservation, and surrogacy.

Dr. Hines, a specialist in Obstetrics and Gynecology with Kaiser Permanente, presented a straightforward overview of the female reproductive cycle. Dr. Hines highlighted, for the majority female audience, the importance of understanding your reproductive cycle if you plan to become pregnant. Dr. Hines also presented a sobering reality that as women approach the age of 40, the likelihood of becoming pregnant unassisted dramatically decreases. Dr. Hines encouraged women who have intentions of becoming pregnant at some point, to start considering fertility options in their early 30s. Options Dr. Hines discussed were freezing eggs, and even more preferable, freezing already fertilized embryos. While egg preservation technology has improved, Dr. Hines explained a woman is more likely to become pregnant using an already fertilized embryo. Dr. Hines also gave an overview of the estimated cost of fertility treatments, including the cost of medication, egg extraction and preservation, egg fertilization, and embryo implantation. Overall, depending on the extent of treatment and whether an individual's insurance covers the cost of fertility treatment, the estimated cost of fertility assistance can range from \$5,000 to \$15,000 per cycle.

Dr. Goodman, the owner of the Law and Mediation Office of Diane M. Goodman, is a family law and family formation attorney with over 20 years of experience representing clients seeking various family planning options. Specifically, Dr. Goodman advises clients who are interested in non-traditional family formation, including same-sex couples, unmarried couples, non-couples, surrogacy, and adoption. Dr. Goodman began by giving an overview of parentage laws in California and highlighted California as one of the only states to recognize parentage by contract. Dr. Goodman shared countless examples of the legal considerations people should take into account before agreeing to become pregnant through non-traditional routes, such as egg/sperm donation and surrogacy. Dr. Goodman strongly encouraged intended parents who are not married or who have non-traditional relationships to seek legal parental agreements and/or adoptions decrees to avoid any custody uncertainties once the child is born.

Finally, audience members shared their own experiences and asked insightful questions regarding becoming pregnant, fertility assistance, surrogacy, and adoption.

If you are considering becoming pregnant, egg/sperm donation, or surrogacy, Dr. Goodman and Dr. Hines agreed the first step should be scheduling a visit with your gynecologist or primary care physician to better understand your health and fertility options.



VIEW FROM THE BENCH: 3 TIPS FOR EFFECTIVE LEGAL ADVOCACY FROM A NEW JUDGE

Hon. Rashida Adams

Former BWL Board Member Rashida Adams was appointed to the Los Angeles Superior Court in November 2017. She now presides over a courtroom at the Edelman Children's Court in Monterey Park. We asked her to give us her new perspective from the other side of the bench.

All bench officers value good legal advocacy; new bench officers depend on it. The following are three quick tips for effective courtroom lawyering.

1. BE PREPARED.

This may seem obvious, but in the crush of heavy caseloads, deadlines, and obligations outside of work, it may be tempting to let getting ready for court fall through the cracks. But beware: a lack of preparation often shows. Consider the following areas:

- Are you familiar with the history of the case, both procedurally and factually? This is particularly relevant when a case has a long history that predates the bench officer or other counsel.
- What is the legal authority relevant to the issue(s) before the court? Having applicable statutory provisions or on point case law at the ready can often lead to a more persuasive argument than general references to "the law."
- Have you adequately prepared your witnesses? (See e.g., Wegner, et al., Cal. Practice Guide: Civil Trials and Evidence (The Rutter Group 2017) ¶ 1:265, et seq.) Unprepared witnesses tend to provide unfocused testimony that could include unexpected, unfavorable answers. The examination of an unprepared witness often consumes large amounts of trial time. This may be a serious problem if you have provided time estimates for witness testimony and find yourself unable to keep to those estimates.

• Are you familiar with the state rules of court, local rules, and any standing orders in effect in the relevant department? Some aspects of your preparation may actually be court ordered. For example, the various divisions of the Los Angeles Superior Court have local rules governing a wide range of procedural issues, including pretrial orders, mandatory settlement conference procedures, rules regarding continuances, and procedures for filing ex parte applications. (Los Angeles Superior Court rules are available on the court's website: www.lacourt.org.)

• Have you made the necessary preparations in your personal life so that you can be in court on time and ready to go when your case is called? Unexpected life events happen to everyone, but some aspects of modern life are predictable. Traffic is a given. When you have a court appearance, are you realistic about how long it will take you to navigate morning routines (such as dropping a child off at school), fight the traffic, and make it through court security? Do you have the courtroom telephone number with you so that you can call if unforeseen circumstances will cause you to be late?

• Have you taken the time to prepare your client? An appearance can become infinitely more complicated if your client does not know what will occur in court, has unrealistic expectations, or is not assured that you understand her position. This aspect of advocacy dovetails with Rule 3-500 of the Rules of Professional Conduct, which requires an attorney to "keep a client reasonably informed about significant developments relating to the employment or representation..." (See also, Bus. & Prof. Code, § 6068, subd. (m) [attorney has a duty to "respond promptly to reasonable status inquiries of clients and to keep clients reasonably informed of significant developments in matters with regard to which the attorney has agreed to provide legal services"].)

2. BE CIVIL.

Lack of civility among lawyers has been recognized as a problem in the profession for some time. (See e.g., Filisko, "Be Nice: More States Are Treating Incivility as a Possible Ethics Violation," ABA Journal, April 2012.) In 2007, the California State Bar adopted a set of guidelines for civility and professionalism to combat incivility in the profession. (See the State Bar of California Civility Toolbox, July 17, 2009, available at http://www.calbar.ca.gov/Portals/0/documents/ethics/Civility/Atty-Civility-Guide-Revised_Sept-2014.pdf.) In 2014, the oath taken by lawyers on admission to practice law in California was amended to conclude with a civility provision: "As an officer of the court, I will strive to conduct myself at all times with dignity, courtesy, and integrity." (Cal. Rules of Court, rule 9.7.) And in Los Angeles specifically, the local rules applicable to the civil division include guidelines for civility in litigation. (Super. Ct. L.A. County, Local Rules, Civil Division, Appx. 3A.)

Be Prepared.
Be Civil.
Be Aware of the Big Picture.

Aside from running afoul of local and state guidelines, incivility can detract, or distract, from a lawyer's case. Indeed, judges have an ethical obligation to maintain decorum in the courtroom. (Cal. Code Jud. Ethics, canon 3B(3).) In addition, canon 3B(4) of the California Code of Judicial Ethics requires that a judge "shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers and of all staff and court personnel under the judge's direction and control." (Italics added.) Of course incivility often occurs outside of the courtroom; in depositions, telephone calls, negotiations—the aspects of litigation that dominate many cases. Still, incivility outside

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3 TIPS FOR EFFECTIVE LEGAL ADVOCACY FROM A NEW JUDGE

Continued.

of the courtroom sometimes manages to trail the offender through the courthouse doors, creating a risk of blemishing the lawyer's reputation. For example, deposition transcripts are often exhibits attached to motions to compel or summary judgment motions, and, in that form, they can even end up in a record on appeal. Whether in or out of the courtroom, if you find yourself becoming impatient, agitated, or caught up in the emotion of litigation, consider how your words or actions would look memorialized in a transcript before you speak or act.

3. BE AWARE OF THE BIG PICTURE.

This tip operates on micro and macro levels. Each court appearance has its own objective, but how does it fit into your client's goals as a whole? Keeping your eye on the big picture of the case can help direct how you approach each smaller decision. You may have a good argument on a minor discovery issue, evidentiary issue, or question of notice, but does asserting it truly advance your client's overall objectives?

Also remember that with every court appearance you are creating your reputation among other lawyers, court staff, and judges. How do you want to be known? Whatever the answer is, keep it in mind when you get dressed for court, when you interact with the clerk and bailiff, when you deal with opposing counsel, and when you are before the court.



WORKING MOM SURVIVAL GUIDE

Jill Carter Melton

I absolutely love and adore my kids! But I am also passionate about my work and take pride in what I do. That said, finding the balance as a working mom is such a challenge!!

At home I think about work. At work I think about home. Neither my clients nor my kids want me to sacrifice one for the other. Everyone has expectations and finding the balance can be extremely difficult. There are many difficult careers. My totally biased view is that being a law mom is particularly challenging. The very nature of our work requires extreme diligence and attention to detail. Our clients rely on us to advise, protect, negotiate, advocate and counsel them. Our children expect the same.....AND THEN SOME!

There was a period of time, particularly after the birth of my 2nd child when I felt overwhelmed by being pulled in so many different directions. But I have learned (and am still learning) that there are some key adjustments that ease my guilt and anxiety while improving the quality of time I spend with my family.

1. LET GO OF GUILT

How many times have you felt that stab of guilt when you couldn't make it to a classroom party or accompany your child on a field trip? Have you ever felt the pain of a loved one making you feel bad about spending so much time away from your kids? Whether the offending party is a well meaning relative or its self imposed, the key is to let it go! Chances are if you work full time or part time, there's still never enough time in the day. There are things that all of us will miss out on. We have to prioritize the moments when being there for our kids is crucial vs. the moments when work takes precedence. I try to think about the positive image I'm projecting on my girls when they see mommy as a strong, vital force in the workplace. They see that people rely on me and I deliver. And I fully expect them to do the same. Dwelling on guilt prevents us from making the most of the time we have with our kids and doesn't benefit anyone.

2. ORGANIZATION IS KEY

Disclaimer: Just because I'm writing this doesn't mean I've mastered it. At all. There is nothing worse than starting your day off with chaos. It absolutely compounds stress when you're rushing to drop off kids, meet deadlines, return calls, get to court at 8:30, meet clients, etc and you're running through a war zone.

Growing up my mother was an absolute stickler about getting everything ready at night. Everything that was going out the door with us had to be ready to go and sitting right by the door. This drastically cut down on time wasting in the morning. Most nights, I master this. But when I don't..... it's not a pretty sight. To bypass extreme meltdowns (mostly my own) in the mornings, clothes have to be laid out the night before, lunches prepped and ready to go, homework in backpacks sitting by the door and rooms already clean the night before. All of these steps drastically cut down chaos and anxiety in the morning and help the day get off to a smooth start.

Many moms also swear by planning and keep tightly run planners and calendars. Whether you prefer electronic or paper calendars with stickers, colorful markers and washi tape, find a way to keep everyone's activities and events in one place. This too makes life so much more enjoyable.

3. GET HELP!

Help can come in many forms. After working a long day, coming home and trying to be present often means that other things can get neglected. I used to think I could do everything myself and delegate the rest to my husband and age appropriate chores to our kids. But I realized this cut into the little time we had together. My husband and I sat down and decided what chores we could do as well as what our older daughter could do and we outsourced the rest. There's obviously a bigger expense associated with this, but for us, it was money well spent. Our housekeeper happily completes the remaining tasks in a minimum amount of time and at a reasonable rate. The time and piece of mind we gained is invaluable.

Help also comes in the form of baby sitters, dry cleaning delivery services, grocery delivery, meal planning/meal delivery services, mobile car washes and many more.

4. UNPLUG!

There is a fine line between multitasking and being glued to your phone when you get home. It's one thing to be away from our kids all day while we're at work, but its another to be completely engrossed in our work once we get home. This drastically cuts into family time and sends the wrong message.

There will certainly be times when work has to be brought home. When this happens, I try to spend a designated time being present with my family before I step away and dig into my work.

And let's be honest, work is not the only thing we do on our devices. Often we're engaging in time wasting behavior. Scrolling through Instagram for the 20th time in a day doesn't allow us to connect with our kids when our goal is to be more present.

5. ME TIME

One of the most important things we can do as working mothers is make sure we are taking time for ourselves. This is hard for many of us. There aren't even enough hours in the day to work, spend times with kids/significant other, let alone find time for yourself. But as difficult as it may be, it's essential.

This isn't something you want to do every now and then. Carving this time out on a regular basis is vital to our well being. This may come in the form of closing (and possibly, locking) your bedroom door for an hour of reading or meditating...or SLEEP, taking a class, going to a movie, taking a hike or a bike ride. And doing this, doing something for yourself on a regular basis!

The ultimate goal for "Me Time" is getting away from everyone and recharging. One of my favorite ways to do this is getting away for an extended amount of time...such as an overnight or a weekend...or longer if I can pull it off. I absolutely LOVE to travel and I jump at the opportunity to carve out time to do it by myself.

That's come in the form of just booking a local hotel and luxuriating in a big king sized bed by myself. I've driven to destinations nearby to have a staycation, or added a day to a conference to unwind before or after. Don't get me wrong, I love traveling with my husband and friends....and I'm sure one day I'll grow to love traveling with my kids (think busy toddler) but I really value and relish in the time to myself.





LET 'S PLAY GOLF

Andrea Van Leesten

Come play golf! You are outdoors, you are getting some sun, exercise and you are meeting interesting new people. Golf courses can be very pretty, hilly, very green and challenging to play. Colorful golf clothes, matching socks, coordinated shoes and hats, if you must, are part of the cute and comfortable game. A set of golf clubs that fit you is necessary. Yes, there is a small white ball or any color ball you choose to hit with a golf club. Let's see if I can inspire you to come out and join me. It's springtime, summertime and golf time.

I like to play golf and any of my friends will tell you that I play as often as I can. I have been playing for 25+ years and I learned as an adult. I have taken lessons from qualified professionals over the years and I still do when I need a tune up. I practiced, and I worked to develop a swing and a game. I like my game and it suits me. I just don't have the time to play like I did because my law practice takes up my time. I use the excuse of having a working woman's game. But when I practice and play after work especially in the summer months instead of working late, I'm happier and healthier. You can socialize, and you can drink on the course if you choose. It's the best of both worlds.

In the summer, instead of heading to happy hour, I head to the driving range. It's just as fun and social. There are men and women hitting buckets of balls. Exchanging golf stories, preparing for that next outing and

a donation to the water. The lake has markers they are the red stakes. The red stakes mean that you can drop new ball two club lengths from the water line where your ball went into the water and you can hit again. It does cost you a one stroke penalty. See, the rules are not too difficult.

Scoring in golf is hitting the ball the least number of times from the tee to the green. Simply put if, hole number 1 takes 5 strokes or hits to put it in the hole, that a par 5. If you can put it in the hole with 4 hits and you make it. It is a birdie because you made in 4. Or on a par 3, you need to make it to hole in 2 hits to get the same birdie. And if you hit the ball 6 times on a par 5 you have made 1 over or a bogey. The course may recommend shooting 72 for a total score but an average golfer could 20 over and score a 92 for example.

If you don't have a lot of time, there are golf videos for you to watch. There are videos to work on your swing, your chipping and putting. There are training books that you can slip into your briefcase that you can read while you wait for your case to be called. You can have options to practice at home in the morning before work or in the evening. It's as easy as setting up a practice area at home inside or outside. For the inside practice there are plastic golf balls and a small net. Locate a wall that you can hit against. Since the golf ball is plastic there are no dents made to the wall. The putting stroke can be practiced inside on your living room carpet or your backyard on a putting carpet. Don't forget your office as a perfect place to put while answering the phone on your headset. In fact, I was in the Judge's chambers last week, he puts on his lunch hour. There golf aids that can bring you along that you can build into your day.

If you have children, look for Junior programs to get them involved at an early age. There is no reason that golf cannot be a family affair. The best example that we have is Tiger Woods and his niece, Cheyenne Woods, LPGA (ladies professional golf association) pro who both started out as children. There are Junior tournaments for specific age levels. Prizes are given for shooting the lowest scores. All the same social aspects are there for your children. My son started playing around 7 with



just concentrating on working on a golf shot. Being out in the evening air and getting some exercise is so much fun. I'm usually at Westchester Golf course or Chester Washington Golf Course because those courses are close.

I think that golf is a great game for women lawyers is because it has a lot of rules. And that's an advantage that we have. We know how to apply the rules to the game. It's also a mental game of knowing the rules of golf and having your strategy of play on various golf courses. Say that you are at a course that's flat and long but narrow in width. Your goal is to hit the ball straight and keep it in the fairway, so it does not go wide and out of bounds. There are white markers that designate the boundaries. Or if you are looking ahead and there is a small lake or pond, it has red stakes. If your ball goes in the water, you do not need to go in the water to retrieve it. It just a gift to the fishes or



HOW TO PUT YOUR CHARITY DOLLARS TO WORK

Karen A Clark, SVP Multicultural Strategy Manager, City National Bank
www.cnb.com

“Whether volunteering in our communities, making charitable donations, or teaching our children how to give back, many of us are philanthropic in nature, though we don't call ourselves ‘philanthropists’. However, that term is applicable, and the business of philanthropy is one worth researching for optimal strategy” says longtime BWL supporter Karen A Clark.

With consumer confidence at its highest level in 17 years, the jobless rate falling and household net worth at an all-time high, it is likely that Americans will continue to be generous this year — especially women.

Women are more likely to give, and to give more, than men in similar situations, according to research from the Women's Philanthropy Institute at the Lilly Family School of Philanthropy at Indiana University. They've found consistent evidence that women give more than their male peers at nearly all income levels, despite the fact that women tend to earn less. One possible reason: a study on trust showed that “women are nearly twice as likely as men to say that giving to charity is the most satisfying aspect of having wealth.”

If you're one of these women who find purpose and enjoyment in giving back, follow these guidelines for establishing a charitable giving strategy.

MAKING THE MOST OF YOUR CHARITABLE DONATIONS

A concern many donors have is how to ensure that your charitable donations are being used in the most effective way possible. Not only do you want the charity you support to use the money in a way that is most helpful, but you also want to set up your contributions in a financially smart way.

Cathy Walker, a senior trust consultant at RBC Wealth Management, said the first step is to ensure that your donation is going to a qualified charity: A nonprofit organization with tax-exempt status granted by the IRS.

“If I were making a donation directly to an animal shelter, I would want to make sure the animal shelter itself is in good standing with the IRS,” Walker said. “Make sure they're doing what they're supposed to be doing – are they spending too much money on marketing and support or are they spending more of their money on actually taking care of the animals?”

Once you've established that the charity aligns with your philanthropic goals, decide which tools will best help you retain control over how your donation is used, as well as ensure that you are meeting your wealth management and tax strategy goals.

LAUNCH A CHARITABLE LEAD TRUST

A Charitable Lead Trust (CLT) allows a donor to give a portion of the trust income to a charity over a specified period - typically the donor's lifetime, or a set number of years.

Through the CLT, the donor can take either a gift tax deduction or an estate tax deduction. After the specified period ends, remaining assets may be returned to the donor or passed on to other family members.

The benefit here is they're controlling how much money the charity gets over a period of time. Most charities will also honor your request on how the money should be spent.

ESTABLISH A CHARITABLE REMAINDER TRUST

A Charitable Remainder Trust (CRT) is the opposite of a Charitable Lead Trust. A CRT receives gifts of cash or other property on behalf of a qualified charity. It allows the donor, along with other family members, to receive a lifetime payment from the trust, or a payment for a fixed term of no more than 20 years. When the income beneficiaries die, or when the term ends, the remaining assets are passed along to the charity.

It's an irrevocable trust - meaning it can't be changed by the donor. CRTs provide immediate income tax deductions and defer capital gains taxes when assets are sold within the trust. Once the donation has been made, it is up to the trustees and the beneficiary to determine how the money is used.

SET UP A FAMILY FOUNDATION

For high-net-worth individuals, setting up a private foundation can be an effective way to

influence how charitable assets are used. Often, someone has taken care of their children during their lifetime and now wants to create a legacy that goes on for generations. Under IRS guidelines, private foundations must pay out at least 5 percent of their assets each year in the form of grants and operating charitable activities.

Private foundations can target any sort of purpose and are often administered by directors and trustees, whose task is to ensure that they are executing the donor's vision.

CREATE A DONOR-ADVISED FUND

A few years ago, Walker had a client who wanted to donate a large sum to a teaching hospital. “They were doing research on something he was personally very connected to, that he felt very strongly about,” she explained.

The donor was set to transfer \$2.5 million in securities to the hospital before Walker stopped him, pointing out that handing over a lump sum could mean giving up control of his donation. If the researcher he wanted to support left that hospital, Walker explained, he would have no say in how his money was used. In fact, that is exactly what ended up happening - but fortunately the philanthropist had taken Walker's advice and set up a Donor-Advised Fund (DAF), allowing him to make payments annually to support the research about which he felt so strongly.

DAFs are set up as public charities, with gifts to the fund qualifying for the maximum charitable deduction. Unlike a foundation, which usually funds with a minimum of \$5 million, DAFs can be established with \$5,000 or even less. Giving is all about sharing the wealth, Walker said, pointing to her client who backed the medical researcher.

“Hopefully, after two or three years they find the answer that they're looking for,” she said. “And then maybe he wants to support another organization. He's not tied to giving to one specific charity — he maintains the ability to make grants where he chooses and in amounts that he feels are appropriate.”

2017-2018 AT A GLANCE



2017-18 EVENTS

Installation 2017 Indigo

Loyola BLSA Alumni
Appreciation Mixer

Marshall Movie Outing

October General Body Meeting

Thanksgiving Basket Drive
for Prototypes

Pre-Thanksgiving Community Day

Annual Cocktail Sip Fundraiser

November Mentoring Mixer

Warm the Streets LA
Community Event

Holiday Party

Los Angeles Women's March

January General Body Meeting

BWL Night at the Movies

LA Law Library Tackling Inequality
in Public Schools

Black History Month Event

Young Lawyers Mixer

BWL Town Hall Meeting

March General Body Meeting

April General Meeting Fireside Chat

Joint Symposium: Family Planning &

Taking Control of Your Fertility

Law Day

May General Body Meeting

Scholarship Fundraiser and
Awards Luncheon

New Lawyer Summer Soiree

REMEMBERING JUSTICE VAINO SPENCER

JULY 22, 1920 -- OCTOBER 25, 2016

Attorney Shirley A. Henderson



I first met the then Judge Vaino Spencer in 1971, when I was a summer law clerk in the Los Angeles County Public Defenders' Office. She was the first African American woman Judge in California. She was appointed to the Los Angeles Municipal Court in 1961. (Many years later the Municipal Courts merged with the Superior Courts.)

I was taken to her court and introduced to her by my white male supervisor who was enamored with her. He spoke of her beauty, grace and elegance. But more importantly to me, as an African American woman, he spoke of her intellect, and knowledge and skill as a bench officer, which greatly impressed him.

Many times, while I was a law clerk, on my breaks, I would sit in her courtroom to observe and learn. I would listen to the lawyers and parties talking about their cases and about Judge Spencer. It was always very flattering. Some were surprised to see a Black woman judge, and many, which is not surprising would comment on her good looks, but also compliment her on her judicial temperament, legal knowledge as well as on her preparation to handle their individual case.

I got to know her better as a student member of the Langston Law Club, now the Langston Bar Association. She had been a very active member, but felt there were issues that Black women lawyers needed to have addressed that the male dominated Langston Law Club was not addressing. She had been thinking about creating an organization for Black women lawyers. She shared this idea with the then Congresswoman Yvonne Braitwaite, now Burke. They became our co-founders.

In 1974, Judge Spencer approached Attorney Sandra Carter and told her to spread the word. I joined Sandra and we along with 7 others spread the word. We were the founding conveners, and Sandra Carter was our first president. Our first official meeting was a luncheon at the Medallion Restaurant on Wilshire Blvd. Our first official picture was taken on the steps inside the restaurant. This group of women became known as the founding members of the then Black Women Lawyers of Southern California, Inc. now known as Black Women Lawyers of Los Angeles, Inc.



In 1976, Judge Spencer was appointed to the Los Angeles Superior Court, and in 1980, she became the second African American woman appointed to the California Court of Appeal.

Over the years Justice Spencer and I had a great professional friendship. After she retired from the bench in 2007, sometimes she would call to express her concerns about certain issues and give me my assignments as to what I needed to do about those issues. Of course, I always completed my assignments. The last several years she would also call me to make sure we had gotten her dues and that the Foundation had received her check for the scholarship that we give in her name each year.

One of my fondest memories is during a visit with her I found out that the late Attorney Leo Branton was her next door neighbor. She called him over and we sat and I listened and learned as these two icons talked about the people and politics of early Los Angeles. It was fantastic!

Justice Spencer was a wonderful, caring, beautiful, elegant, educated woman. I miss her very much. I am pleased that Black Women Lawyers is helping to keep her memory alive by supporting the Endowment in her name at Southwestern School of Law. Individual donations are welcome as well.

VERA BROWN CURTIS' LEGACY CONTINUES

Kimberly Britts

In 2017, with support from the Los Angeles Chapter of Links, Inc. and Black Women Lawyers Association, the Harriett Buhai Center for Family Law (the Center) began a new monthly outreach site in the Vermont Corridor to make its services more accessible to low-income African-American individuals like Gwen* who need complex family law help.

GWEN'S HEARTBREAK

Gwen came to the Harriett Buhai Center for Family Law with her "heart in her hand" as she describes her desperate situation when visiting the Center for the first time. In her senior years and unable to work because of recent open-heart surgery, Gwen was living on a meager \$800 monthly Social Security payment. Her adult sons did what they could to help, but it was humiliating to accept their support and live with them. Her estranged husband, to whom she had been married for many years, was retired and working off the books. He refused to provide any support. She estimated his income from his combined pension, Social Security and new employment to be roughly \$5000 a month. But, she had no idea how to change things when a friend suggested she contact the Center.

GWEN'S LIFE CHANGED FROM DIRE TO GOOD

Over the course of a year because of the help she got from the Center, Gwen's life changed from penniless to stable. Through skillful lawyering, a team from the Center and private pro bono counsel succeeded in securing her share of her husband's pension including past due amounts and spousal support to equal \$2,500 a month-tripling her monthly income and providing financial stability for her lifetime. The advocacy on her behalf restored her sense of self-worth and compensated her for her part in sustaining the family for many years. In addition to money, Gwen got back some of the dignity she had lost when she was abandoned by her husband.

VERA BROWN CURTIS' LEGACY

Women and men like Gwen with serious family law inequities need a place to go for legal help when they cannot afford private counsel. That's why the Center opened its new outreach site named in honor of Center Board member, Vera Brown Curtis, a longtime member of both BWL and The Links, a fervent community advocate until her untimely death in 2011. Although one-third of the individuals aided by

the Center in South LA (defined as residents of Supervisorial District Two headed by Mark Ridley-Thomas) are African-American, the Center thought more people could be helped by locating a site in the community. "I was certain that this is something Vera would approve of and love," says Betty Nordwind, Executive Director of the Center and a close friend of Curtis Brown's.

A WILLING PARTNER: THE CHILDREN'S COLLECTIVE INC.

For several years and with many offers of help, the Center searched for a physical site to house the Vera Brown Curtis Project (VBC) funded in part by The Links and BWL. On the recommendation of Supervisor Ridley-Thomas' office, the Center found its natural partner, The Children's Collective Inc. (TCCI), headed by the inspiring community leader Dr. Jackie Kimbrough. TCCI, a small organization started by Dr. Kimbrough in the 1970's, is now a large agency whose mission is to improve the life outcomes of children, youth and families in South Los Angeles by providing high quality comprehensive education and family support services.

GETTING STARTED

In collaboration with TCCI, the Center began offering monthly client intake in October 2017 at the TCCI site on Vermont and Manchester Blvds. The Center is actively reaching out to the community with information on its new program with presentations to groups such as the Black Infant Health program and the Compton Housing Authority. At Los Angeles Southwest College, where African-Americans represent over half of the student body, the Center is working with the college to establish on-site legal services as it has done at several other community colleges.

"THE CENTER IS SPECIAL"

Former Staff Attorney and family law practitioner, Rehema Rhodes Williams, is helping to get the VBC Project off the ground. She supervises the appointments which take



place at the outreach site. She describes the unique Center services this way: "The fact that the Center provides free legal services to the community and empowers low-income individuals to navigate a very complicated court system, is what makes our organization so special." Nordwind rejoins and says, "and this would not be possible without the endorsement and support of BWL and our friends at The Links."

*Name has been changed to protect client's privacy.

For more information, check out the Center's website, www.hbcfl.org. Or, contact Kimberly Britts, Communications Assistant, at kbritts@hbcfl.org.





UTILIZING MEDIA IN SEXUAL HARASSMENT CASES - IS ALL PUBLICITY GOOD PUBLICITY?

Mika Hilaire McGriff PC

INTRODUCTION

We have all heard the old adage, "There is no such thing as bad publicity." However, when it comes to lawyers and representation of their clients that adage does not always ring true. In the employment law context, most cases do not attract a lot of media attention until after a large verdict has been reached or unless one of the parties is in the public eye. The "Me-Too" and "Times-Up" movements, however, have shifted the paradigm on what catches the media's attention. Everywhere we look in print articles, TV platforms, online publications, and social media, journalists are covering stories involving allegations of sexual harassment and assault. In light of the speed in which news travels these days, it is important for attorneys to have some basic media savvy - being cognizant of when and how to use the media. And most importantly, when to consult with an outside public relations firm to help navigate the murky press waters.

Trained as advocates who communicate primarily with clients, opposing counsel and judges, lawyers are not trained in how to interact with or utilize members of the press. Here are some points to consider to ensure that your message will be effectively conveyed to the media.

MAKING THE DECISION WHETHER TO USE THE MEDIA

Simply because your case is getting media attention does not necessarily mean that you should automatically go forward with trying to use that media attention to advance your case without carefully considering the factors, pitfalls and particular issues that attorneys face when utilizing the media. Particularly with respect to sexual harassment cases, attorneys have to consider the potential backlash against the client making the allegations. Furthermore, a calculated decision should be reached as to the extent of how the media will be used. Will you only respond to inquiries presented by journalists? Will you issue a press release? Will you hold a structured press conference? Each possible avenue has its own considerations to analyze. What decision you make depends on what you plan to accomplish by using the media, the sensitivities of the issues involved in your case

and how you determine your client will fair when exposed to the spotlight.

You also need to consider how a press conference could help or hinder the ability to resolve your matter, particularly if you are in the pre-litigation stage of your case. In certain situations, the leverage you hold is the potential of publicizing the allegations at issue. It is important to ensure that you do not give up any leverage you have by prematurely utilizing the press.

DEFINE YOUR GOALS

Once you have decided to take the plunge and utilize the media, it is important to define your goals. Is your goal to alert other members of the community as you believe there are others that may step forward to help corroborate your client's claims? Or, is it to send a message to a decision maker about widespread media coverage?

Once you have defined your goals, the next step is to hone the message you want to get across to the media. The message should be summarized in 3-5 key points. If you cannot distill your message down to 3-5 points, you risk members of the media being able to mischaracterize the information you want disseminated to the public.

SETTING UP YOUR PRESS CONFERENCE

There are many avenues available to get your message across: press releases, interviews and contacts with informal media contacts. The benefits of holding a press conference are:

- (a) You can reach more media outlets at one time;
- (b) You can give more information than in a press release;
- (c) You can announce an important development in your case;
- (d) You can save money by not having to pay a large amount of money to publicize your message, i.e. spot on the 6:00 TV news;
- (e) A well-attended press conference bolsters the importance of your message; and
- (f) A well-attended press conference boosts the confidence of your client and morale of your litigation team.

An important consideration is to identify the appropriate location to hold the press conference. The location must be able to accommodate the media members you expect to attend and enable you to have the ability to control the environment. For example, be weary of hosting a press conference outside -- you cannot control bystanders, sirens, airplane noise, etc.

Setting the day and time of the press conference is critical to the success of the press conference. Typically, the best days to garner media attention are Tuesday, Wednesday and Thursday. The optimal start time is 10:00 a.m. to 10:30 a.m. You should also ensure, to the extent possible, that there are no other competing news events occurring at the same time.

Once you have these logistics set in stone, you should coordinate a press release to the media between 5 and 7 days prior to the press conference. Ideally you will want to follow up with any media contacts that have expressed interest in attending your conference 2 days prior to the press conference.

PREPARING YOUR CLIENT(S)

Prior to conducting a press conference, a lot of time should be allocated to preparing your client(s). You should have the client do a mock press conference repeatedly so that you can ensure that the client is comfortable and prepared to convey the message you intend to convey.

It is imperative you do not have your client go "off script" in any manner. To that end, advise your client that you will be handling the Q&A portion of the press release. Make sure your client does not immediately attempt to answer a question even though it may be directed to him or her.

Make sure your client understands the goals of the press conference as well. They need to understand that the press conference is not the place their case is being adjudicated. This is important so they do not feel they have to "win" at this point of the litigation or matter.

Finally, make sure you discuss wardrobe options with your client. Both you and your client want to avoid: prints, black, white, and very loud colors.

TECHNIQUES AND BEST PRACTICES

Here are some quick techniques and best practices to follow for a successful press conference:

- (a) Arrive early. Introduce yourself to all the members of the media. If possible, obtain contact information so that you can stay in contact as needed.
- (b) Do not have too much going on in the background where you and your client will be standing. A "step and repeat" is fine as long as it will not distract from those speaking.
- (c) Insure you have a podium. The members of the press will need a place to put the microphones and tape recorders.
- (d) Start the press conference right on time. News cameras and journalist are covering breaking news on a constant basis. As such, members of the press are traveling from place to place to obtain stories worthy of attention and cannot do so if the times listed on press releases are not strictly adhered to by the event host.
- (e) Keep it short and simple. The media outlets want to rely on catchy "sound bites." Help them tell the story you want by outlining your key points in short catchy phrases that garner attention.
- (f) It is best to limit the number of speakers at the press conference. As such, try to limit the numbers of speakers to 2-3. Also, ensure there is no overlap of what you and your client(s) are going to be speaking about. In this way, the press conference will move quickly and the flow will keep your message short and concise.

POST CONFERENCE FOLLOW UP

To effectively follow up on your press conference, you need to obtain the list of the media representatives that attended the press conference, make sure that you follow up with those representatives to thank them for attending, and inquire as to when the story on your press conference will be published so that you can monitor such story.

ETHICAL CONCERNS AND RULES RESTRICTING LAWYER SPEECH

We have discussed a myriad of potential landmines to consider and navigate when using the press as a tool to advocate for clients in the sexual harassment context. No potential landmine is more important than an attorney's obligation to conduct herself in an ethical manner. Attorneys are subject to a high ethical



standard in general, and there are specific rules to follow with respect to using the media in connection with a pending litigation.

Rule of Professional Conduct

- (i) Attorneys who practice in California are subject to Rule 5-120 of the Rules of Professional Conduct with respect to Trial Publicity. Rule 5-120 states: "A member who is participating or has participated in the investigation or litigation of a matter shall not make an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication if the member knows or reasonably should know that it will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter."
- (ii) Notwithstanding this general restriction, Rule 5-120 goes on to specifically allow certain statements, including statements which advise: information contained in a public record, that an investigation of the matter is in progress, and the scheduling or result of any step in litigation. As practitioners, attorneys should review all statements that Rule 5-120 explicitly allows and determine what, if any, of such statements can advance the advocacy on behalf of the client.
- (iii) Beyond the statements that are specifically allowed by Rule 5-120, attorneys must be

mindful to not violate Rule 5-120. Whether an extrajudicial statement is prohibited by Rule 5-120 depends on many factors, including: (i) whether such statement presents information that is inadmissible as evidence in the matter for the purpose of proving or disproving a material fact in issue, (ii) whether such statement presents information that the attorney knows is false or deceptive, (iii) whether such statement violates a lawful gag order, or protective order, statute, rule of court, or special rule of confidentiality, and (iv) the timing of the statement.

Clearly, utilizing the media in connection with a sexual harassment matter can be a maze of obstacles, but thankfully Rule 5-120 gives clear guidance to keep attorneys on the ethical path to success.

CONCLUSION

Sexual harassment is a hot topic in the media right now, but it doesn't mean that an attorney should just leap into the media fray without properly considering all of the factors discussed herein. However, with careful assessment and execution you can pull off a successful foray into the press arena.

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