



WOMEN LAWYERS OF SACRAMENTO

February 2017 Newsletter

P.O. Box 936 • Sacramento, CA 95812
www.womenlawyers-acramento.org

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President's Corner

By: *Sonia Fernandes*



It is uplifting to take a break from all that is happening on the national and global front to recognize two special events during the month of February: **Black History Month** and **Susan B. Anthony Day**. Many civil rights we exercise or benefit from today result from advocacy by African American women and men –Harriet Tubman, Frederick Douglass, Rosa Parks, Dr. Martin Luther King, Jr., to name a few - who challenged social injustices and inequality, and empowered others to do the same.

Susan B. Anthony was committed to social equality and played a pivotal role in the women's suffrage movement. The 19th Amendment to the U.S. Constitution in 1920, giving women the right to vote, is also known as the "Anthony Amendment," in honor of Susan B. Antho-

ny's long and arduous campaign for women's rights.

It is important that Women Lawyers of Sacramento (WLS) remember the efforts of these fearless leaders, and the power of advocacy. WLS also recognizes that this organization's success is largely based upon having a diverse group of members and supporters, including those with different political beliefs.

While we may have different political affiliations, there are several common threads binding us, including the oath we took upon becoming attorneys to uphold the Constitutions of the United States and the State of California, and as members and supporters of WLS, a belief in the premise that women deserve equal rights, respect and opportunities in the workplace

and in society at large.

WLS is a nonpartisan organization. However, being nonpartisan does not mean we will not voice our position on policies and laws impacting the equality and progress of women and children. As we have for the last 55 years, WLS should continue to advocate on issues aligned with the organization's mission statement: 1) promoting the full and equal participation of women lawyers and judges in the legal profession, (2) maintaining the integrity of our legal system by advocating principles of fairness and equal access to justice, (3) improving the status of women in our society and (4) advocating for equal rights, reproductive choice, equal opportunity and pay for women, and current social, political, economic, or legal issues of concern to our members. (...Continued on page 7)



WOMEN LAWYERS OF SACRAMENTO

&



WILEY W. MANUEL BAR ASSOCIATION

The February Luncheon – Celebrating Black History Month Featuring Alana Mathews, Public Advisor for the California Energy Commission

TOPIC: Hidden Figures: Charting a New Course for Your Career.



Alana Mathews was appointed Public Advisor at the California Commission in June of 2013. Prior to her work at the Commission, she was a Deputy District Attorney in Sacramento County for over 8 years and an executive fellow at the California Attorney General's Office. She earned her Master of Law degree in governmental affairs and public policy and her JD from McGeorge School of Law.

WHEN: February 23, 2017

WHERE: Lucca Restaurant and Bar, 1615 J Street, Sacramento, CA

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

MENU: Salad with Salmon, Vegetarian Sandwich, Spicy Penne with Sausage or Grilled Chicken and Vegetables. **Each menu item comes with choice of soda or iced tea.**

COST: \$30.00 for current WLS / WMBA members, past presidents of WLS / WMBA, and judges; \$35.00 for all others, except law students, whose cost is \$25.00. Without advance reservation, it may not be possible to get the entrée of your choice.

RSVP with menu choice online at www.womenlawyers-sacramento.org (please use the Note function to identify name of attendee and menu choice) **or with confirmation of mailed check by February 22, 2017 to Kelly Babineau at kbabi-neau@klblawoffice.net.** Please mail your check, payable to WLS, with menu choice **for receipt by February 22, 2017 to WLS, Attn: Luncheon, P.O. Box 936, Sacramento, CA 95814. Please indicate if you are a current WLS member, past president, or judge on the check.** WLS is charged for cancellations. Payments must be received in advance and are not refundable. Seating at the door is subject to availability.

January 2017 WLS Luncheon Highlights

By: Kelly Babineau, Co-Chair of the Programs Committee and
Alexandra Kamel, Vice Chair of the Programs Committee

WLS welcomed Larry Doyle to the January luncheon to discuss the changes in the Rules of Professional Conduct. Mr. Doyle spent 18 years as Chief Legislative Counsel to the California State Bar and recently completed a 4 ½ year term as a member of the State Bar's Standing Committee on Professional Responsibility and Conduct. At the luncheon, Mr. Doyle provided a brief history of the current rules of professional conduct, the process for the development and approval of the existing and new rules, and an overview of the most important of the expected new rules.

The rules of professional conduct provide guidance to California attorneys on ethical practice. A violation of these rules may subject attorneys to discipline by the State Bar (reproval) and potentially by the Supreme Court (suspension and disbarment.) The rules are developed by the State Bar, approved by the State Bar Board of Trustees, and enacted by approval of the Supreme Court.

The current California rules of professional conduct were adopted in 1987, with some necessary amendments in the years since. The current Rules Revision Commission was established in 2014 and is on track to have a complete set of rules

for submission to the State Bar's Board of Trustees at its hearing in March 2017. The State Bar's Board of Trustees is expected to approve the new rules and submit them to the California Supreme Court for consideration, approval, and enactment, but the timeframe for Supreme Court action is unknown.

The most notable of the new rules are:

1) Proposed Rule CDPC 1.8.10: "A lawyer shall not engage in sexual relations with a current client who is not the lawyer's spouse or registered domestic partner, unless a consensual sexual relationship existed between them when the lawyer-client relationship commenced."

This change will put California in near conformity with the Model Rules of Professional Conduct promulgated by the American Bar Association and California's Business & Professions Code §6106.9.

2) Proposed Rule CDPC 1.15: "enhancing public protection" by prohibiting lawyers from charging a "nonrefundable fee" except for a true retainer and generally requiring that advanced fees be held in trust.

Historically, flat fees deemed earned upon payment, could be deposited directly into lawyer's business account. However, concerns over issues that arose when the representation was terminated prompted the changing of this rule. Now, only a "true retainer" (i.e. money paid solely to have attorney on call, no actual service required, can be directly deposited into business account.

3) Proposed Rule CDPC 1.14: Duties Owed Client with Diminished Capacity.

This is a new rule regarding a lawyer's ethical duties when representing a client with diminished capacity. This rule requires that an attorney with a client with diminished capacity maintain, as much as

"reasonably possible", a normal lawyer-client relationship, including the maintaining of confidential communications regardless of the attorney's belief in the effect on the client. This new rule is very different from the Model Rules of Professional Conduct, which permit an attorney to take action she deems necessary to protect an incapacitated client.

4) Proposed Rule CDPC 8.4.1, in relevant part: "(a) In representing a client, or in terminating or refusing to accept the representation of any client, a lawyer shall not: (1) unlawfully harass or unlawfully discriminate against persons on the basis of any protected characteristic; . . . (4) This Rule does not apply to conduct protected by the First Amendment to the United States Constitution or by Article I, §2 of the California Constitution."

This rule is similar to the existing Rule 2-400. However, the existing rules require that a court determine whether any charged discrimination was unlawful. The new rule will allow Office of Chief Trial Counsel to decide on its own whether a First Amendment right was involved, regardless of the court's position. a more clear rule prohibiting discrimination in the selection of clients, except with regard to conducted protected by the First Amendment (proposed rule 8.4.1); and

5) Proposed Rules CDPC 7.1-7.5. Rules regarding advertising.

These new rules will completely revise the advertising rules relating to lawyers, prohibiting only false, deceptive, or misleading advertising.

WLS is grateful to Mr. Larry Doyle for joining us at the January Luncheon. We appreciate his generosity of time and spirit in presenting on such a critical topic. The information was invaluable to our members and guests. We are fortunate to have him as a supporter and member of our community.



“Why I Marched”

By: Kelly Pope, Vice-President

I have been a member of WLS for many years now. I joined the organization to meet other women in the Sacramento legal community; and I stayed with the Board because I agree with the mission and principles of WLS. I have thoroughly enjoyed my work on the Board, and the many friends I have made in WLS over the years.

I will admit, however, that despite the mission and principles of WLS, I have not worried overly much about the state of women’s rights before now. Through my lifetime, I have seen a trend toward opening doors, not closing them. I celebrated the day that America elected its first African American president. I shed tears of happiness the day that the Supreme Court ruled that same-sex couples can marry nationwide. And just last year, I experienced the joy of finally seeing the first woman nominated as a major party candidate for the office of President of the United States.

Because of the work of the women and men that came before me, I have never questioned my right to practice law and to make my own success. I have not worried about access to birth control. I do not worry about whether it is acceptable to wear a pant suit to court. It never really occurred to me that we could move backwards.

In many ways, I have taken the rights I have for granted before now because I was raised to believe I can be anything I want, do anything I want, and that I am equal under the law. My view has recently shifted dramatically. In the last year, I have heard rhetoric that scares me. For the first time, I worry that my daughters may not be able to take for granted the rights that I have. It has become clear to me that there are those who would see decades of progress undone.



Among other things, it is the mission of WLS to advocate for equal rights, reproductive choice, and equal opportunity and pay for women. Our principles include striving to eliminate all forms of bias, discrimination, and harassment, including all forms of violence against women and children, and supporting diversity not only in the legal profession and legal education, but in society in general. Equal rights and the elimination of bias and discrimination should not be political issues, but it certainly feels as though these principles are being threatened in the current political sphere.

I have worked as a Board member of WLS when, in many ways, the work seemed easy. I will not back away from our mission and principles now that they are threatened. The work of WLS is more important today than it has ever been. And so, I will do what I can to promote these goals, both through my work with WLS, and in the broader community.

It is for this reason that on January 21, 2017, I joined approximately 20,000 people in the Women’s March that took place in Sacramento.

I marched to show that I support a woman’s right to make her own healthcare decisions. I marched to show I support equal rights under the law for the LGBTQ community. I marched because I support freedom of religion, and that I believe it is important to protect the environment and to make strides against the impacts of global climate change. And I took my children with me to the march here in Sacramento because I wanted to teach them about standing up for what you believe in.

The First Amendment provides: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” On January 21, 2017, millions of Americans marched in cities across the United States in a beautiful display of First Amendment rights. I am proud to have been a part of it.

In Memoriam and Celebration of Life Patricia Hart Jorgensen (1948 - 2016)

It is with great regret that I write to inform those of you who may have missed the obituary, published in the Sacramento Bee on December 25, 2016, that WLS lost our 1997 president Pat Hart Jorgensen on December 2. Pat passed away after a short illness. In her final months, she was cared for by her loving and devoted husband Bill, her dog Bodie, Hospice and many friends.

This does not purport to be a comprehensive review of the life of this amazing person. It is simply a few reminiscences of a bright star who had enormous influence on many lives over the years and who left us far too soon.

Pat was born in Arizona but she grew up a true Sacramentan, attending high school, college and law school right here in her home town.

An avid skier, Pat spent many happy years working and playing in North Lake Tahoe, where she met Bill. She returned to Sacramento to attend McGeorge School of Law and work as an attorney but Pat and Bill always kept a home in North Lake Tahoe and they spent many happy hours in retirement, enjoying the outdoor lifestyle and playing lots of golf.

Beginning in 1983, Pat spent her entire legal career working for the State of California, ultimately retiring from her position as principal deputy legislative counsel I, overseeing the section that handled taxation, public contracts, alcoholic beverage control,

unemployment insurance and military and veterans' affairs, in 2010 after 27 years of distinguished service.

I had the great fortune of meeting Pat and becoming her friend because of our shared interest in WLS. We served on the board together for many years. Pat was a passionate advocate for civil rights and women's issues. This led Pat, among other activities, to become a leading light in the Sacramento delegation to the State Bar Conference of Delegates, where she had the ability to light up the room and to persuade sceptics to come around to her position on matters of great importance.

Pat was a consummate volunteer who spent many years working for the Sacramento Children's Home as well as her many activities for WLS. Her lifelong interest in art, including her own work, led her to be a docent at the Crocker Art Museum where she is remembered as an enthusiastic and informative tour leader who was always full of the joys of life.

Pat was never afraid of speaking up for her beliefs and her president's columns in the 1997 newsletters are full of passion about issues such as opposition to the dismantling of affirmative action programs, advocating for domestic abuse victims, opposition to ill-conceived welfare reform, advocating better protections against age and gender discrimination and promoting judicial appointments for women.

I want to finish with words I wrote at the end of my president's year in 1996 that I believe summarize what Pat means for many people.

"There is always one person on whom one tends to rely more than most. That person for me has been Pat Hart Jorgensen, truly an extraordinary vice president. Pat has played a major role in the organization of every WLS event this year. She virtually single-handedly organized a marvelously successful Supreme Court reception and she was a major participant in the OktoberArtFest and the proposition 209 debate. Pat hosted CWL board members and local lawyers at her home. She also represented WLS on the Sacramento County Blue Ribbon Civil Service Commission, where she was elected co-chair by her fellow members. She was instrumental along with Nancy Peverini and the Sacramento county courts in establishing the Fairness Committee. Pat is truly remarkable."

Pat continues to be a role model for us as we remember her in this 55th anniversary year for WLS.

At Pat's request, there will be no formal memorial service or celebration of life. Hopefully, those of us who knew her will remember her in our own way. For all of us in WLS, her legacy will be with us for a very long time.



*WLS is Pleased to Announce its
Annual Member Reception*



Please join the WLS Board at our annual Member Reception. There will be appetizers, drinks, and new and old friends.

Date: March 14, 2017

Time: 5:30 p.m. - 7:30 p.m.

Location: Hot Italian

1627 16th St, Sacramento



If you are not currently a member of Women Lawyers of Sacramento, please consider joining this incredible organization. WLS is premised on the belief that women deserve equal rights, respect and opportunities in the workplace and society at large. Founded in 1962, WLS reaches beyond the practice of law by promoting the interest of women in the community. Membership is open to all judges, lawyers, and law students.

If you are a current member, please visit our website to review all of the wonderful resources available to you: <http://womenlawyers-sacramento.org/>.

Please contact one of our co-chairs, Alanna Lungren (alungren@kingwilliamslaw.com) or Amy O'Neill (aoneill@boutinjone.com) for more information.

President's Corner Continued ...

Non-partisan issues have sadly become politicized issues. For example, Audi's Super Bowl advertisement, which promotes gender pay equity, received a significant amount of negative feedback on social media, including references to the ad being "anti-male" or "liberal trash."¹ In the ad, a father watches his daughter compete in a cart race with other children:

'What do I tell my daughter?' he asks. 'Do I tell her that her grandpa's worth more than her grandma? That her dad is worth more than her mom? Do I tell her that despite her education, her drive, her skills, her intelligence, she will automatically be valued as less than every man she ever meets? Or maybe, I'll be able to tell her something different.'

The ad ends with a message on screen: "Audi of America is committed to equal pay for equal work."

According to the U.S. Department of Labor, women who worked full-time year-round in 2014, on average, earned 79% of men's median annual earnings. Audi's message highlights the reality on gender pay inequity, a non-partisan issue, and yet, many negative comments posted on social media imply that the company is sending a political message.

So, what can you do to support issues aligned with WLS's mission statement, such as pay equity? The WLS Board of Directors recently discussed the possible formation of an ad hoc committee to be tasked with researching and recommending to the board ways WLS can continue to voice its position on issues aligned with the mission, in a nonpartisan manner. If you are interested in volunteering for this committee, please contact me via email at soniafernandes.esq@gmail.com.

In celebration of Black History Month, WLS is pleased to co-host the February 23rd luncheon with the Wiley Manuel Bar Association. Alana Mathews will be speaking on the topic "Hidden Figures: Charting a New Course for Your Career." If like me you struggle to find time for self-maintenance, Cami McLaren will be sharing some tips at the WLS Career Advancement and Retention Committee brown bag luncheon on February 28th. I hope to see you at both events!

Footnotes:

¹ The Wall Street Journal, *Audi's Super Bowl Ad on Gender Pay Gap Faces Criticism* <https://www.wsj.com/articles/audis-super-bowl-ad-on-gender-pay-gap-faces-criticism-1486059609> (Feb. 2, 2017).

SAVE THE DATE



2017 WLS Luncheon Schedule

Location: Lucca Restaurant and Bar
1615 J Street, Sacramento, California



Scheduled Luncheon Dates:

- February 23
- March 23
- April 27
- May 25
- September 28
- October 26
- November 16
- December 15

Note: The WLS luncheon series *may* take a summer break in June, July and August. Check the upcoming WLS Newsletters for further details!

Announcements & Other News

SUN, FUN AND MCLE!

California Women Lawyers 2017 Annual Conference



April 7, 2017

8:30 AM to 5:00 PM

Marriott Marquis San Diego Marina

333 West Harbor Drive

San Diego, California

Register now at: [http://www.cwl.org/events/2017-annual-conference-122/details?
dnh=true](http://www.cwl.org/events/2017-annual-conference-122/details?dnh=true)

**ARE YOU A MEMBER
OF WLS?**

**HAVE YOU RENEWED YOUR WLS
MEMBERSHIP?**

Please remember to return your membership application/renewal form (located at the end of this newsletter) and payment to WLS. Please consider adding the California Women Lawyers membership at a discounted rate in addition to your WLS membership.

California Women Lawyers

Presents its 16th Annual

**Norther California Judicial Reception
and Rose Bird Memorial Award**

Honoring Hon. Carol S. Brosnahan

(Alameda Superior Court)

Friday, March 3 from 4:30 PM - 6:30 PM

John F. Kennedy University

100 Ellinwood Way

Pleasant Hill, CA 94523

Announcements Continued..



The Employment Law Practice Group at Boutin Jones is seeking a mid to senior level associate to join its ranks. The attorneys in the Employment Law Practice Group work closely as a team. Associate attorneys can expect to practice at the highest levels of the legal profession. We also provide a collegial work environment and professional development for those interested in becoming a shareholder. Candidates should have at least 3 years of significant experience in employment law and litigation. Class action experience is preferred, but not required. We are also open to the possibility of hiring a second attorney who is interested in advice and counseling exclusively. This is an excellent opportunity for a hard working, smart individual suited to the private practice of law and committed to serving our clients. High class standing from a top-ranked law school required. Qualified candidates may submit their resumes, writing samples, and law school transcripts with a cover letter to: Julia Jenness at jjenness@boutinjones.com.

More information is available at: <http://boutinjones.com/careers/lateral-attorneys>



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Announcements Continued..

The Career Advancement & Retention Committee of the
Women Lawyers of Sacramento

Presents

A Brown Bag Lunch with Cami McLaren:
Maintaining Physical, Emotional and Mental
Well-Being as Lawyers

How and why do lawyers care for themselves?

How can we maintain ourselves and our jobs and families?

Is balance attainable?

The purpose of the brown bag series is career advancement and retention for women in the law.

Come join us for a discussion of how women lawyers can operate at their best.

February 28, 2017 from 12– 1 p.m.

Nossaman LLP, 621 Capitol Mall 25th Floor

This event is free.

Please RSVP to m.borrelli@westernhealth.com by February 23



Cami McLaren has worked in top law firms, and one-on-one with attorneys to help them improve communication skills, create more effective and positive relationships and improve time management skills and productivity. She is co-author of the book on Coaching for Attorneys: Improving Productivity and Achieving Balance, ABA, 2014. Cami is a certified performance coach, relationship coach, leadership coach and NLP practitioner. She is the owner of McLaren Coaching and can be found on the web at www.mclarencoaching.com.

WOMEN LAWYERS OF SACRAMENTO

Mission Statement: Women Lawyers of Sacramento supports and encourages every woman lawyer in her career aspirations and helps promote a society that places no limits on where a woman's skills and talent can take her. Women Lawyers of Sacramento dedicates itself to (1) promoting the full and equal participation of women lawyers and judges in the legal profession, (2) maintaining the integrity of our legal system by advocating principles of fairness and equal access to justice, (3) improving the status of women in our society and (4) advocating for equal rights, reproductive choice, equal opportunity and pay for women, and current social, political, economic, or legal issues of concern to the members of Women Lawyers of Sacramento.

Foundation Mission Statement: Women Lawyers of Sacramento Foundation is the charitable arm of Women Lawyers of Sacramento. This charitable organization seeks to address the unmet needs of women and children and raises funds to support legal educational opportunities and community programs that satisfy these needs.

Principles: Women Lawyers of Sacramento is premised on the belief that women deserve equal rights, respect and opportunities in the workplace and in society at large. Women Lawyers of Sacramento endeavors to support and enhance the participation and representation of women in significant leadership and management positions in the legal profession. Women Lawyers of Sacramento also strives to eliminate all forms of bias, discrimination, and harassment, including all forms of violence against women and children, and supports diversity in the legal profession, in legal education, and in society in gen-

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2017 WLS Board Liaisons

Judicial Liaison: Justice Andrea Hoch,
Third District Court of Appeals

Past-President Liaison: Megan Rowe,
Daponde, Szabo Rowe PC
mrowe@dsrhealthlaw.com



2017 Membership Application

January 1, 2017- December 31, 2017

(If you join on or after October 1, 2016, you will get the remainder of 2016 FREE)

APPLICANT INFORMATION

Please do not include my information in the membership directory

New Member (Referred by: _____)

Renewal

Name _____ CA Bar Number _____ Year Admitted _____

Firm/Office _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Area(s) of Practice _____

APPLICANT STATUS

Active Member: (Member of the CA/Other State Bar, including retired attorneys and law school faculty)

\$55: 0-5 years in practice/gross income under \$50,000

\$65: 6-10 years in practice

\$75: Over 10 years in practice

\$100 or more: sustaining donor

\$1500 or more: lifetime membership

Honorary Member: (Justices, Judges, WLS Past Presidents)

Dues Waived

Add-ons:

\$85 : California Women Lawyers dues (WLS Affiliate price)

CWL Law School Student Complimentary

Associate Member:

\$25: Law school graduate not yet admitted to Bar

FREE Law school student (Specify year: _____)

\$____: Foundation donor (tax deductible)

\$____ TOTAL enclosed by check payable to WLS. Please return to **WLS Membership, P.O. Box 936, Sacramento, CA 95812**

COMMITTEE PARTICIPATION

Check those WLS committees in which you are interested in participating or receiving more information:

Career Advancement & Retention

Grants & Awards

Development (WLS Foundation)

Legislation & Bar Delegation

Membership

Newsletter

Publicity/Community Relations

Programs

Judicial & Other Appointments

Questions? Please contact Membership Committee Co-Chairs

Alanna Lungren at alungren@kingwilliamslaw.com or Amy O'Neill at aoneill@boutinjones.com