



WOMEN LAWYERS OF SACRAMENTO

April 2017 Newsletter

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

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President's Corner

By: *Sonia Fernandes*



Equal Pay Day (this year, on April 4) is typically recognized in April, roughly marking how many extra months women would have to work into the new year to make what men made the year before. According to a fact sheet published by the Institute for Women's Policy Research (IWPR) in March 2017, the gender wage gap for weekly full-time workers in the United States narrowed slightly between 2015 and 2016.¹ Key findings of the IWPR include:

- In 2016, the ratio of women's to men's median weekly full-time earnings was 81.9 percent, an increase of 0.8 percentage points since 2015, when the ratio was 81.1 percent.
- Women of all major racial and ethnic groups earn less than men of the same group, and also earn less than White men.
- Hispanic workers have lower median weekly earnings than White, Black, and Asian workers. Hispanic women's median weekly earnings in 2016 were only 62.2 percent of White men's median weekly earnings, but 88.4 percent of the median weekly earnings of Hispanic men.
- The median weekly earnings of Black women were only 68.0 percent of White men's earnings, but 89.3 percent of Black men's median weekly earnings.
- Primarily because of higher rates of education for both genders, Asian workers have higher median weekly earnings than White, Black or Hispanic workers. Asian women's earnings are 95.8 percent of White men's earnings, but only 78.4 percent of Asian men's earnings.
- White women earn 81.3 percent of what White men earn, very close to the ratio for all women to all men, because Whites remain the largest group in the labor force.

According to our research, if change continues at the same slow pace as it has done for the past fifty years, it will take 44 years—or until 2059—for women to finally reach pay parity. For women of color, the rate of change is even slower: Hispanic women will have to wait until 2248 and Black women will wait until 2124 for equal pay."

— Institute for Women's Policy Research.²

Women working full-time in California are doing slightly better than women across the country. According to the 2017 Report on the Status of Women and Girls in California by Mount Saint Mary's University, the gender wage gap for full-

Join Us At This Month's

Luncheon!

**"Friends" or Foes:
Ethical Use of Social
Media, Featuring
Merri Baldwin**

April 25, 2017

Lucca Restaurant

Continued on page 5



WOMEN LAWYERS OF SACRAMENTO

April Luncheon

Featuring Merri Baldwin

TOPIC: "Friends" or Foes: Ethical Use of Social Media.

This program will consider the increasing role of social media in our professional and personal worlds, and analyze ethical risks for lawyers that arise. From Facebook to LinkedIn to blogs, attorneys using social media need to make sure that they do so responsibly and ethically, including in the advice they give their clients about social media use.

Merri A. Baldwin is a shareholder at the San Francisco office of Rogers Joseph O'Donnell where she practices in the areas of business litigation and attorney liability. She is the advisor and past chair of the California State Bar Committee on Professional Responsibility and Conduct. She is the current President of the Bar Association of San Francisco. She represents lawyers and law firms in legal malpractice and discipline actions, and provides ethics and risk management counseling.

WHEN: April 27, 2017

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

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

MENU: Roasted Beet and Farro Salad with Chicken, Stuffed Sweet Peppers, Spaghetti & Meatballs or Grilled Chicken Sandwich.

Each menu item comes with choice of soda or iced tea.

COST: \$30.00 for current WLS members, past presidents of WLS, 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 April 26, 2017 to Kelly Babineau** at kbabineau@klblawoffice.net. Please mail your check, payable to WLS, with menu choice **for receipt by April 26, 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.

This Program does qualify for MCLE ETHICS credits.

Please bring any unused toiletries and women's personal items to the luncheon for donation to Maryhouse, a non-profit organization that helps homeless women and children.

March 2017 WLS Luncheon Highlights

By: *Jessica Graves, Vice Chair of the Programs Committee*

This March Women Lawyers of Sacramento welcomed Dr. Dana Meeks as our featured speaker. Dr. Meeks is a jury and trial consultant who utilizes a scientific and research-driven approach to analyze case issues and provide valid and reliable information to litigation attorneys that informs their decisions regarding case strategy, demonstration of evidence, witness presentation and jury selection.

When selecting a jury, an attorney should consider how to present the law and instructions so that the jury comprehends the information. The attorney should speak in plain English, pre and post instruct on the law, encourage the jurors to ask questions about instructions and educate the jury early and often.

Next, Dr. Meeks discussed that during jury selection jurors are instructed that they must not bring any of their personal beliefs, biases or prejudgments into the courtroom. However, research has demonstrated that humans use cognitive structures (aka schemas) when receiving information and that these schemas determine how information is processed. Therefore, the idea that jurors put aside all of their beliefs and biases and judge cases solely on the information they are presented with is problematic. Consequently, identifying bias, societal myths and media-perpetuated preconceptions is a critical part of voir dire. Dr. Meeks encourages the attorney to identify what biases

are relevant to your case. When assisting an attorney in this process, she relies on her years of experience in researching juror decision making, extensive litigation experience and background in psychology to identify demographic, experience and personality factors that are critical to your case.

Another tool Dr. Meeks suggests is a “Shadow Jury.” A small group of shadow jurors are recruited to demographically mirror the jury panel. Shadow jurors are present to carefully watch attorney presentations and witness testimonies and leave the courtroom when the jury panel is dismissed. Dr. Meeks then the conducts daily debriefings wherein data/information is collected, analyzed and summarized for the trial team in a few short hours.

Dr. Meeks urges attorneys to strategize early and build strong case themes that persuade. She focused on:

- Identifying key case issues
- Formulating case into story
- Developing graphic displays and presentation media
- Pinpointing good and bad evidence
- Customizing language

Making recommendations regarding discovery, witness preparation, alternative dispute resolution and effective research.

Dr. Meeks discussed how demographics and perceptions of a community affect a potential jury’s decision making. Tools available to analyze this information would be demographic research and/or community attitude surveys. Demographic research provides an overview of the landscape of your jury pool; what factors are prevalent and distinguish it from other areas. Community attitudes surveys are carefully conducted to identify potential juror attitudes and perceptions with regard to specific issues relevant to your case.

WLS is grateful to Dr. Dana Meeks for generously sharing her time, knowledge and experience with the organization. She provided a thoughtful and informed presentation that undoubtedly will assist our members in picking their future juries.



San Francisco Panel Discusses Unprofessional Conduct Towards Women Lawyers

By: Kathleen Gallaher, Vice Chair of the Publicity and Community Relations Committee

On March 15, 2017, WLS Board Members Kathleen Gallaher and Lauren Jones attended a panel discussion regarding unprofessional conduct towards women lawyers. The discussion was held in San Francisco at the Ceremonial Courtroom of the Federal Courthouse and presented by the Women Attorneys Advocacy Project and the Federal Bar Association. Five panelists shared their thoughts, impressions, and some suggestions on how women lawyers can deal with bad behavior in our profession.

Moderating the panel was Hon. Yvonne Gonzales Rogers, the first Latina appointed to the Federal bench in the Northern District of California in 2011 by President Obama, and a former Alameda County Superior Court Judge. Joining her was Noreen Krall, Vice President and Chief Litigation Counsel of Apple, Inc. Ms. Krall gave insightful information about how to address mistreatment of women from both an attorney and witness standpoint. The remaining panel members were: Fred Alvarez, former Assistant Secretary of Labor; Mary McNamara, white-collar criminal defense and commercial litigation attorney previously named one of the top 75 women lawyers in California; and Quyen Ta, an award-winning civil litigator.

The panel discussed unprofessional conduct that can arise in various situations in the legal profession. This included meet and confer settings, depositions, law and motion, and trial. Below are some of the key points that were brought up during this insightful event.

Prepare a Toolkit

Preparing a toolkit to handle the various situations of unprofessional conduct that women lawyers might encounter in this profession was one of the first things discussed by the panel. Within that toolkit, one should have a routine prepared for how to respond to unprofessional behavior. Another tool for the kit is a test to determine the appropriate level of response and when it might be better to remain silent. Every situation is different. If you

determine that the bad behavior must be called out, then keeping a calm and deliberate demeanor when doing it is important.

According to the panel, describing the bad behavior matter-of-factly for the record, and then moving on, is generally an effective response. If the bad behavior disrupts your flow, ignoring it in the moment and then addressing it later was also suggested. There is no guarantee that calling it out will curb or end any future bad behavior, but good documentation helps to preserve the record in case you need to escalate matters to the Court or even the State Bar. Being prepared with a toolkit to respond to misconduct by your fellow attorneys and calling it out if necessary can be very empowering.

Use Your Power

The panel also discussed finding and calling on your source of power, being confident in yourself, and focusing on respect. While this may be challenging in the face of demeaning behavior, the panel emphasized the importance of reminding yourself that you are always in power and in control. One exercise suggested by Judge Gonzales Rogers to feel more powerful is to stand in a superhero pose for a few moments. This stance is when one stands tall, with legs spread shoulder wide, hands at the hips, and arms and elbows jutting out to the side. When we feel more powerful, it helps boost our confidence in standing up for ourselves and calling out unprofessional conduct when we see it.

Call On Standards of Civility and Conduct

According to the panel, another good tool for the toolkit is knowing the various standards of professional civility and conduct that exist, and holding our fellow lawyers accountable to these standards. At a minimum, the Attorney's oath under California Rules of Court Rule 9.4 requires attorneys to conduct themselves "at all times with dignity, courtesy, and integrity."

Continued on page 5

President's Corner, continued from page 1

-time, year-round workers in California is \$0.86 on the dollar, resulting in California women earning approximately \$7,000 a year less than men. Clearly, California still has a long way to go in order to achieve pay equity, but thankfully, it is amongst a handful of states that have strong laws to help accomplish it.³

Switching gears, April is a month to highlight another vital women's issue: sexual assault awareness. On Thursday, April 20th at noon, I will be participating in "Fashion for a Cause" at the Downtown Macy's to help raise funds for My Sister's House, a local non-profit organization that assists women and children who have experienced domestic violence, sexual assault, and human trafficking. Please consider supporting the important work of My Sister's House with your attendance at the fashion show, or by making a donation during the month of April to any non-profit organization that assists survivors of sexual assault. Your contribution will have a meaningful impact in allowing women and children access to necessary services.

References:

1 <https://iwpr.org/publications/gender-wage-gap-2016-weekly/>.

2 <https://iwpr.org/issue/employment-education-economic-change/pay-equity-discrimination/>.

3 In 2015, the California Legislature passed Senate Bill 358, which enacted the California Fair Pay Act, strengthening the state's existing Equal Pay Act by eliminating loopholes that prevent effective enforcement of gender-based discrimination and empowering employees to discuss pay without fear of retaliation.

Women Lawyers Panel Highlights, continued from page 4

The State Bar has also issued the *California Attorney Guidelines of Civility and Professionalism*. While these are not rules themselves, they are adopted by various Superior Courts. County Bar associations also have their own similar standards for professional courtesy. The standards are wide ranging and include refraining from using hostile or demeaning words and taking steps to prevent bias or prejudice by another attorney.

Other Points

Being aware of what is happening and documenting it is the best way to address the misconduct. Non-verbal misconduct and micro-aggressions were mentioned by the panel as being harder to detect and call out. Conducting video recorded depositions, as well as transcribed discovery meet and confer sessions, can help capture and record both overt, spoken, and non-verbal misconduct. Of course, client budget and overall case strategy are among the factors to consider when dealing with bad conduct by other attorneys as well.

A good question from the audience was how to address demeaning conduct if it happens to come from a Judge. The panel suggested that the attorney take up the

issue with the Presiding Judge of the Court. The Panel also brought up calling upon the State Bar's Lawyer Assistance Program as an alternative before seeking disciplinary action from the State Bar. Specific instances of misconduct may be unintentional and indicative of a deeper issue.

Conclusion

The panel discussion was a good event, providing important information about how women lawyers can effectively respond to bad behaviors directed towards us. Knowing and being confident in our power, having a toolkit ready to respond when it arises, calling out bad conduct for the record, and calling upon the standards of professional conduct are among the various ways we can work towards ending unprofessional conduct.

Women Lawyers of Sacramento

Member Reception Success!

Thank you to all who joined us at the WLS Membership Reception held on March 14th! WLS spiced things up a bit this year and held the reception at Hot Italian in Midtown where attendees enjoyed delightful libations, pizza, and of course... cheese. The event was attended by somewhere between 30-40 new, current, and prospective WLS members.

Those in attendance enjoyed an evening of catching up with old friends, making new friends, and getting to better know those in our WLS community. We appreciate those who took the time to make it out and mingle!

If you have not yet filled out your 2017 WLS Membership Application, please do so now by joining online or filling out a hard copy application!



In Memoriam: Women In Jurisprudence



The Honorable Sheila Abdus-Salaam (1952-2017)

WLS would like to take a moment to honor Justice Sheila Abdus-Salaam. Justice Abdus-Salaam was a trailblazing female attorney and jurist who accomplished many noteworthy “firsts” during her career, including becoming the first African-American woman appointed to New York’s highest court, the New York Court of Appeals. Judge Abdus-Salaam passed away on April 12, 2017.

Justice Abdus-Salaam, a native of Washington D.C. and graduate of Barnard College and Columbia Law School, had a long history of working in public service to promote civil rights. Before her nomination to New York’s Court of Appeals in 2013, Justice Abdus-Salaam served on the New York City Civil Court from 1992-1993, the New York County Supreme Court from 1993 to 2009, and the Appellate Division of the New York Supreme Court, First Judicial District from 2009 to 2013. Prior to her appointment to the bench in 1992, Justice Abdus-Salaam worked as a staff attorney for Brooklyn Legal Services and served an assistant state attorney general in the Civil Rights and Real Estate Financing Bureaus of the New York State Department of Law.

Announcements & Other News



MAY 18, 2017 5th Annual WLS Speed Networking Event

Women Lawyers of Sacramento is pleased to invite you to our Fifth Annual Speed Networking event. Speed networking is a fun and powerful tool to expand your network. This event is free for WLS members!

Tickets:

WLS Members – FREE

Non-Members – \$20.00

Includes appetizers + drink ticket

RSVP: 2017SpeedNetworking.Eventbrite.com

**Expand your
professional
network**

**Connect with
attorneys in
private practice
and public
service**

**Enjoy a fun and fast
paced networking
event**

Announcements continued...



15TH ANNUAL LAW DAY DINNER CELEBRATION 2017

KEYNOTE SPEAKER: Congresswoman Doris Matsui

TOPIC: The 75th Anniversary of Executive Order 9066 - Civil Liberties v. National Security

DATE: Thursday, May 11, 2017 **TIME:** 5:30 – 8:30 p.m.

PLACE: Sheraton Grand Sacramento Hotel, 1230 J Street, Sacramento

Visit www.OperationProtectandDefend.com for additional information

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Price: \$65 per ticket. To reserve your place and/or sponsor a student, please RSVP online at www.OperationProtectAndDefend.com, by mail to Robyn K. Riedel at 7437 S. Land Park Dr., Ste. 138, Sacramento, CA 95831, or by email at opdlawday@gmail.com. All checks should be made payable to "Sacramento Federal Judicial Library & Learning Center Foundation." No RSVP is finalized without payment. We invite organizations, companies, and individuals to consider sponsoring this wonderful event. Please email us to learn more about our four sponsorship levels.

Name: _____ Organization/Company: _____

Phone number: _____ Email: _____

I wish to purchase: _____ tickets at (\$65 each) and donate _____ student tickets at (\$65 each) TOTAL purchase \$ _____

Attendee Name	Menu Choice (salmon, chicken, or vegetarian)	Attendee Name	Menu Choice (salmon, chicken, or vegetarian)

Announcements continued...



**THE FEDERAL BAR ASSOCIATION
QUI TAM SECTION
Presents**

THE FALSE CLAIMS ACT TODAY

This CLE, hosted by the FBA Qui Tam Section and with support from the FBA Sacramento Chapter, will provide a general overview of the FCA, a discussion of relevant Supreme Court cases, practice tips, recent developments in the Ninth Circuit, and a panel discussion to provide diverse perspectives on FCA practice.

Featuring:

Colleen Kennedy
Assistant US Attorney
ACE Coordinator, Eastern District of CA
Representing the US Attorney's Office

Brooks Cutter
Cutter Law PC
Representing Relator's Counsel

Blanca Fromm Young
Munger Tolles & Olson LLP
Representing FCA Defense Counsel

R. Scott Oswald
The Employment Law Group
Moderator

Honorable Kimberly J. Mueller
Judge
U.S District Court for the Eastern District of California

**May 15, 2017
11:30 AM- 2:00 PM
Robert T. Matsui Federal Courthouse
501 I St.
Sacramento, CA 95814**

Lunch will be provided.

\$15 for FBA Members, \$20 for Non-FBA Members and Gov't Employees, \$10 for Judicial Law Clerks and Law Students

Please Register Online at <http://www.fedbar.org/fcassacramento.aspx>

**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.

SAVE THE DATE!

2017 WLS Luncheon Schedule

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

Scheduled Luncheon Dates:

- 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 Continued...

What Have You Been Doing All Day?

Learn to Manage Time for Greater Results

April 26, 2017 (Wednesday) 9am - 11am

Presented by Cami McClaren

So many busy professionals get to the end of their workday and ask themselves “What did I accomplish today?” They know that they’ve been running, but they don’t feel they have achieved anything. Do you ever have this experience?

Often we feel ineffective and out of balance. This workshop will teach you ways to be intentional in managing your time, your tasks and your energy - in a way that feels better and produces the results you say you want.

We will introduce you to a “paradigm shift” – a different and more effective way of viewing time and time management — and offer you specific changes that can be implemented right away to improve the way you use your time, ease stress and increase productivity.

Join us and learn:

- Prioritization
- Urgent vs. Non-Urgent Tasks
- Tools to Use for immediate changes

\$85/person

Take \$5.00/person if 2 or more from same company

Sign up now! Don't let time get in your way. <https://www.eventbrite.com/o/mclaren-coaching-3074191754>

TESTIMONIAL

I attended the workshop on time management and it changed the way that I work. I learned to block my time, schedule time to read emails, and I now have more time to get my work done (or at least it feels like I have more time). I also sent my assistant to the same workshop. When she returned from the workshop, she said “we need to change things around here so that you and I can be more productive.” Now, our office has now instituted a designated time for questions so that they don’t interrupt our work time, we are purposeful about when we schedule certain meetings, and set aside time to get work done.

– Alexandria Goff, The Law Office of Alexandria Goff

JOB ADVERTISEMENT

Hansen, Kohls, Sommer & Jacob, LLP is a boutique 8-attorney law firm looking to immediately add another litigation associate attorney at our main office in Roseville.

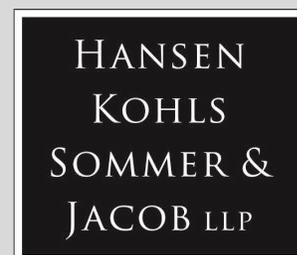
Our largest practice areas are professional malpractice defense, insurance bad faith and business litigation. This position requires a person with excellent verbal and written communication skills, confidence, poise and the ability to think creatively. A minimum of three to five years’ civil litigation experience is required. Our salaries are very competitive and we offer a great working environment. Contact Jennifer Durda, Administrator, via email at jdurda@hansenkohls.com.

Hansen, Kohls, Sommer & Jacob, LLP

1520 Eureka Road, Suite 100

Roseville, CA 95661

Position: Associate Attorney



Please include a current résumé and writing sample in your reply. (To learn more about our firm, visit our website at www.hansenkohls.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 general. We work toward these goals through mentoring, legislative and administrative advocacy, community service, networking, educational seminars, and open forums of discussion focused on advancing and supporting women.

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WOMEN LAWYERS OF SACRAMENTO

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

\$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