



WOMEN LAWYERS OF SACRAMENTO

June/July 2018 Newsletter

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

WHAT'S INSIDE

President's Corner - Kelly Pope	1, 2
Cheers to 25 Years! - Wendy Green	3
Announcements and Other News	4-10
WLS Mission Statement/Board Members	11
WLS Membership Form	12

President's Corner

By: Kelly Pope



Part of the mission of Women Lawyers of Sacramento is dedication to advocating for reproductive choice. Unfortunately, June and July were discouraging months for reproductive choice advocates. Between the Supreme Court's decision in *National Institute of Family and Life Advocates v. Becerra*, 138 S.Ct. 2361 (2018) ("NIFLA"), and the announced retirement of Justice Anthony Kennedy, women's reproductive health care rights are at risk.

The NIFLA decision concerns a California law enacted to ensure that California residents make their personal reproductive health care decisions knowing their rights and the health care services available to them. Governor Jerry Brown signed Assembly Bill 775, known as the Reproductive Freedom, Accountability, Comprehensive Care, and Transparency Act (Reproductive FACT Act), in October 2015. According to the legislative history, one of the major purposes of the bill was to address concerns regarding deceptive advertising and counseling practices by approximately 200 licensed and unlicensed crisis pregnancy centers in California, which present themselves as comprehensive reproductive health centers, but are commonly affiliated with, or run by organizations whose stated goal is to prevent women from accessing abortions.

The Reproductive FACT Act requires licensed covered facilities whose primary purpose is providing family planning or pregnancy-related services to post or distribute the following notice:

California has public programs that provide immediate free or low-cost access to comprehensive family planning services (including all FDA-approved methods of contraception), prenatal care, and abortion for eligible women. To determine whether you qualify, contact the county social services office at [insert the telephone number].

The Act also requires unlicensed covered facilities to post on site, and in any print and digital advertising, a notice stating "This facility is not licensed as a medical facility by the State of California and has no licensed medical provider who provides or directly supervises the provision of services."

After Governor Brown signed the Reproductive FACT Act, several pro-life pregnancy centers and an organization composed of crisis pregnancy centers sought to enjoin the enforcement of the law.

(Continued on Page 2)

SAVE THE DATE!

Thursday,
September 27,
2018

WLS September
Luncheon
at

Lucca Restaurant

1615 J Street, Sacramento



President's Corner Continued

By: Kelly Pope

The District Court denied their motion for a preliminary injunction, and the Court of Appeals for the Ninth Circuit affirmed.

On June 26, 2018, the Supreme Court reversed and remanded, in a 5-4 decision.¹ The Court held that the notice required by licensed facilities is a content-based regulation of speech that likely violates the First Amendment. In so holding, the Court rejected the Ninth Circuit's conclusion that the law regulates "professional speech" that is subject to a lower level of scrutiny. The Court further concluded that the licensed notice could not survive even intermediate scrutiny because the law is "wildly underinclusive" to address the stated purpose of providing low-income women with information about state-sponsored services.

With respect to the notices required by unlicensed facilities, the Court held that even under a deferential review standard, California had not met the burden to prove that the unlicensed notice is neither unjustified nor unduly burdensome. The Court found that California had not demonstrated any justification for the unlicensed notice that is more than "purely hypothetical." The Court further found that the notice requirement for unlicensed facilities "targets speakers, not speech, and imposes an unduly burdensome disclosure requirement that will chill their protected speech."

I find the majority opinion in *NIFLA* highly unpersuasive. Instead, I agree with Justice Breyer's dissent. Justice Breyer explains, among other things, that under *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U. S. 833 (1992):

If a State can lawfully require a doctor to tell a woman seeking an abortion about adoption services, why should it not be able, as here, to require a medical counselor to tell a woman seeking prenatal care or other reproductive healthcare about childbirth and abortion services? As the question suggests, there is no convincing reason to distinguish between information about adoption and information about abortion in this context. After all, the rule of law embodies evenhandedness, and "what is sauce for the goose is normally sauce for the gander."

Just one day after the Supreme Court issued its disappointing decision in *NIFLA*, Justice Anthony Kennedy, who has been a key swing vote in cases concerning reproductive choice, announced his retirement. This sets the stage for President Trump to potentially appoint an anti-choice justice to the Supreme Court, and thereby threatens the continued viability of *Roe v. Wade* and its progeny.

It is hard not to be discouraged by these developments at the national level. But, we cannot despair. The recent Supreme Court developments underscore how important it is to advocate for women's rights not only at the national level, but at the state and local level as well. And on that front, there were some encouraging developments in June. On June 29, just days after the *NIFLA* decision, the Iowa Supreme Court in *Planned Parenthood of the Heartland v. Reynolds ex rel. State* struck down a 72-hour waiting period requirement for abortions as violating both the due process and equal protection clauses of the Iowa Constitution. In so holding, the Iowa Supreme Court affirmed that women have a fundamental right to abortion under the Iowa Constitution:

Autonomy and dominion over one's body go to the very heart of what it means to be free. At stake in this case is the right to shape, for oneself, without unwarranted governmental intrusion, one's own identity, destiny, and place in the world. Nothing could be more fundamental to the notion of liberty. We therefore hold, under the Iowa Constitution, that implicit in the concept of ordered liberty is the ability to decide whether to continue or terminate a pregnancy.²

Now more than ever, WLS and local organizations like WLS all over the country that advocate for women's rights at the state and local level can truly make a difference.

Footnotes:

¹ The Supreme Court's *NIFLA* decision is available at https://www.supremecourt.gov/opinions/17pdf/16-1140_5368.pdf

² The Iowa Supreme Court's decision is available at: <https://www.iowacourts.gov/courtcases/439/embed/SupremeCourtOpinion>

Cheers to 25 Years!

By: Wendy Green, Vice Chair, Development Committee

This year WLS will host its 25th Annual ArtFest fundraiser on September 6, 2018, at Beatnik Studios in Sacramento to benefit the WLS Foundation. What better time to look back on the history of this great event than on its silver anniversary?



WLS has had a scholarship of some kind since 1963 and usually had a fundraiser to fund it, such as a fashion show or a theater buy-out. In 1993, the Board of Directors decided to turn the scholarship into a foundation to expand into community grants, and the WLS Foundation and what is now known as ArtFest were born.

OktoberArtFest began the year Tami Buscho was president in 1993. She suggested the idea and the Board enthusiastically embraced it. It was loosely based on Oktoberfest beer festivals celebrations with an arts twist. Children were invited, and the event featured an accordion player for dancing and German-inspired food. The first OktoberArtFest was venues at Sierra 2 in Curtis Park and had approximately 60-70 attendees. The late Jean McEvoy and Rico Ozaki were on the committee that put ArtFest together for the first few years.

Local artists have always been a part of ArtFest, though in the beginning they were artists with some connection to the local legal profession and often friends of WLS members. As an example, Jay-Allen Eisen's wife, Julia Couzens, designed the first ArtFest poster. For the first few years, ArtFest was an art exhibition only; the artists' works were not offered for sale. The Oktoberfest theme was abandoned after 3 or 4 years.

Adding a silent auction was a last minute idea in 1995. Vicki Jacobs put the silent auction together for the first three years. Rico Ozaki designed and produced flyers, tickets, publicity brochures, invitations, and program booklets back when everything had to go to a printer.

Throughout the years ArtFest has been held in various venues, including Sierra 2, the Sutter Health patio on Garden Highway, Vizcaya, the California Museum, and now Beatnik Studios. It is the WLS Foundation's only fundraising event to raise money for law school scholarships and community grants to local organizations serving the greater Sacramento area. This wonderful evening includes exhibits by local artists, a highly popular silent auction, a catered buffet, and hosted wine. All proceeds from this event are retained by the WLS Foundation, a 501(c)(3) nonprofit corporation. Individual tickets are \$40 and may be purchased online at <https://womenlawyers-sacramento.org/wls-foundation/artfest/>. Online ticket sales end at 10 P.m. on September 5, 2018. Tickets will be available at the door.

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!

Women Lawyers of Sacramento's
25th Anniversary

ArtFest & Silent Auction

Thursday, September 6, 2018
Beatnik Studios – 723 S St, Sacramento, CA 95811



Proud Supporters of
Women Lawyers of Sacramento's
Annual Artfest



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Website: athenaroussoslaw.com

Proud member of WLS and supporter of the annual WLS Art Fest

Announcements & Other News

CALL FOR NOMINATIONS 2018 FRANCES NEWELL CARR AWARD

The Frances Newell Carr Achievement Award is a prestigious annual award given by Women Lawyers of Sacramento to an outstanding lawyer, judge, or scholar in the Sacramento community in celebration of the awardee's professional achievements, commitment to furthering legal opportunities for women in the law, and contribution to the lives of women and children in our community.

The Frances Newell Carr Achievement Award was established by WLS in 1994 to honor the late Justice Frances Newell Carr (October 27, 1923 – January 16, 1992), who was a founder and the first president of WLS in 1962. Justice Carr was appointed by Governor Jerry Brown to the Sacramento County Superior Court and was the first woman judge appointed in the county. In 1978, she was elected the Presiding Judge of the Superior Court, and in 1980, she was appointed to the Third District Court of Appeal, where she served until her passing in 1992. In addition to her professional achievements, Justice Carr had vision and commitment to her community.

The 2018 Frances Newell Carr Achievement Award for Professional Excellence will be presented at the WLS December luncheon. If you would like to nominate an individual for the award, please contact Tara Rojas (Tara@rojasfamilylaw.com), Vice Chair of the Grants and Awards Committee. Nominations will be accepted until **September 15, 2018**.

SAVE THE DATE!

2018 WLS Supreme Court Reception

Wednesday, November 7, 2018

More details to follow

Announcements Continued...

Job Announcements

Associate Attorney



Girard, Edwards, Stevens & Tucker LLP, a Sacramento based law firm has an opening for an associate attorney with 0 to 5 years prior experience. The firm specializes in representing school districts, county offices of education, charter schools, and other public agencies throughout California.

Experience working closely with public agency clients is ideal, but not required. The candidate must have strong skills in research and writing, the ability to articulate complex concepts to a wide range of audiences, and be able to travel to clients throughout Northern California with occasional travel to other areas of the state. Compensation commensurate with experience.

If interested, please send a resume, cover letter and writing sample, via email to tucker@girardedwards.com.

Real Estate Associate



Stoel Rives LLP is seeking an associate with 4 to 6 years of sophisticated real estate transactional experience to join its nationally ranked Real Estate and Construction Group, in our Sacramento office. The ideal candidate will have experience handling complex real estate transactions. Additionally, candidates must have strong academic credentials, writing and interpersonal skills, and be a self-starter with a commitment to excellence. The new attorney can look forward to being part of a dynamic practice and will have the opportunity to thrive in a fast-paced collaborative environment. Membership to the California Bar is mandatory.

Stoel Rives LLP enjoys an over-100-year tradition of excellence as a leader among U.S. law firms. We offer a multi-office platform and world-class clients together with focused, individual training and professional development for all our attorneys. With nearly 400 lawyers firmwide, we are proud to provide a full suite of transactional and litigation solutions for U.S. and international clients at all stages of growth, from start-ups to Fortune 500 companies.

<http://webapp.stoel.com/asp/viselfapply/viRecruitSelfApply/ReDefault.aspx?FilterREID=2&FilterJobCategoryID=4&FilterJobID=158>

Announcements Continued...

Employment Associate

Delfino Madden O'Malley Coyle & Koewler LLP, a corporate, business, employment, and family law firm located in downtown Sacramento, is seeking an employment litigation associate to join its growing fourteen-attorney office. We are seeking an associate with three to six years of employment litigation defense and employer counseling experience to join our management-side employment practice group. Strong research and writing skills, and law and motion practice required. Deposition and trial experience is a plus.



The firm offers an excellent compensation and benefit package and a collegial, friendly working environment. Please submit resumes online to admin@delfinomadden.com. Equal Opportunity Employer.

Franchise Law Attorney

Gavrilov & Brooks is seeking to hire an attorney with compliance experience in Franchising Law. The candidate would support a franchisor with his compliance requirements; negotiate franchise agreements with franchisee attorneys; assist with legal research and writing projects; review development advertising and presentations for legal compliance; work with litigation attorneys and paralegals in connection with franchisee compliance (defaults and terminations); oversee annual renewal and registration of the Franchise Disclosure Document.



The candidate should have JD degree and Bar membership is required; 2+ years of relevant experience in franchise law. Please send resume, cover letter, and references to info@gavrilovlaw.com



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Announcements Continued...

** Please note date change for this event **

THE SACRAMENTO UNITY BAR
ASSOCIATION PRESENTS

THE **2018**

*Unity Bar
Dinner*

THURSDAY, NOVEMBER 1, 2018
AT 6-8PM

A CONVERSATION WITH



PAUL GREWAL

VICE PRESIDENT AND DEPUTY GENERAL COUNSEL, LITIGATION AT FACEBOOK INC., AND FORMER
UNITED STATES MAGISTRATE JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

MC: THE HONORABLE SHAMA MESIWALA

*Hosted by the South Asian Bar
Association of Sacramento*

*Asian/Pacific Bar Association of Sacramento
Cruz Reynoso Bar Association
Leonard M. Friedman Bar Association
SacLEGAL, Sacramento's
LGBT Bar Association
Wiley W. Manuel Bar Association
Women Lawyers of Sacramento*

*The Grand
1215 J Street,
Sacramento CA*

Announcements Continued...

THE LAW AND HUMAN TRAFFICKING AWARENESS

PART ONE

Moderator: **Jaya Badiga** – Attorney, WEAVE

SESSION 1: 8:45AM – 9:40AM

Elimination of Bias MCLE Credit

Introduction of Community Services

Guest Panel Speakers:

- Emily Butler** – Director of Operations, The Grace Network
- Rico Ozaki** – Staff Attorney and Community Engagement Manager, Opening Doors
- Terri Galvan** – Executive Director, Community Against Sexual Harm (CASH)
- Ashlie Bryant** – CEO and Co-Founder, 3 Strands Global Foundation

SESSION 2: 9:45AM – 10:40AM

General MCLE Credit

Legal Law Enforcement and Response Panel

Guest Panel Speakers:

- Paul Durenberger** – Sacramento District Attorney’s office
- Patricia Beza Contreras** – Assistant Public Defender, Juvenile Division
- Nirav Desai** – Assistant United States Attorney

SESSION 3: 10:45AM – 11:40AM

Ethics MCLE Credit

Hon. Stacy Boulware Eurie – Presiding Judge of Sacramento’s Juvenile Court (2010-2018) – Created a nationally recognized court docket for youth who have been commercially sexually exploited. Currently serves on California Child Welfare Council and Chair of the “Keeping Kids in School and Out of Court” Initiative Steering Committee, among many services for California’s children.

BREAKFAST SEMINAR

3 HOUR MCLE

ELIMINATION OF BIAS • GENERAL • ETHICS

THURSDAY
August 23, 2018

PRICING INFORMATION

SCBA MEMBERS:

\$60 Early Bird

\$75 Regular

NON-SCBA MEMBERS:

\$85 Early Bird

\$100 Regular

Early bird cut-off date

5:00pm July 31, 2018

For Registration and Sponsoring

contact **Cecilia Rainey** at

cecilia.rainey@sacbar.org

or call (916) 564-3780

Breakfast Buffet

Scrambled eggs with green onions and cheddar cheese, applewood smoke bacon, diced breakfast potatoes, biscuits and gravy & jam, fruit salad, coffee, tea and beverages

YOUR NAME: _____

COMPANY NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

EMAIL: _____ AMOUNT: \$ _____

CREDIT CARD NUMBER: _____ CHECK NUMBER: _____

EXPIRATION DATE: ____ - ____ MASTER CARD VISA CVR CODE NUMBER: _____

SIGNATURE: _____

SCBA MCLE - August 23, 2018 *No refund will be available after August 9, 2018



This activity pending for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 3.0 unit of MCLE in the Elimination of Bias, General, and Ethics Law Category Credit. The Sacramento County Bar Association provider #166 certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

This event is for SCBA members and invited guests. The SCBA reserves the right to refuse admission to anyone whose presence is unreasonably disruptive or who detracts from the safety, welfare, and well-being of other patrons, staff, and the establishment itself.

Sacramento County Bar Association • 425 University Ave, Suite 120 • Sacramento, CA 95825 • 916-564-3780

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.

2018 WLS BOARD

PRESIDENT

Kelly Pope
Downey Brand
kpope@downeybrand.com

VICE PRESIDENT

Kim Garner
Duggan Law Corporation
kkakavas@gmail.com

SECRETARY

Elizabeth Dietzen Olsen
Senate Office of Research
Elizabeth.dietzenolsen@sen.ca.gov

TREASURER

Kelly Babineau
The Law Office of Kelly Babineau
kbabineau@klblawoffice.net

CAREER ADVANCEMENT AND RETENTION

Kim Buchholz
Law Offices of Kimberly Buchholz
kim@kbestatelaw.com

Monica Espejo
Wolfe & Wyman
mmespejo@wolfewyman.com

Melissa Borrelli
Western Health Advantage
borrellimelissa@gmail.com

Kristine Scribner
Lewis, Brisbois, Bisgaard & Smith, LLP
kmscribner@hotmail.com

DEVELOPMENT

Kathleen Gallagher
Gallagher Jones LLP
kat@gjlaw.org

Katherine Underwood
Sacramento City Attorney
keunderwood235@gmail.com

Stephanie Ogren
Gov's Office, Emergency Services
stephanieogren4@gmail.com

Lauren Jones
Gallagher Jones LLP
lauren@gjlaw.org

Tiffany Monroe
Galaxy Desserts
tdaniel15@gmail.com

Wendy Green
Flesher Schaff & Schroeder, Inc.
wag@fsslawfirm.com

GRANTS & AWARDS
Allison Callaghan
Nossaman LLP
acallaghan@nossaman.com

Vanessa Raven
Pollara Law Group
Vanessa.n.raven@gmail.com

Tara Rojas
Rojas Family Law
tara@rojasfamilylaw.com

Jessica Walker
Law Offices of Jessica Walker
Walker.jessica.m@gmail.com

JUDICIAL & OTHER APPOINTMENTS

Kristin Blocher
Law Office of Kristin Blocher
kablocher@gmail.com

Jackie Limbo Sueyres
Tiza Serrano Thompson & Associates
jackie.sueyres.tr9t@statefarm.com

Myrls Stockdale
CA Dept. of Consumer Affairs
Myrls.Stockdale@dca.ca.gov

LEGISLATION & BAR DELEGATION

Lauren Foust Sorokolit
Molina HealthCare
Lauren.Foust@MolinaHealthCare.com

Amy O'Neill
King & Spalding
Aoneill@kslaw.com

Carmen-Nicole Cox
Gov's Office, Legal Affairs
carmennicolecox@gmail.com

Roxanne Strohmeier
Student, UC Davis School of Law
rstrohmeier@ucdavis.edu

MEMBERSHIP
Corrie Manning
California League of Cities
cmanning@cacities.org

Alanna Lungren
Hartman King PC
alungren@hartmankinglaw.com

Kresta Daly
Barth Daly LLP
kdaly@barth-daly.com

Ariana Van Alstine
Kennaday Leavitt Owensby
avanalstine@kennadayleavitt.com

NEWSLETTER
Aminah Famili
Hartman King PC
AFamili@hartmankinglaw.com

Lissa Oshei
Boutin Jones, Inc.
loshei@boutinjones.com

Julia Blair
CA Commission on State Mandates
julia.blair@csm.ca.gov

PROGRAMS

Heather Johnston
Trainor Fairbrook
hjohnston@trainorfairbrook.com

Sara Abrate
Yolo County District Attorney
Sara.abrate@yolocounty.org

Alexandra Kamel
California Air Resources Board
Alexandra.kamel@arb.ca.gov

PUBLICITY & COMMUNITY RELATIONS

Aparna Agnihotri
Law Office of George Jones
Aparnaagnihotri1@gmail.com

Katie Konz
Downey Brand
kkonz@DowneyBrand.com

Avalon Fitzgerald
Downey Brand
afitzgerald@downeybrand.com

2018 WLS Board Liaisons

Judicial Liaison

Justice Elena Duarte, Third
District Court of Appeals
Elena.duarte@jud.ca.gov

Past-President Liaison

Christine Jacob, Hansen Kohls
Summer & Jacob
cjacob@hansenkohls.com



WOMEN LAWYERS
OF
SACRAMENTO

2018 Membership Application

January 1, 2018- December 31, 2018

(If you join on or after October 1, 2017, you will receive membership for the remainder of 2017 and all of 2018)

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

Associate Member:

- \$25: Law school graduate not yet admitted to Bar
- FREE Law school student (Specify year: _____)

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

- Dues Waived

Add-ons:

- \$85 : California Women Lawyers dues (WLS Affiliate price) or sign-up at <http://www.cwl.org/Membership/>
- CWL Law School Student Complimentary

- \$____: Foundation donor (tax deductible)
- \$____ TOTAL enclosed by check payable to WLS.

**Please return WLS Applications and Payment 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:

- | | | |
|---|---|--|
| <input type="checkbox"/> Career Advancement & Retention | <input type="checkbox"/> Legislation & Bar Delegation | <input type="checkbox"/> Publicity/Community Relations |
| <input type="checkbox"/> Grants & Awards | <input type="checkbox"/> Membership | <input type="checkbox"/> Programs |
| <input type="checkbox"/> Development (WLS Foundation) | <input type="checkbox"/> Newsletter | <input type="checkbox"/> Judicial & Other Appointments |