



PRESIDENT'S MESSAGE

By THERESA LA VOIE

A TRIBUTE TO OUR FOUNDERS AND WLS' LEGACY

While enjoying the beautiful Spring weather, let's take a moment to celebrate the progress that WLS has made historically through the efforts of all of its members...

WLS was founded in 1962 for the stated purpose of enabling women lawyers to participate more effectively with other professional and civic organizations...

In 1962 there were no women on the bench in Sacramento and Yolo Counties. The only woman who had ever held judicial office in the Sacramento area was Annette Abbot Adams...

In the WLS archives, there is a carbon copy of a letter dated February 28, 1963, addressed to governor Edmund G. Brown from Frances Newell Carr. In the letter, Ms. Carr urges Governor Brown to consider appointing Margaret A. Flynn...

later elected to a full six-year term in 1966, but was forced to retire due to failing health. In 1972, when it was announced that Judge Flynn would not run for re-election, eight attorneys, none of whom were women, announced that they intended to run for the seat. This left Sacramento, once more, with no women on the bench.



There was a great deal of work to be done to change the prevalent view that the bench was no place for women, even though women lawyers were increasing in numbers and could be as well qualified as their male counterparts.

WLS embarked on the task of promoting the appointment of the exceptionally well-qualified Frances Carr to the Sacramento Superior Court. WLS Members, such as Virginia Mueller, made use of every possible opportunity with her legal contacts, associates with in the community and in the Capitol to promote this idea.

The appointment of women was painstakingly slow. In December 1976, Carol Miller was appointed to the Municipal

PRESIDENT'S MESSAGE - CONTINUED FROM PAGE I

Court bench. In 1980, there was something of a flurry as, in addition to Frances Carr's elevation to the Court of Appeal, Cecily Bond was appointed, and Carol Miller was elevated to the Superior Court. The year 1981 saw the appointments of Kathryn Canlis to the Municipal Court. She stayed on the bench a short time and then moved to the District Attorneys' Office as District Attorney John Daugherty's second-in-command.

In 1983, Alice Lytle, the first African American woman judge in Sacramento County, was appointed to the bench along with three men. It was not until 1987 that other women were added to the bench. Gail Ghanesian was appointed to the Municipal Court in Sacramento, and Donna Petra in Yolo County. The late 1980s saw the appointments of Jane Ure and Nancy Sweet to the Municipal Court in Sacramento. During the period of January 1989 to January 1990, eight Superior Court appointments were made, none of them were women and only one of the five Municipal Court appointees was a woman. As WLS Past-President Jennifer Kaufmann pointed out in her April, 1990 Newsletter article, "something was clearly wrong."

You may ask why is it important to have women on the bench. Jennifer Kaufman explained that the concern for having women judges appointed was not intended to disparage the male judges appointed, many of whom have been extremely supportive of women in the law. However, having empathetic male judges is simply not the same as having women appointed to judicial positions. The failure to name women means lack of diversity, which sends many messages of exclusion to both the legal community and general public – it may be okay for women to be attorneys, but not judges; women should not hold position of authority; young girls do not see role models in the courtroom.

From the 1990s, there has been an increase in the numbers of women judges. Sacramento County now has 14 women judges, and three women commissioners in the consolidated county courts out of a total of 52 judges and nine commissioners.

The progress made in the judiciary has happened as a direct result of the efforts made by WLS and sister organizations, such as California Women Lawyers (CWL).

This year, the Judicial and Other Appointment Committee co-chairs, Tamara Dahn and Jennifer Rouse, presented two seminars to provide substantive training in the judicial application process for both federal and state judiciary

positions. The first seminar took place on February 22, 2007, and the presenter was the Honorable Morrison England. The second seminar took place on March 15, 2007, and the presenters were The Honorable Emily Vasquez, Honorable Shellyanne Chang, Honorable James Mize, and Honorable Alan Perkins. The Judicial Appointments Committee has also received several requests for an evaluation by WLS from women and men, who are WLS members and supportive of WLS's goals. The Committee sends out questionnaires to members of the community and conducts a JNE type review of any candidate for appointment who seeks the evaluation. The Committee then reports the results to the Board for a vote on whether WLS should endorse and write letters of support to the governor.

On April 3, 2007, WLS Board members attended a face-to-face meeting with the newly appointed judicial appointments secretary, Sharon Majors-Lewis, and have invited her to speak at one of our luncheons. WLS will again co-sponsor with Sacramento County Bar Association, the Bench and Bar Reception that honors newly appointed judicial officers. This year, WLS will be presenting the Frances Newell Carr Award at the Bench and Bar Reception.

CWL continues its signature "So, You Want to Be a Judge?" seminars, which educate women and men on the judicial evaluation and appointment process. There is an upcoming seminar on June 2, 2007 in Bakersfield. CWL member, Denine Guy was appointed to the Santa Cruz Superior Court, filling the seat of the deceased Judge Kathleen Akao. On March 23, 2007, CWL hosted the Seventh Annual Northern California Judicial Reception, where The Honorable Brenda Harbin-Forte, Alameda County Superior Court, was presented with the 2007 Rose Bird Memorial Award.

Even though there has been a tremendous change in the attitude toward the appointment of women to the bench in the past 45 years, this does not mean that the efforts are no longer needed. We have to keep the fires burning. I ask that you pause for a minute to give thanks to everyone who has participated in WLS over the years to forward these goals, and make a commitment to our sisters, daughters, nieces and granddaughters to continue equalizing the playing field, to make sure the progress that we have gained is not lost, and pass along our legacy.

Women Lawyers of Sacramento Hosts a May Luncheon Featuring Sacramento City Attorney Ms. Eileen Teichert

RSVP with menu choice by May 16th to WLS Member Angela Lai at (916) 442-8888 or alai@nossaman.com.

DATE: May 24, 2007

A powerful woman in her own right, Sacramento City Attorney, **Eileen Teichert** queries the term “powerful”, and boldly asks: “Empowered, or Powerful?” Ms. Teichert sees herself “**Empowered to Aid Powerful Women in Improving Sacramento.**”

Eileen Monaghan Teichert has been City Attorney for the City of Sacramento since January 1, 2006. Since then, **Ms. Teichert** has created new legal strategies such as Justice for Neighbors, and POPLaw, to address criminal nuisance activity and blight in our city. She plans to share with us several more of her novel legal strategies --all to make Sacramento a safe and livable community.

Ms. Teichert was previously Supervising Deputy City Attorney for the City of Riverside. Her experience in the Riverside City Attorney’s Office included advising that city’s Public Utilities Department from the inception of the electric industry restructuring in 1997, through the industry’s crisis of 2001. She witnessed first-hand, the subsequent financial fallout, as well as the culmination of the construction of the first city-owned power plants and photovoltaic projects built in Riverside.

Prior to joining the City of Riverside, **Ms. Teichert** was in private practice where she was general counsel for Riverside National Bank. She also represented several local developers and regional businesses. **Ms. Teichert** graduated cum laude from the University of LaVerne College of Law, and received her Bachelor of Science degree in Journalism from the University of Oregon. She presently lives in Sacramento with her husband Richard, her daughter Bridget, and her grand pug Jackson.

Pending .75 Hours MCLE Credit in the area of Substantive Law

WHERE: Firehouse Restaurant (Old Sacramento)

TIME: 12:00-1:15 p.m.

MENU: *Roasted Chicken Breast* stuffed with wild mushrooms and fresh herbs served with a truffle supreme sauce, or *Marinated Asian-Grilled Steak* served under avocado and Asian slaw with a soy-lime vinaigrette, or *Grilled Portobello Mushroom Tower*, including portobello mushroom, layered with mozzarella, roasted red peppers and grilled tomatoes, garnished with eggplant and basil pesto sauce.

COST: \$20.00 for WLS prepaid members, past presidents of WLS, and judges; \$25.00 for all others, except law students, whose cost is \$15.00. It may not be possible to get a first choice entree unless reservation is made before the deadline.

Please mail your check payable to WLS and menu choice by **May 16, 2007** to WLS, Attn: Luncheon, P.O. Box 936, Sacramento, CA 95812. **Please indicate if you are a pre-paid WLS member, past president, or judge on your check.** Since WLS will be charged for cancellations, payments must be received in advance and are non-refundable.

RSVPs or Questions about the luncheon? Contact WLS Member Amal Abu-Rahma at (916) (916) 322-9726 or aaburahma@dmhc.ca.gov or WLS Member Angela Lai at (916) 442-8888 or alai@nossaman.com.

WHAT CAN I DO ABOUT DEATH, DISABILITY AND TAXES?

As we all know there are two certainties in life - death and taxes. Although we cannot avoid death and taxes, we can help ease the problems associated with those two certainties, as well as potential disability, with the proper estate planning documentation.

The first concern is if you become incapacitated and you are unable to make financial or medical decisions, what happens? Generally, the court will step in and appoint a conservator of your person and estate to make medical and financial decisions for you. This is potentially a long and expensive process due to the court making sure that your rights are protected in the proceeding.

The best way to avoid a conservatorship is to execute both a Durable Power of Attorney For Financial Management and an Advance Health Care Directive. In both documents, you appoint an agent or attorney-in-fact to act in your best interest. In particular, your agent can pay your bills when you are unable and can work with your doctors when you are unable to communicate with them per your wishes as outlined in the documents.

These are such important documents that we recommend everyone over the age of 18 execute a Durable Power of Attorney for Financial Management and an Advance Health Care Directive.

What happens to your assets after you are gone? The determining factors in answering this question are: What type of assets do you have? How is title held to your assets? And, whether any estate planning documents have been executed?

Under California law, if a person dies in this state holding title to more than \$100,000 of assets, then those assets must be probated. Probate generally wants to be avoided due to the time and expense involved. The minimum attorney fees and personal representative fees are statutory and are based on the gross value of your assets subject to probate. For example, a house that has a gross value of \$250,000 would generate fees of \$8,000 to the attorney and \$8,000 to the personal representative for a minimum probate fee of \$16,000. This does not include any extraordinary fees that may be granted by the court or the costs associated with a probate. The minimum

amount of time a probate proceeding takes is six months.

There are certain assets that do not go through probate. Accounts or policies that have a valid designated beneficiary or a payable on death provision are automatically transferred to the individuals designated. Anything that is held in joint tenancy or community property with rights of survivorship pass to the survivor named. And, anything held in a trust is administered according to the terms of the trust. The ways to avoid probate are by owning assets with designated beneficiaries, dying with no assets at all or executing a trust.

A revocable trust (also known as inter vivos trust or living trust) is the best option if you have assets valued over \$100,000. With a revocable trust, you transfer the legal title of your assets from you as an individual to you as trustee of your trust. You as the trustee, then manage the assets for your benefit as the beneficiary. Because you created the trust, you are the trustor (or settlor) and have the power to amend or revoke the trust. After you pass away, your successor trustee or trustees step in and manage the assets for those you have named as beneficiaries. Because you are the only one that can change the terms of the trust, it becomes irrevocable after you pass.

You can name whomever you want as trustees and beneficiaries. You obviously have to trust the individuals you name as trustees. But, you can be rather creative with the distribution provisions, as long as it is not against public policy. So, if you have a concern about a beneficiary's work ethic, you can provide an incentive for them to by giving them an annual distribution from the trust equal to how much they earned that year. Or, you can give an incentive to go to school by delaying a distribution until they graduate from college or age 60, whichever occurs first. You can also provide for beneficiaries that have special needs by having their share pass to a special needs trust that helps preserve the governmental benefits that beneficiary receives.

In particular for attorneys who own their own practice, it is important to have a trust so that the sale, wrapping up, or transfer of your practice to key employees can be handled without the burden of court involvement.

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OPERATION PROTECT & DEFEND

A Commitment to Civic Education

by Lawyers and Judges

2007 LAW DAY DINNER CELEBRATION

Thursday, May 10, 2007

5:30 to 8:30 p.m.

The Sterling Hotel Grand Ballroom

Keynote Speaker: Secretary of State Debra Bowen

**Tickets are \$50 each,
\$500 for a table: 8 tickets, plus two for student,
teacher, or parents as guests of the table sponsor**

**For Reservations, Contact
Patricia Sturdevant at psturdevant@dmhc.ca.gov
Or (916) 327-7312**

**Co-sponsored by the
Sacramento County Bar Association, its Affiliates,
and the
Federal Bar Association**

Most estate plans include a Will. If the Will is used in conjunction with a trust it is called a pour-over Will. A Will alone does not avoid probate, but is still an important document. Everyone with minor children should consider executing at least a Will so that they can nominate guardians for the person and estates of their minor children.

Now, taxes. There are several different types of taxes that are considered when it comes to estate planning. The obvious one being estate taxes. Currently you can pass up to \$2,000,000 in assets at your death and your estate is not subject to estate taxes. This exemption amount is scheduled to increase over the next two years with there will being no estate taxes at all for individuals dying in 2010. However, the amount drops back down to \$1,000,000 in 2011. Estate tax law is a very political issue and the current law is subject to change.

There are ways to help eliminate or at least reduce estate taxes and this can be done through proper estate planning.

Everyone's situation is unique and careful thought should be put into each person's estate plan. But, executing the appropriate documents for your situation will give you a sense of relief that everything has been taken care of for your family and beneficiaries.

Jennifer S. Rouse - Senior Associate, Drobny Law Offices, Inc., 4180 Truxel Rd, Ste. 100, Sacramento, CA 95834. Ms. Rouse has been practicing in the areas of estate planning, business planning, tax, probate and estate administration for close to nine years. She is actively involved with the Women Lawyers of Sacramento board and on the executive board of California Women Lawyers.

QUESTION OF THE MONTH

“What do you do to effectively network at Bar and other local events?”

The WLS Newsletter Committee invites our readers to submit responses. The response(s) will be printed, along with a reprint of the question, in next month's WLS newsletter. To respond

to this question, email gayle_kono@yahoo.com before May 20, 2007. Please indicate whether or not you would like your response to remain anonymous.

RESPONSE TO LAST MONTH'S QUESTION OF THE MONTH

***“Have you ever felt discriminated against while performing your job?
If so, how did you handle the situation?”***

Response: Yes. Discrimination is not always overt or verbal. Discrimination can be overt when your boss or co-worker makes an obvious pass at you and retaliates after you've communicated that you are not interested. However, discrimination can take on many other forms. It can be locational, such as placement of the file cabinet directly in front of a male supervisor's desk. It can be subtle, where other attorneys (especially well-intentioned older male attorneys) refer to you as “honey” or “sweetheart.” Discrimination can also occur when male attorneys are promoted over you, or provided more opportunities to gain valuable experience out of the office – they may be sent on more important depositions, more challenging court hearings, offered more chances to mediate a case, etc. It can also occur during interviews – a male attorney takes you out to lunch but you have to climb up into his monstrous SUV in a skirt.

My guess is that most women this day in age do not commonly experience the more blatant types of discrimination. However,

if you're anything like me, you've probably experienced some subtle form(s) of discrimination. A three-strike approach seems to work: First, remind yourself that discrimination is a form of control, and the person doing it is attempting to control you (even if he or she is not aware of it). Make a firm resolution to yourself not to be intimidated. Second, speak up. Try to be diplomatic, especially if you are unsure if the person is doing it intentionally. “How about we move that file cabinet – it seems that since we all need to access it, it can be in a common area.” Or, “is there someone else I can ride with? I'm not comfortable climbing into that SUV in a skirt.” The more diplomatic you are, the better the chances for a positive outcome. Sometimes, you may want to opt for the more direct approach: “Please do not call me “honey” – it just isn't a word I consider professional.” Finally, remember to follow the same advice you give to clients: document each occurrence so that if you must, you can exercise your legal rights. After all, you are a lawyer.

FAMOUS WOMEN QUOTES

Identify the famous women who made these quotes. (Answers are on page 7).

1. Deliver me from your cold phlegmatic preachers, politicians, friends, lovers and husbands.
2. Cautious, careful people, always casting about to preserve their reputation and social standing, never can bring about a reform. Those who are really in earnest must be willing to be anything or nothing in the world's estimation.
3. One is not born a woman, one becomes one.
4. Somewhere out in this audience may even be someone who will one day follow in my footsteps, and preside over the White House as the President's spouse. I wish him well!
5. No written law has ever been more binding than unwritten custom supported by popular opinion.
6. If we are to achieve a richer culture, rich in contrasting values, we must recognize the whole gamut of human potentialities, and so weave a less arbitrary social fabric, one in which each diverse human gift will find a fitting place.
7. I know what every colored woman in this country is doing. . . . Dying. Just like me. But the difference is they dying like a stump. Me, I'm going down like one of those redwoods. I sure did live in this world.

ANNOUNCEMENTS

BRADSTREET WINS MARGARET BRENT AWARD



In March, the American Bar Association (ABA) Commission on Women in the Profession (Commission) selected San Francisco attorney Angela Bradstreet as one of five recipients of the 17th Annual the Margaret Brent Women Lawyers of Achievement Award (Award).

The Award was established by the Commission in 1991 to recognize and celebrate the accomplishments of women lawyers who have excelled in their field and have paved the way to success for other women lawyers. These women demonstrate excellence in a variety of professional settings and personify excellence on either the national, regional, or local level.

The award will be presented at the ABA Annual Meeting in San Francisco on Sunday, August 12, 2007. Advance individual tickets can be ordered through July 6, 2007 for \$100 per person; tickets purchased after that date cost \$125. Contact Jennifer Ebetino at 312-988-5668 or ebetinoj@staff.abanet.org for more information.

Bradstreet is a managing partner and Vice Chair of the statewide employment litigation practice at Carroll Burdick & McDonough LLP. She has served as president of The Bar Association of San Francisco, and of California Women Lawyers, and is a member of the Northern California Federal Judicial Advisory Committee.

In 2001, Bradstreet launched an initiative in San Francisco to eliminate the glass ceiling for women lawyers. In July of 2005, survey results showed a 63 percent of responding firms with at least 25 percent of women as partners and 69 percent reported having reached the goal of 25 percent for management positions, far ahead of the national average.

Bradstreet has also assisted the Women Lawyers of Sacramento in forming a similar No Glass Ceiling Task Force, which commenced in 2004.

According to the ABA, "Margaret Brent was the first woman lawyer in America, arriving in the colonies in 1638. She was a master negotiator, an accomplished litigator, and a respected leader. Brent was involved in 124 court cases over eight years and won every one. In 1648, she formally demanded a 'vote and voice' in the Maryland Assembly, which the governor denied."

SELF-IMPROVEMENTS WORKSHOPS OFFERED IN ROSEVILLE

Pathways Associates is offering workshops for improving one's personal or work-life. The workshops will be held at 151 North Sunrise Ave., Suite 1303 in Roseville. The price is \$89 per workshop, and includes a private 45-minute coaching session. The workshops will be held from 10 a.m. to noon on the following dates:

- On May 12 - **Mastering Difficult Conversations** – How to have authentic conversations no matter what's at stake.
- On May 26 - **Leading from the Inside Out** – How to impact lives through leadership development.
- On June 9 - **Getting into a Bigger Game** – Living and working to your potential.

ABAS LAW FOUNDATION'S FIFTH ANNUAL WINE TASTING AND AUCTION

Date: Thursday, May 3, 2007

Time: 6:00 p.m. to 8:30 p.m.

Location: Pavilions Shopping Plaza Courtyard,
555 University Ave., Ste. 235m Sacramento, CA
95825, 916-568-1222

Price: \$30 in advance, \$35 at the door

Please make your check payable to : ABAS Law
Foundation

ANSWERS TO FAMOUS WOMEN QUOTES

1. Abigail Adams (1744-1818) Letter to John Adams, August 5, 1776
2. Susan B. Anthony (1820-1906) on the campaign for divorce law reform, 1860
3. Simone de Beauvoir (1908-1986) The Second Sex (1949-1950)
4. Barbara Bush (1925-present) remarks at Wellesley College Commencement, June 1, 1990
5. Carrie Chapman Catt (1859-1947) Speech at the Senate hearing on woman's suffrage, February 13, 1900
6. Margaret Mead (1901-1978) Sex and Temperament in Three Primitive Societies (1935)
7. Toni Morrison (1931-present) Sula (1973)

AAUW WINE TASTING AND SILENT AUCTION FUNDRAISER

The American Association of University Women Sacramento (AAUW) is holding its annual Tech Trek Wine Tasting and Silent Auction fundraiser on Friday, May 18, 2007. All proceeds from this event will provide scholarships for 7th grade girls to advance their education by attending the Tech Trek Math & Science Camp designed to develop interests, excitement, and build self-confidence in these young women.

Event Date: Friday, May 18, 2007

Event Time: 6:00 p.m. - 8:00 p.m.

Ticket Price: \$25.00 donation per person

Location: St. John Vianny Catholic Church,
10499 Coloma Road,
Rancho Cordova, CA 9567

CAREER OPPORTUNITIES

ACLU SEEKS DIRECTOR FOR RACIAL JUSTICE PROJECT

The American Civil Liberties Union of Northern California (ACLU-NC) seeks an advocate to serve as Director of its Racial Justice Project. The Director is expected to lead efforts focused on litigation, legislative and administrative advocacy, media and grassroots public education, community organizing, public speaking, program development and other

campaign-based activities. To apply, submit a resume and a cover letter to: Maya Harris, Executive Director, ACLU-NC, 39 Drumm Street, San Francisco, CA 94111, or email HR-RJP@aclunc.org.

Please visit www.womenlawyers-sacramento.org for more career opportunities.



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