

New Jersey Women Lawyers Association

Honoring Leaders from the Judicial, Public, Corporate and Private Law Firm Sectors







MISTRESS OF CEREMONIES Honorable Madeline Cox Arleo United States District Judge for the District of New Fersey

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Jemi G. Lucey Greenbaum, Rowe, Smith & Davis LLP N7WLA President

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Tina Taboada Rutgers School of Law – Camden

Hannah Teller Seton Hall University Law School

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Dina M. Mastellone Genova Burns LLC N7WLA President-Elect

The New Jersey Women Lawyers Association (NJWLA) is an independent association of over 1,500 members whose mission is to advance and retain women in the legal profession through education and activism, to promote qualified women to the highest levels of law firm, government, academic, community and corporate positions and to endorse qualified female attorneys for appointments to the state and federal judiciary. NJWLA works to foster leadership among its members by promoting professional activities, mentoring, educational programs and networking functions.

NJWLA is a critical voice on all issues of importance to women engaged in the practice of law in the State of New Jersey.

2020/21 WILL PLATINUM AWARD RECIPIENTS

JUDICIAL SECTOR - FEDERAL

Honorable Claire C. Cecchi United States District Judge for the District of New Jersey

JUDICIAL SECTOR - STATE

Honorable Mary Catherine Cuff Superior Court of New Tersey, Appellate Division (Retired)

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CORPORATE SECTOR/IN HOUSE

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Executive Vice President, Chief Legal Officer, Transactions and Corporate Services Hackensack Meridian Health

Audrey C. Murphy, MSN, RN

Executive Vice President, Chief Legal Officer, Operations Hackensack Meridian Health

PUBLIC SECTOR

Honorable Tahesha Way Secretary of State, State of New Fersey

TRAILBLAZER AWARD

Carmen M. Garcia Former Chief Judge, Trenton Municipal Court

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STATE OF NEW JERSEY OFFICE OF THE GOVERNOR P.O. BOX 001 TRENTON 08625 (609) 292-6000

PHILIP D. MURPHY GOVERNOR

March 31, 2020

Dear Friends,

It is an honor to welcome everyone gathered for the 13th Annual Women's Initiative and Leaders in the Law Platinum Gala, hosted by the New Jersey Women Lawyers Association.

As our society continues to grow and advance, we get ever closer to the ideal of a truly fair and equal legal system. A large contributor to equity in the courtroom comes from ensuring that our legal professionals are representative of the population they serve. Since its founding, the New Jersey Women Lawyers Association has remained dedicated to promoting representation and equality and has been a steadfast advocate for the advancement of women in the legal profession. Through its many skill-building programs, collaborations, research support, and more, the NJWLA continues to guarantee countless women have their voices heard and open pathways to achieving their potential.

Tonight's gala presents an opportune time to recognize the many accomplishments made by women in the legal field. As Governor, I am proud to join all those in attendance in applauding this year's gala honorees for their professional distinction as well as their role in furthering progress toward gender equity in the legal field.

MIKIE SHERRILL 11TH DISTRICT, NEW JERSEY

> Congress of the United States House of Representatives Washington, DC 20515-3011

Dear Friends,

I am honored to welcome you to the 13th annual Women's Initiative and Leaders in the Law Platinum Gala. I am grateful to the New Jersey Women Lawyers Association (NJWLA) for your dedication to the mission of advancing and retaining women in the legal profession. It is such important work!

I want to congratulate the honorees this evening: the Honorable Claire C. Cecchi, the Honorable Mary Catherine Cuff, the Honorable Tahesha Way, Ann B. Gavzy, Audrey Murphy, Jessica S. Allen, and Carmen M. Garcia. Thank you all for the inspiration and leadership you provide to women in all sectors of the legal profession.

Finally, thank you to the NJWLA for your 39 years of commitment and hard work on behalf of women working in the legal profession. The incredible support for this evening's gala certainly shows what an amazing community you have behind you and your mission.

Enjoy your evening at the 13th Annual WILL Platinum Gala!

Mikie Sherrill Member of Congress

1208 Longworth House Office Buil Washington, DC 20515 (202) 225–5034

March 31, 2020

Sincerely

New Jersey Law Journal

The New Jersey Law Journal would like to celebrate this year's NJWLA's Women's Initiative and Leaders in the Law

Honorees

JUDICIAL SECTOR – FEDERAL

Honorable Claire C. Cecchi

United States District Court Judge for the District of New Jersey

> PRIVATE SECTOR JESSICA S. ALLEN The Killian Firm, P.C.

PUBLIC SECTOR

Honorable Tahesha Way New Jersey Secretary of State

JUDICIAL SECTOR – STATE Honorable Mary Catherine Cuff

New Jersey Superior Court, Appellate Division (Retired)

CORPORATE SECTOR/IN HOUSE

Ann B. Gavzy and Audrey Murphy Hackensack Meridian Health

TRAILBLAZER AWARD

Carmen M. Garcia Former Chief Judge Trenton Municipal Court

Mistress of Ceremonies

HONORABLE MÁDELINE COX ARLEO United States District Court Judge for the District of New Jersey

IMMEDIATE PAST PRESIDENT

Linda Harvey

Greenberg Dauber Epstein & Tucker P.C.

2 020. What a year it was. I was sworn in as president of the New Jersey Women Lawyers Association for a one-year term in July 2019. We had so much to celebrate and so much to look forward to. Our organization had made great strides in supporting women lawyers to reach their goals to become partners in their firms, members of the judiciary and leaders in the law. We, and members of the bar and judiciary, were talking about having more women as first chairs in trials, leads on transactions and influential voices in the profession, and how to make that happen. We were looking forward to celebrating in 2020 the 100th anniversary of women receiving the right to vote.

In addition to offering great programming in the fall of 2019, we selected the deserving women honorees for our 2020 Gala to be held on March 31, 2020. There were so many women deserving of this honor, but we all agreed that the successful women we selected were women we can all look up to as true leaders in the law. We were looking forward to honoring them and our scholarship winners at our Gala on March 31, 2020.

And then in early March 2020 we were struck by a global pandemic. Our Gala and all in-person events were cancelled. Like everyone in the country, the New Jersey Women Lawyers Association faced its own challenges and adapted to meet the needs of a changing profession. We offered virtual programs and CLE's directed at the needs of our members and lawyers generally to help them through these difficult times. The topics ranged from developing business in a virtual world to learning to destress with yoga. We still had our popular tales from the bench program, but this time it was held over Zoom. We were also there for women who faced the stresses and challenges of working remotely, juggling virtual court hearings and client Zoom calls, all while caring for children who were confined to their homes during school closures, caring for aged parents and learning how to protect themselves and their families from a lethal virus.

In 2020 we also faced a social crisis in this country that came to a head with the murder of George Floyd. The ugly truth of racism was right in front of us and those of us born into white privilege had our eyes opened to the very real challenges that women and men of color face every day in every facet of their lives - even the simple act of breathing. The New Jersey Women Lawyers Association responded with vibrant programs and stimulating discussions of allyship and the caste system that has had such a profound effect on Black Americans.



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Linda Harvey continued

We had much to be saddened by in 2020, and we lost our beloved Ruth Bader Ginsburg, but we also saw much to applaud. The New Jersey Women Lawyers Association was proud to support the appointment of Fabiana Pierre-Louis as the first Black female justice to the New Jersey Supreme Court. We were also proud that two New Jersey Women Lawyers Association board members were appointed to the judiciary. Stacey Adams, a former member of our executive board, is a judge of the Superior Court sitting in Monmouth County and Jessica Stein Allen, former president of the New Jersey Women Lawyers Association, is now a Magistrate Judge in the United States District Court for the District of New Jersey.

And as we celebrate our wonderful honorees and scholarship winners at our first virtual Gala, let us also celebrate the 101st anniversary of women getting the right to vote. None of us would have had the privilege of being a part of this honorable profession without women's suffrage. The right to vote was revolutionary and life changing, but not so long ago. My own grandmother was born before women could vote, a time when women had limited opportunities available to them. She could not have imagined that her granddaughter could be a lawyer let alone serve as the president of an important bar association. I am grateful to her and all the women who led the way. And I am grateful to all the women of the New Jersey Women Lawyers Association who allowed me the opportunity to serve this great organization in the middle of a pandemic and have led with grace and creativity. And I am grateful to every one of you who have tirelessly supported the mission of the New Jersey Women Lawyers Association of the New Jersey Women Lawyers Association and have led with grace and creativity. And I am grateful to every one of you who have tirelessly supported the mission of the New Jersey Women Lawyers Association of advancing women in the law. Together we have accomplished a lot, but there is much left to do. We have only just begun.



Our Congratulations To This Year's Honorees:

Honorable Claire C. Cecchi United States District Judge for the District of New Jersey

Honorable Jessica S. Allen United States Magistrate Judge for the District of New Jersey

Honorable Tahesha Way New Jersey Secretary of State

Honorable Mary Catherine Cuff *New Jersey Superior Court, Appellate Division (Retired)*

Ann B. Gavzy & Audrey Murphy Hackensack Meridian Health

> Carmen M. Garcia Former Chief Judge Trenton Municipal Court

Greenbaum, Rowe, Smith & Davis LLP proudly supports the NJWLA and its dedication to the advancement of women in the law.





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PRESIDENT

Jemi G. Lucey Greenbaum, Rowe, Smith & Davis LLP

hank you for joining us for the New Jersey Women Lawyers Association's 13th Annual WILL Platinum Gala. During these uncharted times filled with so much darkness, we are thrilled to offer a respite of celebration to so many members of New Jersey's legal community, including members of the judiciary, state and local government, and our generous sponsors. We at NJWLA are even more grateful this year for everyone's continued support of NJWLA, and its mission.

While we all wish we could be together in person at The Grove reconnecting and reminiscing with those fellow practitioners and friends we see every year at the NJWLA Gala, we know that tonight's event will be equally memorable and energizing. Our WILL honorees, so many of whom are even more deserving having lived through this past pandemic year, will inspire you all. I offer my heartiest congratulations to each of our honorees for your well-deserved recognition, and for continuing to press forward!

In July 2019, when I became President-Elect of NJWLA, I could never have imagined that my term as President would be amidst a global pandemic, with over 500,000 Americans lost to this horrible virus. I could never have imagined that everything we all knew about normal would change, and every aspect of our lives would need to adapt. While this past year has brought so much darkness in so many ways, we as individuals, and as an organization, have reinforced our commitment to cultivating human relationships, and the value of pressing forward authentically and with purpose.

Due to pandemic restrictions, many of NJWLA's core in-person programs and events could not occur, just like the Gala. And while we all continue to miss the ability to come together in person, fortunately the evolution of remote platforms has allowed us to generate meaningful programming squarely focused on our mission, and available to our full membership whether you practice in Camden or in Hackensack.

NJWLA's mission is to advance and retain women in the legal profession through education and activism, to promote qualified women to the highest levels of law firm, government, academic, community and corporate positions, and to endorse qualified female attorneys for appointments to the state and federal judiciary. This year, NJWLA is also endeavoring to carry out this mission through courageous conversations centered on Allyship and efforts to eliminate Racism in the Legal Profession, particularly as relates to Black women.

This year, NJWLA has put on several dynamic and insightful programs, including:





• The Pathways to Leadership program, which was hosted by NJWLA, and during which 13 women bar leaders in New Jersey provided insights on how to take on leadership roles in bar organizations.

we proudly support the New Jersey Women Lawyers Association"

Congratulations to this year's **WILL Platinum Award Recipients**

We commend the dedication of our colleagues

Jaimee Katz Sussner

Co-Director NJWLA Best **Practices Committee**

Grace Byrd Co-Director NJWLA Women's Leadership Committee

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Jemi G. Lucey continued

- Jersev Supreme Court.
- Conversations on Allyship & Diversity, where NJWLA members and guests engaged in authentic con-
- The New Normal: Working as Lawyers During the COVID Pandemic, a program specifically for our In-House members to allow for candid and vulnerable conversations.
- Building Relationships in Times of Crisis and Beyond, an insightful guide from seasoned rainmakers on ment during the COVID-19 pandemic.
- N7WLA's Intellectual Property Law Primer, a fundamental overview of the IP world for the underinformed.
- Owning Your Online Presence: How Strategic Content Supports Business Development, where our atcreate new content to position them for business development success.
- NJWLA's Wellness Yoga Session via Zoom, where we came together to relax and recharge and even our youngest "members" were welcome, including my 6-year-old daughter.
- Tales from the Bench, where we heard from Middlesex County Prosecutor Yolanda Ciccone about her current position as Prosecutor, and her former positions as a Superior Court Judge.
- Professionalism, Advocacy, and the Woman Lawyer, where female federal and state judges, and seaone's clients.
- Employment Outlook 2021, a panel discussion about what attorneys can expect to face in the upcoming year in terms of their own business environments and counseling clients.
- Lawyering Skills for Associate Success, a panel discussion focused on providing practical advice about developing the skills associates need to acclimate to and succeed in the law firm environment.
- NJWLA's Annual Holiday Party with Trivia

And last, but not least, I had the privilege as NJWLA's current President to provide remarks at a nationwide Joint Tribute to Justice Ruth Bader Ginsburg, a celebration of the life and trailblazing work of the Supreme Court Justice shortly after her death on September 18, 2020. The event was coordinated by the California Women Lawyers bar association, and included remarks from Senator Dianne Feinstein, Judge M. Margaret McKeown of the United States Court of Appeals for the Ninth Circuit, Chief Justice Martha L. Walters of the Oregon Supreme Court, Ria Tabacco Mar - Director, Women's Rights Project at the ACLU, and NJWLA's own Trustee-At-Large Penny Venetis - Clinical Professor of Law, Director of the International Human Rights Clinic at Rutgers University, along with many others. What a reaffirmation of the Justice's passion, and our need to continue to fight for equal rights for all!

And beyond the upheaval and senseless acts of violence we have lived through this past year, we also have much to celebrate in keeping with NJWLA's mission, including:

• The election of Vice President Kamala Harris, our nation's first WOMAN, first BLACK WOM-AN, and first SOUTH ASIAN Vice President.

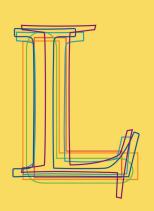
• RBG Day: Carrying The Torch Forward, on Justice Ginsberg's Birthday, during which we heard from a distinguished panel of speakers, including current Director of the New Jersey Division on Civil Rights, Rachel Wainer Apter, Governor Murphy's most recent intended nominee for the New

versations regarding what it truly means to be an Ally to eliminate racism in the legal profession.

how to build your book of business and how to advance your career and engage in business develop-

tendees were provided with actionable steps to take ownership of their online presence and ways to

soned practitioners, provided insights on how to remain professional while zealously advocating for







Littler proudly supports the

New Jersey Women Lawyers Association

in their commitment to advocating equality for women in law and society and congratulates this years' honorees.

Lauren Marcus

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Jemi G. Lucey continued

- BLACK Woman New Jersey Supreme Court Justice.
- The swearing in of NJWLA's Past-President, and WILL Honoree, the Honorable Jessica S. Allen, as a United States Magistrate Judge for the District of New Jersey.
- The selection of NJWLA's President Elect Dina Mastellone as the 2020 Professional Lawyer of the Year by New Jersey Women Lawyers Association.
- Lawyer of the Year by Essex County Bar Association.
- The selection of NJWLA Co-Director of Diversity, Lora Fong, Assistant NJ Attorney General Summit.
- The Centennial Anniversary of the 19th Amendment on August 26, 2020.

We at NJWLA ask you to stay with us on this journey in pressing for the continued advancement of women in the law, to recognize that more perspectives among decisionmakers only makes us stronger, and to call out those abhorrent practices that we have seen all too often lately. Finally, a few words of thanks.

To NJWLA's fabulous board, including our Immediate Past President Linda Harvey, our President Elect Dina Mastellone, our Vice President Diana Manning, and our tireless and brilliant Executive Director Colleen Skinner. These ladies have gone above and beyond this year with ideas for great programming, invaluable guidance, and friendship!

To those who make this Gala the success it is every year, including our Executive Director Colleen Skinner (she is so critical to NJWLA I need to mention her twice!); our 2019/2020/2021 Gala Co-Chairs Jessica Carroll, Michele Haas, and Carole Lynn Nowicki; our Gala Video Co-Chairs, Abigail Remore and Sheea Sybblis; Our Town Films and Paul Sanderson, who creates the captivating Honoree Videos you see each year; and to America Ven and Victor Salicetti, for putting together our virtual Gala celebration. And to the Honorable Madeline Cox Arleo, U.S.D.J., who graciously continues on as our Mistress of Ceremonies, even during a pandemic!

To my firm, Greenbaum, Rowe, Smith & Davis LLP, and my GRSD mentors along the way, for recognizing NJWLA's value through sponsorship, and by giving me the support to serve as its President.

And finally, to my family. To my parents – my father who always pushes me just hard enough to keep me going, and to my mother who came to this country alone in 1955 from Lebanon as a young Armenian girl, and who always taught me to be "gentle but firm." To my husband, Jason, who takes on so much to allow me to follow my passion for NJWLA and the law. And to my two daughters, who always keep me motivated to press for more women at the table.

In closing, I offer this advice to the young women coming up through the legal profession, whether as a law student, law clerk, or junior practitioner. Ambition is not a dirty word. Young women rising up in the practice of law should not be afraid to be ambitious – to press forward in their legal careers with creativity and conviction, and to fight for equal access to opportunity for everyone. So often women in the practice of law feel they must be more reserved because of a fear they will be perceived as overly aggressive by both men and women. But ambition cultivated through hard work, collaboration, and professionalism will garner success and fulfillment.

• The unanimous confirmation of Justice Pierre-Louis to the New Jersey Supreme Court. Our First

• The selection of NJWLA Board Member the Honorable Harriet F. Klein as the 2020 Professional

& Chief Diversity Officer, as the recipient of the 2020 Mel Narol Award at the NJSBA Diversity





TO ALL THE



HONOREES AND PARTICIPANTS

We look forward to continuing success for our Members and Leaders in the coming years

www.njwla.org

PRESIDENT ELECT

Dina M. Mastellone

Genova Burns LLC

T is hard to believe that it has been a year since the Covid-19 pandemic has changed the world we live in. It seems so long ago we were planning to celebrate our honorees, Gala Chairs and NJWLA President Linda Harvey and then President-Elect Jemi Lucey at our 13th Women's Initiative and Leaders in the Law Platinum Gala. NJWLA's Gala has become <u>the</u> event of the season – an event where we celebrate women who had achieved success in their careers and who had earned the admiration and respect of this profession. You know what they say about best laid plans. So NJWLA did what it has always done best – evolve, support one another, strengthen its commitment to the promotion of women in this profession and offer a virtual community since we could not gather in person. In the past year, I believe we have all been reminded about how privileged we are to be in this profession.

Despite the pressures placed on our Board this past year, I am in awe of our Board's tireless dedication in organizing and developing seminars, continuing legal education programs and virtual networking events that have been second to none. Programs such as Focus WINS in Life and in Golf: A Virtual Experience, a Relax and Recharge Wellness Yoga Session, a Holiday Trivia and Networking Virtual Party, and most recently, Carrying the Torch Forward: A Celebration of Justice Ruth Bader Ginsburg's 88th Birthday offered our members inspiration and a brief respite from the realities and isolation of the on-going Covid pandemic.

NJWLA is a sisterhood of support and comradery, whether personally or professionally, never more important than now. We have tried to bring positivity, inspiration, encouragement and assistance wherever and however we can.

NJWLA has also dedicated this past year to diversity and inclusion initiatives and programing – vital conversations going on not just here in New Jersey, but in our nation and the world. On February 17, 2021, NJWLA launched its Conversations on Allyship & Diversity Series with discussion of Caste: The Origins of Our Discontents by Pulitzer Prize winning author Isabel Wilkerson - an event spear-headed by our President Jemi Lucey and our Diversity and Programming Committees. I am committed to continuing these courageous conversations in my upcoming term as President of this amazing organization. We look forward to continuing success for our members and leaders in the upcoming year. As we all know, even with a Madam Vice President and more women being elected to public offices, being appointed to the bench and being promoted to the highest levels in their law firms, there is more to do to further our mission of promoting women, especially minority women, to the highest levels in law firms, government, and the private and public sectors.

I am proud to have worked alongside Jemi this year. It goes without saying that without Jemi's fierce,

atinum Gala





McCarter Sc English

We proudly support the

New Jersey Women Lawyers Association and its 2021 WILL Platinum Gala

Dina M. Mastellone continued

inspiring leadership and tireless devotion to NJWLA through this pandemic, NJWLA would not have been able to accomplish what we have this past year.

It is my honor to present Jemi with NJWLA's 2021 Presidential Leadership Award on behalf of NJWLA. In addition to serving as the President of NJWLA, Jemi is a Partner at Greenbaum, Rowe Smith & Davis LLP in the Employment Law, Litigation and Healthcare Departments. She is a fierce trial attorney who focuses her practice on employment, higher education and professional negligence matters. She represents private and public entities, including institutions of higher learning, in employment discrimination and retaliation actions, professional negligence cases, Title IX claims, and business disputes.

Jemi is also the Secretary and Executive Board Member, YWCA Northern New Jersey, a Trustee of the Association of the Federal Bar of New Jersey and she is on the Board of Directors of the Historical Society of the United States District Court for the District of New Jersey. Jemi is also the Immediate Past Chair, Federal Practice and Procedure Section for the New Jersey State Bar Association and a member of the Higher Education Committee.

Jemi has also received numerous professional accolades including being recognized as a Fellow of the American Bar Foundation; selected for inclusion by the New Jersey Law Journal on its 2020 list of the "Top Women in the Law," and she was the recipient of the NJWLA and the New Jersey Commission on Professionalism in the Law's Professional Lawyer of the Year Award in 2019. But if you ask Jemi about her proudest accomplishments, she is sure to tell you it is her two beautiful daughters and her amazing family and friends.

On behalf of the NJWLA, congratulations to our distinguished Honorees, Scholarship winners, the Honorable Madeline Cox Arleo, U.S.D.J., our Board, and our generous sponsors without whose devotion to this organization could not have made this virtual Gala possible. Stay safe and well and we are looking forward to seeing everyone in person at our upcoming NJWLA events and at our 2022 WILL Platinum Gala.





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Young Lawyers Paula Brueckner | Alexandra Loprete Valerie Weiss

Trustees at Large Christine Baker | Christine Lucarelli-Carniero Kristin Sostowski | Penny Venetis

Congratulations

Honorable Claire C. Cecchi

United States District Court Judge for the District of New Jersey

And all the Honorees for their achievements and incredible contributions to women in the legal profession.

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JUDICIAL SECTOR – FEDERAL

Honorable Claire C. Cecchi

United States District Judge for the District of New Jersey

laire C. Cecchi serves as a United States District Judge for the District of New Jersey in Newark, New Jersey. She joined the Court as a United States Magistrate Judge in 2006, a position she held until her appointment in 2011. She has a substantial caseload of civil and criminal matters and is a designated judge in the patent pilot program, handling numerous high-profile patent cases. She is also actively managing a sizable multi-district litigation involving personal-injury claims arising from the use of proton-pump inhibitors.

Judge Cecchi is from Whitestone, Queens, New York and graduated from The Bronx High School of Science in 1982. She received her Bachelor's Degree cum laude in 1986 from Barnard College, Columbia University, where she studied political science and history. She received her Juris Doctor in 1989 from Fordham University School of Law, where she was a recipient of the Gulbenkian Merit Scholarship.

Following her graduation from law school, Judge Cecchi served as an Assistant Corporation Counsel in the Office of the Corporation Counsel, City of New York. Thereafter, she was an Associate at Robinson, St. John & Wayne from 1992 to 1996 and its successor firm, Robinson, Lapidus & Livelli in 1996. Subsequently, at the firm of Carpenter, Bennett & Morrissey she was an Associate from 1997 to 2001 and a Partner from 2001 to 2004. The firm later merged and became known as McElroy, Deutsch, Mulvaney & Carpenter, where she was also a Partner. She specialized in complex litigation in federal and state courts of New Jersey and other jurisdictions.

The New Jersey Law Journal named Judge Cecchi one of New Jersey's "40 Under 40" in 2002. Among her other honors, she received the Fordham Law Alumni Association's Distinguished Alumnus Award in 2016. She is a Fellow of the American Bar Foundation, a Member of the Historical Society of the United States District Court for the District of New Jersey, and a Master of the William J. Brennan, Jr./Arthur T. Vanderbilt American Inn of Court.

Judge Cecchi is actively involved in community outreach. She is a frequent speaker at continuing legal education programs, and was previously the director and moderator of the United States District Court for the District of New Jersey Summer Intern/Law Clerk Education Program. Her efforts to interest younger people in the law include hosting the United States District Court for the District of New Jersey Take Your Child to Work Day, and sponsoring an annual mock trial for Essex Fells School sixth-graders.

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JUDICIAL SECTOR – STATE

Honorable Mary Catherine Cuff

Superior Court of New Jersey, Appellate Division (Retired)

udge Mary Catherine Cuff received her B.A. in History from Rosemont College in 1969 and her J.D. form Rutgers Law School (Newark) in 1973. Following a clerkship on the Appellate Division, Judge Cuff served as a Deputy Attorney General (Division of Law) and a Special Assistant to the State Treasurer from 1974-1978.

Judge Cuff was appointed an Assistant U.S. Attorney for the District of New Jersey in 1978. Between 1980 and 1986, she served as Deputy Chief and Chief of the Civil Division. She was an associate at Waters McPherson McNeill from 1986 to 1988 when she was appointed as a Judge of the Superior Court of New Jersey and assigned to the Civil Division.

In 1994, Judge Cuff was elevated to the Appellate Division and served on the court until Chief Justice Rabner appointed her to serve on a temporary basis on the Supreme Court of New Jersey. She served in that capacity until her retirement in 2016.

During her time on the bench, Judge Cuff served on several Judiciary committees including as Chair of the Supreme Court Committee on Judicial Education for ten years and Chair of the Supreme Court Advisory Committee on Public Access to Court Records.

In retirement, Judge Cuff provides appellate consultation, arbitration and mediation services. She also serves as a trustee and vice-chair of Mercy Center in Asbury Park and as a trustee of Centurion, an innocence project.

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HONORABLE CLAIRE C. CECCHI United States District Court Judge for the District of New Jersey Judicial Sector – Federal

HONORABLE MARY CATHERINE CUFF New Jersey Superior Court, Appellate Division (Retired) Judicial Sector – State

HONORABLE JESSICA S. ALLEN United States Magistrate Judge for the District of New Jersey Private Sector

ANN B. GAVZY AND AUDREY MURPHY Hackensack Meridian Health Corporate Sector/In House

HONORABLE TAHESHA WAY New Jersey Secretary of State Public Sector

CARMEN M. GARCIA Former Chief Judge, Trenton Municipal Court Trailblazer Award

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lamed to Crain's Best Places to Work New York City

PRIVATE SECTOR

Jessica S. Allen

The Killian Firm, P.C.

essica Allen has had a distinguished career in both the public and private sectors. Immediately before joining the bench as a U.S. Magistrate Judge in February 2021, Judge Allen was a partner at the Killian Firm, P.C., where she concentrated on employment, consumer fraud

and insurance matters. She represented both employees and employers in a wide array of litigation matters and workplace investigations and also served as an Arbitrator for the American Arbitration Association. Before joining private practice she served as an Assistant United States Attorney in the District of New Jersey and an Assistant Attorney General in the New Jersey Office of Attorney General. She also argued before the New Jersey Supreme Court on behalf of the New Jersey Office of Attorney General in the landmark employment case, Aguas v. State of New Jersey, 220 N.J. 494 (2015). Judge Allen clerked for United States District Judge Madeline Cox Arleo as well as former United States Magistrate Judge Ronald J. Hedges.

Judge Allen has also served as a role model and leader for women in the law and continues to demonstrate the heights we can all achieve through hard work and perseverance. Judge Allen served as President of the NJWLA from 2015-2016. Judge Allen was also the recipient of NJWLA's Professional Lawyer of the Year Award in 2014.

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CORPORATE SECTOR/IN HOUSE

Ann B. Gavzy

Executive Vice President, Chief Legal Officer, Transactions and Corporate Services Hackensack Meridian Health

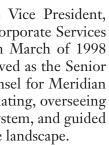
nn B. Gavzy, Esq. serves as Executive Vice President, Chief Legal Officer, Transactions and Corporate Services for Hackensack Meridian Health. From March of 1998 through July, 1, 2016, she previously served as the Senior Vice President of Legal Affairs and General Counsel for Meridian Health System, where she was responsible for initiating, overseeing and coordinating all legal services for the health system, and guided the health system through the evolving health care landscape.

Prior to joining Meridian Health System, Ms. Gavzy was a partner at the law firm of Kalison & McBride, P.A. in Liberty Corner, New Jersey, and a partner at the law firm of Norris, McLaughlin and Marcus in Somerville, New Jersey.

Ms. Gavzy is the recipient of both the 2015 NJBIZ "50 Best Women in Business" award and the 2015 NJBIZ "General Counsel of the Year" award. She was named a 2016 First Chair Award Recipient. This annual award recognizes America's most innovative and accomplished in-house counsel for their achievements and significant contributions to the legal community.

Ms. Gavzy earned her J.D. degree from American University's Washington College of Law (Washington, DC) and her bachelor's degree from Clark University (Worcester, Massachusetts). She is a member of the American Bar Association, the New Jersey State Bar Association (Health and Hospital Law Section), and the American Health Lawyers Association.

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CORPORATE SECTOR/IN HOUSE

Audrey C. Murphy, MSN, RN

Executive Vice President, Chief Legal Officer, Operations Hackensack Meridian Health

s. Murphy serves Hackensack Meridian Health as Executive Vice President, Chief Legal Officer, Operations. She previously served as the Executive Vice President, Chief Legal Officer at Hackensack University Medical Center and Hackensack University Health Network. As Chief Legal Officer, Ms. Murphy is responsible for the overall functioning of the Legal Department along with the EVP, CLO, for Transactions and Corporate Services. In this role, her direct network responsibilities include the Enterprise Risk Management Program, the Physician Enterprise, the regional CTS programs, the Foundations, all academic programs, including the School of Medicine, the vast insurance programs and captives, Research, and the Center for Discovery and Innovation and Medical Malpractice Litigation.

Prior to joining HackensackUMC, Ms. Murphy, worked as critical care nurse, nurse manager, supervisor and clinical specialist. Ms. Murphy began her legal career at HackensackUMC as associate counsel and director of risk management in 1992. Ms. Murphy became Vice President General Counsel in 1997 and eventually Executive Vice President, Chief Legal Officer of the Hackensack University Health Network.

Ms. Murphy is a member of numerous professional societies including: Sigma Theta Tau, American Corporate Counsel Association, American Health Lawyers Association, American College of Healthcare Executives and the Bergen County Bar Association as well as the New York and New Jersey State Bar Associations. She sits on the boards of Commerce & Industry of New Jersey (CIANJ), Project Literacy of Greater Bergen County and the Pace President's Council. She volunteers at the Center for Hope and Safety, an agency that offers a safe refuge and support to survivors of domestic violence, sexual assault, stalking and human trafficking.

Ms. Murphy earned her J.D. degree from Pace University School of Law and a BSN and MSN degrees from Pace University.

In November of 2014, Ms. Murphy and her staff were honored as the Best In-House Legal Department of the Year, awarded by the New Jersey Law Journal. Ms. Murphy was the recipient of the Best 50 Women in Business Award presented by NJBIZ in March of 2015. She was honored at Pace University's Spirit of Pace Awards Dinner on June 8, 2016. She was the recipient of the Innovator Award. The Innovator Award pays tribute to individuals or groups whose work exemplifies positive change and self-empowerment. She is a recipient of the Early Career Healthcare Executive Regent's Award presented by the American College of Healthcare Executives. She was also honored with a TWIN Award - Tribute to Women and Industry, which is bestowed upon professional women who have excelled in their field and made contributions to industry in executive, managerial and/or professional roles. In addition, in 2019 Ms. Murphy won the General Counsel of the Year Award for NJBIZ. Ms. Murphy was also featured in NJBIZ Law Power 50 List. She was also the recent recipient of the CIANJ Visionary Award. Ms. Murphy serves as a guest speaker for various professional health care organizations, focused on legal issues affecting professionals.

Ms. Murphy is married to William Johnson, and they are the parents of three children; Marilyn, Harrison and Kelly. She resides in Washington Township, New Jersey and enjoys bicycle riding, traveling, reading, SoulCycle and Zumba classes.

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PUBLIC SECTOR

Honorable Tahesha Way

Secretary of State, State of New Fersey

ahesha Way serves as New Jersey's 34th Secretary of State. Nominated for appointment by Governor Phil Murphy on December 18, 2017, Ms. Way was sworn in on February 26, 2018. As Secretary of State, Ms. Way holds one of the nation's oldest constitutional offices and leads a department with a diverse portfolio. She serves as New Jersey's top election official, overseeing the state Division of Elections and its work in securing our democracy and ensuring broad, fair access to the right to vote. Ms. Way also chairs New Jersey's Complete Count Commission, a 27 member non-partisan commission established to encourage full participation in the 2020 Census. In addition to the critical work protecting what Secretary Way calls the "fraternal twins of democracy," Ms. Way also oversees the state government offices supporting New Jersey's vibrant arts, culture, history, and business communities.

Secretary Way belongs to the National Association of Secretaries of State (NASS), serving on the Executive Board as Treasurer, and previously serving as co-chair of NASS's Heritage Committee and International Relations Committee. In 2019, she and nine of her colleague Secretaries from across the US traveled as a delegation to Israel for a trip focused on cultural, economic, civic engagement, democratic elections and technology. Ms. Way serves on the Advisory Council of the civic engagement non-profit "More Than A Vote," and spearheads the New Jersey Ballot Bowl collegiate and high school competition and the Vote for Valor tribute initiative to further civic engagement and voter participation.

Throughout her career, Secretary Way has devoted herself to public service. Prior to becoming Secretary of State, Secretary Way was an Administrative Law Judge for the State of New Jersey. In 2006, Secretary Way was elected to the Passaic County Board of Chosen Freeholders and served as the Freeholder Director in 2009. She served as special counsel for the Passaic County Board of Social Services overseeing all agency litigation. She also served as a council member for the New Jersey Highlands Water Protection and Planning Council. She is the former president of the Women Empowered Democratic Organization of Passaic County, an organization dedicated to empowering Democratic women by increasing their participation with the goal of achieving greater equality in the political process. Secretary Way also previously served on the Board of Directors for the Institute for Women's Policy Research, a leading national think tank geared towards advancing dialogue and policy for improving women's lives and their families.

Secretary Way is a graduate of Brown University, where she served as Vice President of the collegiate chapter of the NAACP, President of her Alpha Kappa Alpha Sorority, taught religious education, and was a radio announcer for WBRU-FM. Ms. Way holds a juris doctor from the University of Virginia School of Law at Charlottesville, where she clerked for the Virginia Legal Aid Society and the United Steelworkers of America.

Secretary Way lives in Passaic County with her husband, former New York Giant and NFL executive Charles Way, and their four daughters. Secretary Way has been a member of the New Jersey State Bar Association, Garden State Bar Association, National Association of Women Judges, Association of Black Women Lawyers, Passaic County Bar Association, and the New Jersey Women's Lawyers Association.

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TRAILBLAZER AWARD

Carmen M. Garcia

Former Chief Judge, Trenton Municipal Court

armen M. Garcia is a first generation Puerto Rican American who was born in Yonkers, NY and raised in the North Camden and East Pennsauken areas of South Jersey. She is the eldest daughter of the late Carmen M. Montes and the late Esteban Garcia from Mayaguez, Puerto Rico.

Carmen's humble parents were factory workers who emigrated as teenagers to the United States from their beloved Puerto Rico during the 1950's. Neither had finished third grade; neither spoke a word of the English language; but Carmen's parents were devoted to finding a better life for themselves and for their children. Early on, Carmen was profoundly inspired by her parents' vigorous work ethic, their strong value of education, their selfless commitment to community and their deep pride in the Puerto Rican culture.

Ms. Garcia graduated magna cum laude and valedictorian from St. Joseph's University in Philadelphia, Pa. with a Bachelor of Science degree in Sociology. After her graduation, Carmen was awarded a Rotary International Graduate Fellowship to study social psychology at the University of Madrid in Spain. Upon her return from Europe, Carmen gained admission to Rutgers University School of Law in Camden, N.J., receiving her Juris Doctorate degree in January of 1985. While in law school, Carmen founded both Alianza, the Latin American Law Students Alliance, and a law school women's basketball team. Moreover, she assisted the administration with the recruitment and retention of minority law students and worked various jobs to finance her legal studies.

Carmen began her legal career at the law firm of Cohen, Shapiro, Polisher, Sheikman and Cohen in Center City Philadelphia. She left private practice to serve as a judicial law clerk to, the person who would become her lifelong mentor, the Honorable Joseph H. Rodriguez in the United States District Court for the District of New Jersey. The following year, she began her tenure as an assistant counsel to former New Jersey Governor Thomas H. Kean. In that capacity, she was responsible for the Departments of Higher Education, Labor and Personnel.

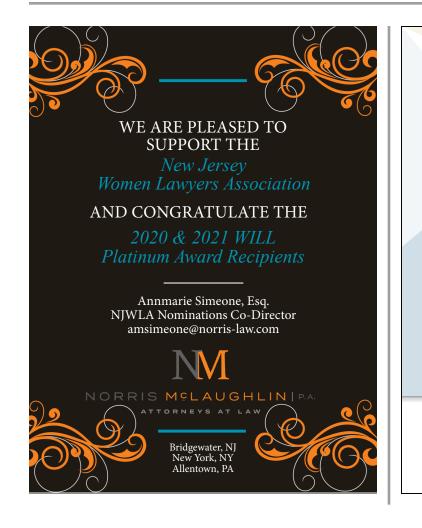
In October of 1988, just three years after law school, Carmen was appointed by the late Mayor Arthur J Holland to serve as a Municipal Court Judge for the City of Trenton. She was reappointed to the Municipal bench for consecutive terms by Mayor Douglas H. Palmer. On July 19th of 2001, Carmen was formally sworn in to serve as Chief Judge of Trenton Municipal Court. Notably, Carmen was the first Latino Lawyer to serve on the bench in the City of Trenton and the second Latina to be appointed to serve judicial office in the New Jersey Courts. Carmen instituted a number of case management reforms and protocols as well as developed effective rehabilitative programs. Of particular note, Carmen developed and administered a specialized diversionary treatment program for first time offenders known as drug court, the first of its kind at the municipal level in the State.

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Carmen M. Garcia continued

Ms. Garcia's illustrious career continued thereafter as a gubernatorial appointee to the New Jersey State Parole Board. She was an associate board member for 14 years, handling juvenile cases and select adult matters, before retiring from State service in January of 2019. As an associate board member, through various administrations, Carmen served as vice-chair of the Decision Making Processes and Procedures Committee, the Chairman's designee on the Criminal Disposition Commission and on the State Council of the Interstate Commission for Juveniles.

A recognized community leader, Ms Garcia remains actively involved in numerous professional, civic and volunteer associations and activities. She currently serves as an officer on the Board of Directors for the Capital Health Hospital System in Central New Jersey, and as the Law School Liaison with NJWLA. Further, she is an active member of the Hispanic Bar Association and a long-standing member of the American Bar Association and the Hispanic National Bar Association, recently serving as the HNBA liaison to the ABA's Commission on the Future of Legal Services.

Carmen's most significant achievements include her induction into the New Jersey Women (2012) and Camden Catholic (2015) Halls of Fame, the establishment of an annual scholarship award in her name at Rutgers Camden Law School and her recognition as one of "Las Primeras" in a Hispanic National Bar Association research publication. Moreover, she was honored by the Hispanic Leadership Summit of NJ with the Law and Justice Award (2016)and received a Recognition Award (2017) from the Rutgers Camden Law School Minority Student Program for her efforts to promote diversity on the Camden campus. Also in 2017, the Hispanic Bar Association of New Jersey conferred upon Carmen its annual Trailblazer Award.

In February of 2018, after the devastating onslaught of Hurricane Maria, Governor Philip Murphy appointed Carmen to serve on the New Jersey Commission on Puerto Rico Relief. In July, the Puerto Rican Parade Association of Trenton recognized Carmen for her service and contributions with its Carlos Pacheco Award. Carmen also received a 2018 Professional Lawyer of the Year Award from the New Jersey State Bar Commission on Professionalism in the Law. During Hispanic Heritage Month last year, Carmen was lauded as a Top Lawyer by the Al DIA News Media at its 2019 Lawyers Forum and Reception in Philadelphia, PA. In November 2019, Carmen received the Annual Joseph Nardi Jr Distinguished Alumni Award for Service from the Rutgers Camden Law Alumni Association.

Throughout the entirety of her career, Carmen has been a strong advocate for higher education and diversity/inclusion strategies at all levels. Her passion is grounded in the strong values instilled in her by her parents long ago and provides the fuel for her strong and joyous commitment to mentoring students at the high school, college and law school level.



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T n 2009, as part of its mission to give back to the legal community, the NJWLA established a scholarship program to benefit women who are pursuing a law degree at Rutgers University School of Law -Newark or Camden and Seton Hall University School of Law. The response we received from women Law students was overwhelming and empowering. In 2013, the scholarship amount was increased from \$3,000 per scholarship to \$5,000. In 2020, the NJWLA is once again pleased to award scholarships to three aspiring women attorneys who distinguished themselves from a diverse pool of qualified applicants.

Each scholarship recipient was asked to prepare an essay addressing one of the following topics:

TOPIC 1

2020 will mark the 100th Anniversary of the ratification of 19th Amendment to the Constitution which granted "suffrage" or the right of women to vote as citizens of the United States:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex.

Women, known as suffragettes, had banded together to demonstrate and agitate for their right to vote as citizens since the mid-19th century. As groundbreaking as women's suffrage was in the context of 1920's historical and cultural norms, the 19th Amendment was limited in scope. It conferred the right to vote alone and failed to include language guaranteeing "equal protection under the laws" that the 14th Amendment specifically applied to "males" in the slavery, citizenship and voting rights Amendments passed between 1865 and 1868.^[1] The omission of the equal protection clause was not lost on the remarkable women who had worked tirelessly for women's suffrage. Nor did they fail to notice the absence of any reference to women in the Constitution. As early as 1923, women activists proposed a version of the Equal Rights Amendment which was introduced in each successive Congress for 50 plus years, all without success. Finally, in 1972, 52 years after adoption of the 19th Amendment, the Equal Rights Amendment ("ERA") was adopted by Congress: "Section 1: Equality of rights under the law shall not be denied or abridged by the United States or by any

state on account of sex."

Passage of the ERA however, came with a caveat. Ratification by 38 states had to occur within 7 years, and with one extension, only 35 states had ratified it by 1982. Quite recently, despite the expiration date, two more states ratified the ERA and a few have attempted to nullify their prior ratification. In 2020, the 100th Anniversary year of the 19th Amendment, Virginia is expected to become the 38th state to ratify the ERA. Constitutional challenges to the time limits imposed by Congress on the ratification process are expected to follow.^[2]

While the ERA remains unratified, many have questioned its necessity arguing that women have made great strides without it due to the passage of other issue specific legislation affecting women and changes in society and culture as a whole. For example, the vote alone has arguably resulted in better representation of women. The 19th Amendment was adopted by the 66th Congress with no female member. In 1972, the 92nd Congress passed the ERA with 25 female members. Title IX was adopted the same year. In 2020, the 116th Congress includes 126 female members, widely regarded as a record number^[3]. Current female members of Congress represent 19% of the membership of the House of Representatives and 25% of the Senate. In the last 100 years, multiple pieces of legislation adopted by Congress have steadily increased women's rights and protections.

Many also warn that the passage of the ERA will actually harm women by taking away traditional protections or by nullifying other legislative protections established over the last 100 years. Others assert that passage of the ERA will undercut moral and religious beliefs regarding, for example, same sex marriage and women's reproductive rights.

1. Make your case for or against the necessity of the ERA to adequately assure and protect women's

rights as citizens of the United States.

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nd, NJ | New York, NY | West Palm Beach, FL | www.br ler.com | 973.228.570 Does the right to vote for representatives who support legislation on behalf of women adequately substitute for the absence of an explicit grant of equal protection under the law to women? Has the female gender been relegated to second class citizenship in the absence of an explicit grant of equal protection of the law?

In support of your position, you may:

- and the 2019 NAWL Survey^[5] regarding the legal profession;
- and their effect on the definition and stability of women's rights;
- scrutiny' in the analysis of discrimination cases brought on the basis of sex.

TOPIC 2

In November 2019, the Co-Chairs of the ABA Presidential Initiative on Achieving Long-Term Careers for Women in Law issued a report entitled "Walking Out the Door: the Facts, Figures and Future of Experienced Lawyers in Private Practice."^[6] The "Report" includes statistics which reveal wide discrepancies between the experiences and satisfaction of men and women attorneys in the practice of law in large established leaders in law, the so called "big-law" firms.

Wide discrepancies in satisfaction levels within the practice of law were found between male and female The widest discrepancy reported is found in reports of sexual harassment where a full 50% of woman

attorneys including in recognition for their work, in compensation and the process of determining compensation, in advancement opportunity and performance evaluation. Lack of transparency in compensation practices based on "unwritten rules and relationships" continues to support women's belief in a status quo rigged against them.^[7] attorneys but only 6% of men "big law" attorneys reported unwanted sexual conduct at work.^[8]

The Report also identified the flip side, that is the factors considered by women attorneys as influencing their decision to leave the practice of law, given the level of dissatisfaction they have experienced. These include work demands, i.e., hours, stress, pressure for business development, followed closely by personal considerations such as caretaking, work/life balance and personal health.

· cite data such as the percentage of women's membership in Congress and other measures of legislative progress by the female gender since the adoption for the 19th Amendment; · use published statistics on women's wages, progress in employment, business and in other careers and professions which include statistics reported by the ABA Commission on Women[4]

• consider the effect that elections have on the makeup of Congress and the 50 state legislatures

consider judicial interpretations of the 14th Amendment's equal protection clause, which treat gender discrimination as a 'quasi-suspect classification' analyzed with the lesser test of 'intermediate scrutiny' rather than as an unqualified 'suspect classification' subjected to 'strict

~ or ~

Review the Report, the cited article and other related materials. Discuss how the issues identified in the Report can be addressed in your career as an attorney, addressing factors such as overcoming historic social norms and implicit bias regarding the roles of women and men in the family, the lack of adequate business development by women where potential business client contacts are also likely disproportionately male. Within a firm, how can compensation be equalized and made transparent within levels of law firm employment (i.e., associate, non- equity and equity partnership); and how can your entering class of associates

Why are Experienced Women Lawyers Leaving BigLaw? Survey looks for answers and finds big disparities By Debra Cassens Weisshttp://www.abajournal.com/authors/4

make its concerns known to hiring firms?

^[1] Napokski, Linda. "Equal Rights Amendment Constitutional Equality and Justice for All?." Thought Co. Aug. 5, 2019, thoughtco.comequal-rights-amendment-352887 [2] https://www.pilotonline.com/topic/equal-rights-amendment-topic.html
 [3] Center for American Women in Politics, History of Women in the U.S. Congress

^[4] ABA Commission on Women in the Profession, "You Can't Change what you Can't See Interpreting Racial Bias in the Legal Profession, 2018
[5] https://www.nawl.org/p/cm/ld/fid=1163
[6] www.abajournal.com/files/WALKING_OUT_THE_DOOR_-_FINAL_AS_OF_NOV_14_2019_pm.pdf

November 14, 2019, 8:00 am CST,

^[8] www.abajournal.com/files/WALKING_OUT_THE_DOOR_-_FINAL_AS_OF_NOV_14_2019_pm.pdf

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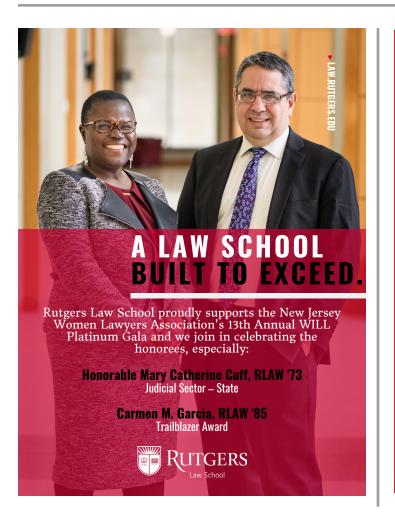
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Erin Stidham

Rutgers School of Law – Newark JANUARY 31, 2020

In Favor of the Equal Rights Amendment

In the wake of the #MeToo movement, the women's march, and unprecedented numbers of women running for and winning government offices, there has been a significant renewed interest in the Equal Rights Amendment ("ERA" or "the Amendment"). First proposed in 1923, and passed by Con-

gress in 1973, the ERA was thought of as a way to both enshrine hard-earned victories for women, and to push the constitutional jurisprudence forward to guarantee even more protection for women.¹

Despite its promise, the ERA was not ultimately ratified by enough states within the timeframe designated by Congress.² While some anti-feminist groups argued against the ratification of this amendment, differences in feminist ideology contributed significantly to the Amendment's failure. Among the anti-ratification arguments were included: that women would be forced to participate in the draft, that women would lose their respect or honor as primary caregivers, that the ERA would primarily benefit men rather than women, and that the amendment would lead to greater protections for gay and transgender individuals. Despite the original deadline having passed, Virginia became the 38th and final state needed for ratification in January of 2020.³ Attorney generals from three states have filed a lawsuit to void the congress-imposed timeframe, arguing that the legislature cannot constitutionally impose timeframes for amendments.⁴

As the lawsuit works its way through the courts, it is important to remember why the ERA is crucial for the advancement and equality of women. First, the ERA is necessary as a bulwark against backsliding in feminist gains. The past several decades have seen a number of important legislative advancements toward achieving gender equality under the law. Importantly though, these advancements are merely statutory—thus, under the current level of constitutional protection, legislation concerning equal pay, maternity leave, domestic violence, and other issues affecting gender equality could be repealed by a simple majority.

Current Equal Protection jurisprudence holds gender to be a mere quasi-suspect classification, subjecting laws that discriminate on the basis of sex to intermediate or heightened scrutiny, while race, religion, national origin, and alienage classifications are subjected to strict scrutiny-a far more challenging bar to clear. This lowered standard of scrutiny for laws that treat men and women differently is simply not justified. There is no clear factual basis for believing that women are at less risk of being discriminated against than ethnic and religious minorities are. Absent such a showing, the current jurisprudence reflects an unacceptable level of tolerance of gender-based discrimination, or, at very least, an attitude that gender discrimination is somehow less constitutionally offensive than race discrimination. The enactment of the ERA would remedy this.

While intermediate scrutiny is, indeed, too lenient a standard for gender-discriminatory laws, it is also

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¹ Bridget L. Murphy, The Equal Rights Amendment Revisited, 94 Notre DAME L. Rev. 937, 939 (2018). 2 Id. at 942.

³ Eileen Filler-Corn et al., Virginia Just Passed the ERA. Here's Why We Still Need It., WASH. Post, (Jan. 27, 2020), www.washingtonpost.com/opinions/2020/01/27/virginia-just-passed-era-heres-why-we-still-need-it.

⁴ Patricia Sullivan, Herring, Other State AGs File Lawsuit Demanding Addition of the ERA to the Constitution., WASH. POST, (Jan. 30, 2020), www.washingtonpost.com/local/virginia-politics/era-lawsuit-herring/2020/01/30/027eb956-42dc-11ea-aa6a-083d01b3ed18_story.html.

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important to recognize that it would only take a majority of U.S. Supreme Court Justices, ruling on a single case, to lower it. While a decision to lower the level of scrutiny for gender-based discrimination might be difficult to imagine, it has, in fact, been done before. Women were initially given strict scrutiny on their claims in Frontiero v. Richardson,⁵ but only three years later the standard was reduced to intermediate scrutiny.⁶ Having a constitutional amendment explicitly protecting equality for the sexes would not only raise the scrutiny standard for laws that discriminate based on sex, but it would prevent further reduction in the standard.

Moreover, if enshrined as a constitutional interest, gender equality would be protected when weighing competing interests, such as in religious freedom disputes and abortion laws. For example, the ERA could have changed the outcome in the historic case of Burwell v. Hobby Lobby Stores, Inc.,⁷ where the Court struck down a regulation that required employers to provide health insurance coverage for certain forms of birth control. The Court considered only whether a corporation's religious rights were burdened. Neither considerations of how the decision would affect women's access to healthcare, nor whether Hobby Lobby's policy constituted sex-discrimination were accorded comparable import to Hobby Lobby's religious interest. Enactment of the ERA would permit a fairer balance of these conflicts in the future.

Additionally, the ERA would open up pathways to enforce other legal rights centered on gender equality. For example, the federal right of action to sue sexual harassers in court was struck down as outside of congress's power, in United States v. Morrison.⁸ Given that the ERA's purpose is analogous to the Civil War Amendments, its enactment would arguably give Congress the power to enact additional appropriate legislation to properly effect the Amendment's purposes. Under such power, federal claims against sexual harassers-and other similarly-aimed laws-would fall much more squarely within the legislature's powers.

Second, the ERA would not only grant greater constitutional protection for women, but might also provide greater constitutional protection for gay and transgender individuals. Though certainly not universal, some Circuits have recognized claims brought by transgender plaintiffs as "discrimination on the basis of sex."9 Passage of the ERA, then, would extend the standard of strict scrutiny for laws that treat gay and transgender persons differently than the rest of the population in at least those Circuits. Thus, the ERA could prevent discriminatory laws, regulations, and executive orders, such as the transgender military ban, from going into effect.

Third, the ERA ought to be enacted because most Americans already believe that it has been. A 2001 poll showed that nearly three-quarters of Americans already believe the ERA—or something suitably like it— exists.¹⁰ Americans are consequently in the precarious position of relying on protection they do not have. Personally, I was shocked that nowhere in my high school history classes, undergraduate degree in history, or first semester of law school did I learn that women were not afforded the same constitutional protections granted to racial, ethnic, and religious minorities.

Some groups argue that there simply is no need for an Equal Rights Amendment. Specifically, they point to the fact that women's growing representation in Congress, at 19%, and in the Senate, at 25%, indicates that women are being represented in decision-making bodies. These groups, of course, are conceding more than they think. Another way to phrase the claim 19% of Congress is female is to

10 Roberta W. Francis, The Equal Rights Amendment: Frequently Asked Questions 9 (2019), www.alicepaul.org/wp-content/uploads/2019/05/ERA-FAQs-updated-2_19.pdf.

^{5 411} U.S. 677 (1973)

⁶ See Craig v. Boren, 429 U.S. 190 (1976).

^{7 573} U.S. 682 (2014).

^{8 529} U.S. 598 (2000).

⁹ Grimm v. Gloucester Cty. Sch. Bd., 302 F. Supp. 3d 730, 742 (E.D. Va. 2018); Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ., 858 F.3d 1034 (7th Cir. 2017); Dodds v. United States Dep't of Educ., 845 F.3d 217 (6th Cir. 2016).

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say that there are four times as many men introducing and voting on federal legislation than there are women. Similarly, for every woman in the Senate voting on the appointment of a federal judge (including Supreme Court Justices) or a cabinet position, there are three men voting. While the Equal Rights Amendment would not directly address these issues, it is clear that these statistics show that even with legislative protection, women are not being represented adequately. Similar statistics show that women of color are more severely underrepresented in legislative bodies, as well as leadership positions in the private sector.

Other arguments against the ERA suggest that it would overturn laws that were written specifically to help women. In the 1970s, these arguments centered around concerns that the ERA would abolish social security support specifically for wives and widows, or require women to participate in the draft. However, this argument is not constitutionally sound. When striking down laws that make gender distinctions (as the passage of the ERA certainly would enable), the laws in question could always be re-written to apply to both genders, as an alternative to simply being eliminated. In the case of social security, social security support could be extended not just to wives, but to all spouses, and to both widows and widowers. As to the draft, progression has led to the erosion of all meaningful distinctions amongst genders and what they are allowed to do in the military. Women could serve in combat roles, or they could serve in other capacities, just as men who do not fit specific physical parameters can serve in non-combat roles. Or, the ERA could bring about striking down the draft altogether.

Other arguments made primarily in the early days of rallying against the ERA were that the Amendment could be read expansively to protect individuals who did not conform to sex stereotypes.¹¹ Primarily, critics were concerned with transgender individuals using bathrooms that conform with their gender identities, as well as granting equal rights, such as marriage to gay individuals. These critics were, and are, right about what banning discrimination based on sex entails. However, with major advances in LGBTQ+ advocates in gaining public support, this should be an argument for, not against, the ERA. It is clear that equal rights should be enshrined in the American Constitution. Not simply for our status right now, but for future generations. Without constitutional protection, women's position is tenu-

ous, which renders them not-full participants and citizens. We should be part of a society that has in its most fundamental document an acknowledgment that women and men are equal.

tinued advocating against it until her death in 2016. See Phyllis Schlafly, Equal Rights for Women: Wrong then, Wrong Now, L.A. Times (Jan. 27,

¹¹ These arguments are not limited to the 1970s. Phyllis Schlafly, who was instrumental in slowing down the ratification of the ERA, con-2009), https://www.latimes.com/la-op-schafly8apr08-story.html.

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Tina Taboada Rutgers School of Law – Camden

Wrenching the Feet off our Necks: The Continued Necessity of the ERA

In her oral argument before the Supreme Court in Fronteiro v. Richardson, 411 U.S. 677 (1973), Ruth Bader Ginsburg paraphrased suffragette and abo-

litionist Sarah Grimke when she said: "I ask no favor for my sex, all I ask of our bretheren, is that they take their feet off our necks." When Grimke first used those words in her Letters on the Equality of the Sexes, it was to show there was no basis in the Bible that women were not equal to men in the eyes of God. Ginsburg used those words to show how there was no basis in the Constitution that women were not equal to men in the eves of the law. She succeeded, but only in part.

In Frontiero, a woman was contesting a military policy granting men the ability to claim their spouses as dependants, thereby granting them increased housing allowances amongst other benefits. However, women could not claim their spouses as dependents unless they were dependent on them for more than half of the support. Concurring in judgement, Justice Powell expressed that part of what kept him from joining the other justices was that they were unnecessarily deciding a constitutional question; more importantly was that the Equal Rights Amendment, if adopted would resolve the issue of the classification of sex as a suspect class. Id, at 692. But as it happened, it never was and was expected to never be until recently. In the past three years, we have seen the ratification by states like Nevada, Illinois and most recently Virginia after the 1982 deadline. This begs two questions, first whether as a purely procedural matter, these ratifications are valid. The second matter addressed here is whether the Equal Rights Amendment is even still necessary given statutory and judicial precedent addressing the subject. Despite the successes of laws like Title IX and the Equal Pay Act, the fact remains that the Equal Rights Amendment is necessary to assure and protect women's rights, and without it women are effectively second class citizens.

The Standard of Review

The lode star for equal protection analysis is United States v. Carolene Prods. Co., 304 U.S. 144, 152 n.4 (1938). There the court stated that "there may be narrower scope for operation of the presumption of constitutionality when legislation appears on its face to be within a specific prohibition of the Constitution, such as those of the first ten amendments, which are deemed equally specific when held to be embraced within the Fourteenth." Id. The Court named possible classes to be subject to heightened scrutiny like race, religion, and national origin. Noticibly absent is sex. Even though women had been granted the right to vote less than twenty years earlier, sex was not named as a suspect class. But this is not surprising; sex was not a specifically enumerated prohibition in the Constitution, and one is hard pressed to argue that the Founders had women in mind when writing the Constitution from an originalist perspective. Almost fourty years later, the court in Frontiero used the discrete and insular minority analysis to justify heightened scrutiny on the basis of sex. If however, equal protection was specifically enumerated within the constitution like race and religion that would give firm basis for textualist judges, like Justice Powell, for the standard of review to be strict scrutiny. This would be stronger than the

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Tina Taboada continued

current standard of intermediate scrutiny; government interests would have to be compelling and the means narrowly tailored.

There is no Substitute for Equal Protection

History has shown us that the right to vote alone is a necessary but not sufficient requirement to guarantee rights to a class. The purpose of the equal protection clause under the 14th amendment was to prevent the states from targeting in a discriminatory way certain groups of individuals for disparate treatment or burdens. After the 13th amendment, states engaged in campaigns of discrimination and suppression through the Black Codes. To prevent frustration of Reconstruction efforts by later Presidents, legislatures or even the judiciary, Congress enshrined equal protection into the 14th amendment. Similarly, reliance on statutes and judicial precedent for women's equality is insufficient. The protection they provide women is illusory as they can be changed at any time by the whim of elected officials or judges.

- a. The Right to Vote for Representatives is No Substitute The right to vote in a representative democracy is not a substitute for Equal Protection. can put forth legislation on behalf of women is no substitute for Equal Protection.
- b. Current Statutory Protection is No Substitute Statutory protections like Title IX and the Equal Pay have carried a heavy load in protecting Equal Protection.

After the ruling in Rucho v. Common Cause, 139 S.Ct. 2484 (2109), where the court found gerrymandering based on political affiliation to be a political question, we can expect this type of practice to increase on the state level. Gerrymandering has the effect of diluting the power of voters by compressing them into large single districts or by spreading them out so they do not make up a majority in any district. This will have a disparate impact on women due to the gender gap in political affiliation. In 2018, 59% of women stated they voted for democratic candidates compared to 47% of men. Alec Tyson, The 2018 Midterm Vote: Divisions by race, gender, education, https://www.pewresearch.org/fact-tank/2018/11/08. Overtime this gap has gotten larger; having gone from 48% of registered voters who identify as Democrats or lean Democratic in 1994, to 56% in 2017. Pew Research Center, Wide Gender Gap, Growing Educational Divide in Voters' Party Identification, https://www.people-press. org/2018/03/20/ wide-gender-gap-growing-educational-divide-in-voters-party-identification. We can expect that women's power through the vote will yield elected officials who, less and less, represent their interests. For these reasons, the right to vote for representatives who

women from discrimination in educational institutions and in employment. However, they have not been able to completely account for the persistant and pervasive discrimination still faced by women. For example, despite women making up 50.08% of the population, in the 116th congress, women make up 24% of the House and 25% Senate. Drew Desilver, A Record Number of Women will be Serving in the new Congress, December 8th 2018, https://www. pewresearch.org/fact-tank/2018/12/18/record-number-women-in-congress/. Additionally, the Equal Pay Act specifically has an exception for employees in a "bona fide executive, administrative or professional capacity." 29 U.S.C.A. § 213. We can see the results this has wrought in the legal field. While women now are entering law school at the same rate as men, women only represent 47% of associates and 20% of all equity partners. National Association of Women Lawyers, 2019 Survey Report on the Promotion and Retention of Women in Law Firms. Therefore, while statutory protections like Title IX and the Equal Pay have made a significant difference for women in the United States, they are no substitute for

Continued on page 57

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Hannah Teller

Seton Hall University Law School

On January 15, 2020, both chambers of the Virginia legislature voted to approve the Equal Rights Amendment ("ERA"). With this approval, Virginia became the thirty-eighth state to ratify the ERA; however, this threshold vote occurred thirty-eight years too late. As a second-year law student in 2020, I have had the unique experience of learning the law at the same time as a contentious Supreme Court confirmation hearing, a Special Counsel investigation, and presidential impeachment hearings. But only one month after read-

One argument against ratification of the ERA is that the Fourteenth Amendment already protects

ing Bradwell v. State and learning about the Equal Protection Clause in my Constitutional Law class, nothing felt quite as personal as witnessing the long-awaited ratification of the ERA by a thirty-eighth state. Despite the advancements towards gender equality since Congress approved the ERA in 1972, the amendment remains a necessity for safeguarding women's rights as equal citizens in the United States. women from discrimination based on sex. In my Constitutional Law class, we discussed the Fourteenth Amendment's transformative impact on American jurisprudence. The Fourteenth Amendment protects American citizens with a trilogy of rights, including the guarantee of equal protection for all persons under the law against the States, and later against the federal government when enumerated in the Bill of Rights.¹ The Fourteenth Amendment was ratified in 1868, along with the other Reconstruction Amendments, as a direct response to racial discrimination following the Civil War. Sex discrimination was rampant at the time of the Fourteenth Amendment's ratification, but it was not the aim of the amendment. Legal scholars debated about whether the Equal Protection Clause should even apply to sex discrimination. In 1873, five years after the ratification of the Fourteenth Amendment, the Supreme Court held in Bradwell v. State, that under the privileges and immunities clause of the Fourteenth Amendment, women did not have a right to practice law in a state's court.² The Court refused to find the right to practice law as a privilege worthy of constitutional protection.³ Justice Bradley's concurrence relied on archaic gender roles and debated whether the expansion of a woman's right to pursue professional careers would result in the death of the traditional family.⁴ Justice Bradley argued, "the natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life."5

It was not until the 1970's that the Supreme Court recognized the application of the Equal Protection Clause to sex-based discrimination and developed a test of intermediate scrutiny.⁶ Similar to the context of the ratification of the Fourteenth Amendment, the enactment of the Civil Rights Act of 1964 was a result of the Civil Rights Movement's fight for racial equality.⁷ Title VII of the Civil Rights Act prohibits

- 2 Bradwell v. State, 83 U.S. 130 (1873).
- 3 Id. at 139.
- 4 Id.

6 Craig v. Boren, 429 U.S. 190, 1999 (1976) (requiring the government to prove that sex-based discrimination serves an important government interest and is substantially related to furthering this interest).

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¹ U.S. Const. amend. XIV, § 1

⁵ Id. at 141 (Bradley, J., concurring).

⁷ Bridget L. Murphy, Note, The Equal Rights Amendment Revisited, 94 Notre DAME L. Rev. 937, 939 (2018)

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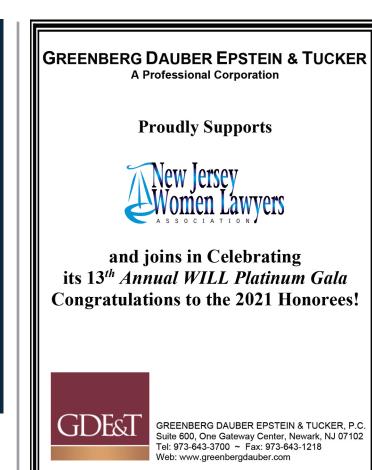
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- Alice Walker

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Hannah Teller continued

employers from discriminating based on race, color, religion, sex, or national origin.⁸ Legislative history of the Civil Rights Act reflects the main intention of the legislation was to combat racial discrimination, with the addition of sex discrimination as a last-minute measure.9 The importance of the Civil Rights Act and Fourteenth Amendment cannot be overstated in the fight for racial equality, but their legislative histories do not place the same emphasis on gender equality.

Opponents of the ERA argue that the existing protections in the Civil Rights Act and Fourteenth Amendment make the ERA redundant. But the uncertainty of judicial interpretation and lasting legislation make the ERA a necessity. All it takes is one decision to overturn decades of precedent. The composition of the Supreme Court is changing, and just as the Court evolved its test from Bradwell v. State to Craig v. Boren, without the certainty of a Constitutional Amendment there is no guarantee that women and men will always be protected from discrimination based on sex.¹⁰ Even more precarious than Supreme Court decisions is the repeal of context-specific legislation. In a divisive political climate, the threat of Congress repealing fundamental Civil Rights legislation is an important reason why gender equality should be enshrined in the Constitution. It is the only way to ensure the protection of future generations from sex discrimination.

Since women gained the right to vote one hundred years ago, women in the United States have made considerable strides toward gender equality, Women receive approximately 57% of the bachelor's degrees in United States institutions.¹¹ They earn 48.5% of all law degrees.¹² Most recently, women have reached gender parity in the college-educated labor force.¹³ Despite this growth, women make up only 5% of Fortune 500 CEOs. The proportion of women in state and federal government positions continues to grow with each election, but men still occupy the vast majority of seats. Women hold only 23.7% of seats in Congress (126/535).¹⁴ When examining the intersectional identities of the women elected to Congress, there is even less diversity. Of the 126 female members of Congress, just 47 of them were women of color.¹⁵ Only three women elected to Congress in 2018 identify as LGBTQ.¹⁶ Similar to the federal government, 28.9% of state legislature positions belong to women.¹⁷ Only nine governors across the country are women.¹⁸ Despite the advancement of women in education and the workforce since 1920, the gender pay gap, the #MeToo movement, and the disparity in political representation demonstrate that women are far from complete equality.

The argument that the ERA does not give women any rights that they do not already have is not persuasive in the greater context of the fight for women's rights. For many women, including myself, true equality means recognition under the law. The need for the ERA is as much symbolic as it is practical. The ERA states, "equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." The Constitution expresses the most fundamental values of our

13 Richard Fry, US. Women Near Milestone in the College-Educated Labor Force, PEWRESEARCH CENTER (June 20, 2019) https://www.pewresearch.org/fact-

⁸ Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 20002-2000e-17 (2012). 9 Murphy, supra note 6, at 947.

¹⁰ Alexandria C. Dean, Article, One State Away: The Need for Ratification of the Equal Rights Amendment in a Justice Kavanaugh, Conservative Court Era, 10 WAKE FOREST J.L. 1 (2019)

¹¹ https://www.washingtonpost.com/local/education/the-degrees-of-separation-between-the-genders-in-college-keepsgrowing/2019/10/25/8b2e5094-f2ab-11e9-89eb-ec56cd414732 story.html.

¹² Judith Warner, Norah Ellmann, & Diana Boesch, The Women's Leadership Gap, AMERICAN PROGRESS (Nov. 20, 20189:04AM), https://www.americanprogress.org/ issues/women/reports/2018/11/20/461273/womens-leadership-gap-2/

tank/2019/06/20/u-s-women-near-milestone-in-the-college-educated-labor-force/

¹⁴ Women in Government: Quick Table, CATALYST (Dec. 9, 2019) https://www.catalyst.org/research/women-in-government/ 15 Id.

¹⁶ Warner, Ellman, & Boesch, supra note 11.

¹⁷ Warner, Ellman, & Boesch, supra note 11.

¹⁸ Warner, Ellman, & Boesch, supra note 11.



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Hannah Teller continued

democracy. As our country continues to change, we have amended the Constitution to reflect how our values have changed for the better, like in the Reconstruction Amendments. Now is the time to amend the Constitution to establish that men and women deserve to be treated as equals under the law.

After reading about the Virginia legislature's recent vote, it was difficult not to think about the Supreme Court's infuriating opinion in Bradwell v. State. Myra Bradwell studied law while completing an apprenticeship with her husband, despite being interrupted by the birth of her four children and her involvement in caring for wounded soldiers during the Civil War.¹⁹ In 1869, Bradwell passed the Illinois bar.²⁰ Despite her qualifications, the Illinois Supreme Court denied her application because she was a woman.²¹ Bradwell took her case all the way to the Supreme Court, only to be denied once again because the Court did not recognize the right to practice law as one of the Constitutional privileges and immunities of women as citizens.²² When I read this case in Constitutional Law, it made my blood boil. I could not imagine being denied the opportunity to practice law simply because I am a woman. All because the Constitution did not explicitly guarantee me that right. The Equal Rights Amendment is a necessity because for future generations, no man or woman should ever be prohibited from pursuing their dream on the basis of sex.

19 Jane M. Friedman, America's First Woman Lawyer: The Biography of Myra Bradwell (1993) (ch. 1), reprinted in 28 VAL. U.L. Rev. 1287, 1288 (1994). 20 Id. 21 Id. at 1291. 22 Bradwell, 83 U.S. at 130

Tina Taboada continued from page 51

c. Reliance on Judicial Precedent is no Substitute Judicial precedent cannot substitute for an explicit grant of equal protection. The doctrine of to rely on judicial precedent; it is no substitute for an explicit grant of equal protection.

Conclusion

Now, as much as ever, the need for the Equal Rights Amendment is paramount. This is because history has shown us there is no substitute for equal protection under the law. Further, the current statutory framework has been insufficient to remedy the underlying systemic issues. And finally, reliance on judicial precendent is misplaced given the current Court's non-deference to stare decisis. Certainly, without equal protection, a minority is relegated to second class citizenship.

stare decisis refers to how a court must follow an earlier judicial decision if they come up again in later cases. Stare decisis, Black's Law Dictionary (11th ed. 2019). However, the current Court's propensity for overruling precedent should give women pause. See Knick v. Township of Scott, Pennsylvania, 139 S.Ct. 2162 (2019), (overruling thirty year old precedent of takings clause); Franchise Tax Bd. v. Hyatt, 139 S. Ct. 1485 (2019), (overruling forty year old precedent on sovereign immunity). Even now, the Court granted certiorari in April of 2019 to June Med. Services L.L.C v. Gee, 139 S. Ct. 663, 203 L. Ed. 2d 143 (2019) challenging an admitting privileges law in Louisiana that is identical to the one struck down in Whole Woman's Health v. Hellerstedt, 136 S. Ct. 2292 (2016). The Court seems poised either to overrule Whole Woman's Health or Roe v. Wade with this grant. Therefore, women cannot be content

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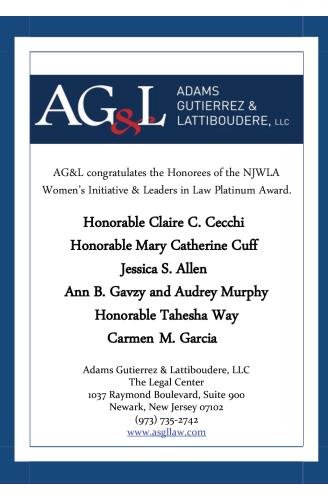
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Developing Female Leaders: A Roadmap for Organizations and Individuals

by Megan Monson, Counsel, Lowenstein Sandler LLP and Stephanie Panico. Vice President & Assistant General Counsel Global Reinsurance Operations, QBE Insurance

n most law firms and companies, the number of men in senior leadership roles is significantly greater than the number of women. However, multiple studies have shown that companies are more successful when they have females in leadership positions and on boards. Diversity and inclusion efforts have typically been successful and easier to implement at more junior levels. As law firms and companies have a pipeline of talented females who are motivated and ambitious it is crucial to make thoughtful efforts to develop and retain female leaders at all levels of seniority. At the same time, it is vital that female attorneys proactively take steps to develop their leadership and communication skills.

How Can Female Attorneys Develop Their Leadership Skills?

For women in the legal profession, it is important to seek career and leadership development opportunities and find and model after successful female leaders. Whether it involves attending a panel discussion led by powerful women, grabbing coffee with a senior female attorney or simply observing the behavior of colleagues, promising female attorneys have the opportunity to study and learn from the behaviors and success of others. Finding these opportunities will allow women to become effective lawyers and develop their leadership skills.

One way an attorney can build leadership skills is by building her network through joining internal or external organizations focused on fostering relationships among professional women. This can be a powerful way to meet and learn from strong female leaders and colleagues, which in turn may open up the door for future opportunities. If there are open leadership roles within these organizations, promising attorneys can use them to develop their confidence, take on a position with responsibility and visibility, lead meetings, set an example and organize events and projects. Those leadership skills can transfer to other areas of the attorney's career.

Another good way to develop leadership skills involves finding a good mentor or sponsor at an early stage in an attorney's career. This relationship can help the attorney gain clarity on career goals as well as perspective based upon someone else's successes and missteps. Having a good mentor/mentee relationship can help the mentee gain confidence, guidance and feel a sense of transparency when making difficult decisions. It can also give the mentee the tools and confidence to go outside of her comfort zone and ask for greater responsibility and more high-profile projects. Junior attorneys are more likely to get involved and take on leadership roles when someone more senior is encouraging them and advocating for advancement opportunities on their behalf.

Part of the challenge for young female attorneys who shy away from taking on leadership roles or taking charge of a particular matter stems from lack of confidence and/or opportunities. Junior attorneys who are proactive, show initiative and seek out ways of getting involved in leadership roles (big or small) set themselves apart from the pack. Successful attorneys further differentiate themselves from others and get noticed by finding their voice and speaking up in a room. More women need to take advantage of these opportunities. By taking charge and voicing an opinion or position, it helps a female attorney

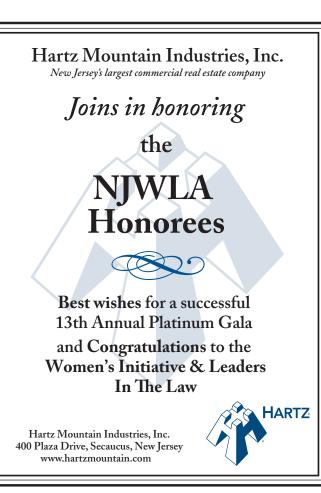
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Developing Female Leaders continued

establish credibility, with which our male counterparts generally seem to be comfortable. Confidence is a key trait of successful female leaders. By continuing to seek opportunities that allow an attorney to step out of her comfort zone, she will continue to grow and become more confident in her abilities.

In addition to developing one's own skills, it is equally important to support other women as they rise through the ranks and promote the development of junior female attorneys into the next generation of strong leaders. Attorneys who see women in leadership positions or have strong women mentors tend to be more inclined to strive for similar roles. Senior attorneys should be supportive of promising junior female attorneys by creating opportunities for them to be involved or take on new tasks or by simply being supportive and available as a mentor. One of the best things that a senior attorney can do to enhance the career development of a more junior attorney is to include them. Whether it is one-on-one teaching, providing broader context so that person really feels like part of the team, creating shadowing opportunities, or something else, getting experience is part of the growth and development process. By creating scenarios that foster technical growth and transfer knowledge, attorneys will be more invested in a particular matter.

How Can Law Firms and Companies Develop Female Leaders?

In order to be successful, the goal of developing female leaders must be prioritized at the most senior levels of the organization and cascaded down. Male leaders must understand that it is crucial that they support female employees and how important it is to the success of the organization. This support is necessary both on an individual level, with mentorship and sponsorship, and on a group level, by attendance at women's events and support of women's initiatives. It is essential that all leaders, male and female, understand the importance of supporting women and setting a positive example. If supporting the development of female leaders is not prioritized at the highest levels of the organization, it will not become part of the organization's culture. Organizations may want to consider tying such initiatives to compensation to further show how important developing female leaders is to the company culture.

Organizations should not be afraid to invest in women with leadership potential. There are many benefits to such an investment, including retaining talent and fostering a supportive environment that helps emerging leaders hone their skills. Having women in leadership roles helps showcase an organization's diversity and can help in attracting new talent and/or clients. Law firms and companies should evaluate what type of support they can offer to attorneys who show leadership potential. This is especially true for developing female leaders, who have been shown to have a communication and confidence gap when compared to their male peers. Increasing confidence and communication skills among female attorneys promotes better internal and external communications and can give rise to female attorneys taking on new and challenging opportunities. When leadership potential is identified, a law firm or company should be proactive and begin leadership development early in the person's career, as the payoffs will ultimately benefit both the attorney and the company or law firm. This allows ample time to develop the necessary skills as females rise through each level of the organization. The skills necessary for advancement change as employees progress through the ranks and this approach allows female leaders to be supported at all stages of their careers.

A large organization may have the ability to develop a formal leadership program, bring in executive coaching, or employ an organization-wide mentoring program. Each of these types of initiatives are helpful in building leadership skills in promising female attorneys. Employee-specific leadership plans can also be helpful in organizations of all sizes. By tailoring the plan to the specific individual, developing leaders will be enabled to hone particular skill sets that they need to improve or that might be relevant for their job.

Organizations should engage their leadership in identifying high-profile projects that will provide good exposure for developing leaders. Assigning a promising female to such a project will show her that

Continued on page 67



Elizabeth McKenna

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Networking: Are You Doing It Wrong? by Jennifer Marino Thibodaux

elcome to the New Jersey Women Lawyers Association Annual Gala! By now, the cocktail hour is over and you've picked up the gala journal at your seat. Or, you're reading this later online. Now's the time I want you to honestly ask yourself: How did you do with networking at the cocktail hour? Do you have a plan for networking the rest of the

evening? How are you planning to follow up and keep in touch with the folks you talked to tonight? So many people shudder when they hear the word "networking." They associate it with a big event where they made awkward small talk with strangers and exchanged a few business cards. They go home and regret not talking to new faces during the cocktail hour. The next day, they shove the new business cards in their desk and forget about them.

I could fill this entire gala journal – and probably next year's as well – talking about how to network effectively and I still wouldn't be done. Let's cut to the chase: you network at your best when you don't think of yourself as networking. Think about networking as building authentic connections with people. Don't worry about business development. Think of yourself as a farmer. Plant the seeds to grow your network, take care of it, and watch it sprout with business development and other professional opportunities in the months and years to come.

For now, let's break down tonight's event so you can figure out how to approach next year's event (or another event next month) with the right attitude, how to make the most of your remaining time here tonight, what to do tomorrow, and why it all matters.

Cocktails and Conversation

The number one worry related to the cocktail hour is what to do when you arrive alone. Let's say you can't find your friends or colleagues in the sea of people, or they haven't arrived yet, or you don't know anyone. at the event. I remember how overwhelmed I felt when I first attended this event as a young attorney. Here's what I've learned: take a deep breath and look around the room. No one else knows that you don't know anyone. I guarantee that there are other "solo" attendees, either walking around or standing alone off to the side. That's who you go talk to! They will be relieved that you had the guts to go over. If you can't easily find someone, go to the bar and stand in line. You'll find at least one person to chat

with there.

A close second worry is what to say to someone you don't know. Even if you're working the cocktail hour with a friend, someone has to actually initiate a conversation with a new face. (No, you can't just talk to each other the whole time!) Forget your elevator pitch for now. Find common ground just as you would with any stranger you interact with, like that guy you chit chat with at Starbucks at the same time every day. Your common ground tonight? The gala! Some easy conversation starters are, "Have you been to this event before?" "There's a ton of food! What's good?" You'd be amazed how much people love to talk about both the event and food. The conversation flows naturally from there.

Table Talk

Next comes the sit-down dinner. You are likely seated with at least a few people you know, but you might not know everyone at your table. Or maybe you're seated with a group of people you've never met

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Networking: Are You Doing It Wrong? continued

before. If you didn't do so already, introduce yourself during the next break in the program. The best way to form a connection is to stand up, walk around the table, and shake hands with the people you don't know. Plus, it's difficult to see folks over the glasses or table arrangements and hear what they're saying. Then, your instant common ground is... sitting at the same table! You could ask, "Do you all know each other?" "Where do you work?" "How long have you been there for?" You could recycle the, "Have you been to this event before?" question. Don't overthink it. If you get some or all of your elevator pitch out, that's great, but it's not a necessity. Organic conversation as your authentic self is what forms a connection.

Friendly Follow-Up

Here's where people fall off and networking goes to die. Nothing happens after the event. Don't make this mistake! You are a farmer, remember? You. Must. Nurture. Your. Network. If not, forget about the seeds you planted actually growing into anything.

Tomorrow, when you put that business card in your desk drawer, I want you to do so only after you've followed up. And if you didn't get that business card, no worries. You can find most people online nowadays with just a first name and employer name. Your options are quick and easy:

- a small world. Hope our paths cross soon. Tom."
- to ensure they receive your note.
- and forged a real connection. You'll know when it's right.

Not so bad, right? But not so fast -- you're not done yet. Remember, nurture your network. You have to take care of it and check in and see how it's doing. Some quick and easy ways to maintain your contacts is commenting on their Linked In posts; emailing them an article or new case they might find interesting due to their position or line of work; and approaching them at the next event to say hello. There are tons of ways to stay on their radar without overdoing it. Consistency is key, but don't be a pest or a stalker. Remember, staying authentic and organic goes a long way.

Networking As a Necessity

Private practitioners often equate networking with business development. I get it. That's your livelihood and firms explicitly or implicitly stress it. It wasn't until later in my career that I realized we network all the time without knowing it and the line to business development is not straight. Consider the following *real life* examples:

new network of trustees while doing valuable pro bono work.

• LinkedIn. Unless you are simultaneously sending an email to the person, don't select the generic LinkedIn invitation. Send a quick note that reinforces the connection, like "Hey Sheila, it was great to meet you at the NJWLA Gala. So funny that we both know Joan! Such

• Email. It's also easy to send a quick email (like Tom sent Sheila). If you do this, send the generic LinkedIn invitation since the email counts as your personalized note. You may prefer email if you can tell that the contact isn't active on LinkedIn (or use it much at all) and want

• Handwritten note. Oh yes, I went there – and I know I sound like your mother. But I am a huge believer in the handwritten note. I like the old-fashioned feel of it and it stands out to me when someone takes the time to write and mail a note. So, I like to do the same when it's appropriate. Reserve this "touch" for someone you have had an extensive conversation with

• That woman who you hit it off with during the cocktail hour who is an attorney at another firm? Your handwritten note left an impression. She asks you to lunch. She's the chair of a non-profit and invited you to join the board. You get board experience and are exposed to a



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Networking: Are You Doing It Wrong? continued

- sional level.
- time you're slow for work, you contact her to see if she has anything you can work on.

My point: you never know. But here's what I do know: Be yourself. When you're authentically you and not worried about landing a new client, it really all comes together: the approach, the conversation, and the ease with which you follow up and stay in contact. You just have to be patient.

Well, what are you waiting for?! Good luck!!

Developing Female Leaders continued from page 61

the organization believes in her and trusts her with crucial projects. This will build confidence allowing the attorney to take on new responsibilities and enhance the employee's reputation in the company. Law firms and companies ought to be supportive in helping potential female leaders identify and join outside organizations that will help them enhance leadership skills, network, and develop relationships. These outside organizations can provide opportunities and connections that would otherwise be un-

available.

Finally, law firms and companies should evaluate launching a women's initiative network. These networks can be key to helping junior female attorneys find connection and support from more senior women leaders, especially those with whom they may not otherwise have day-to-day contact. Often, young lawyers at firms or companies are so busy with their job responsibilities that they do not have the time or know how to find female mentors who can guide them as they develop their careers. Women's initiative networks create those connections and foster organic growth of mentoring relationships. Strong female attorneys have the power to shape the future of the legal profession and leave the profession better than it was when their predecessors began practicing law. The legal profession is making important strides in supporting the development of strong female leaders, but more can be done. The responsibility to develop female leaders rests with all of us, and it is critical that as a legal community,

we take steps on both organizational and individual levels to develop female leaders and give them the skills necessary for success.

• The random person at your table you didn't know? It turns out you are both from the same town...1500 miles away. He just opened his own firm and has a completely different practice than yours. You refer each other work and become friends on a personal and profes-

• That partner from your firm who you don't really know but sat next to tonight? Well, you finally had the chance to introduce yourself and talk about your caseload at the firm. At the next firm cocktail party, she introduces you to the other attorneys on her team . The next

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How We Show Up by Nicole D. Bearce

s women, we embody many, varied personal and professional roles in our lives. These roles add multidimensional depth to our identities and shape how we show up in the world. Some of mine Lover the course of the past nearly 25 years (notably, not in order of importance):

Lawyer. Litigator. Partner. Executive. Mom. Daughter. Sister. Aunt. Survivor. Triathlete. Aspiring Yogi.

I originally wrote this piece as the mom of a soon-to-be graduating high school senior, in the early months of 2020. I found myself connecting dots and drawing parallels across my experiences to discern guideposts that seem to apply no matter the circumstance... And I attempted to capture them in the hopes they might provide some insights that could be appreciated by my daughter -- on the cusp of marching forward into her future, ready to forge her own roles and identit(ies). I also hoped they might help me prepare to embrace my too-quickly approaching empty-nester status. And perhaps even provide some lessons that could apply in my professional life, when handling and managing litigation matters capably and confidently. The more time passes, the more evident that all of it is connected.

So, here we are in 2021. I paused to re-read my thoughts to see if they still felt relevant after such a paradigmatic shift in how we move through our world. And my own lens has changed as my daughter is now nearing the end of her freshman year in college (thankfully able to live on campus, with classes taking place in hybrid formats). I am heartened that the guideposts withstood the test of all that happened in 2020, perhaps with some slight tweaking. Indeed, some resonate ever more powerfully in the wake of all that we have experienced over the last year -- individually, collectively, and intergenerationally.

1. Move with purpose. Embrace intention rather than habit.

No matter where you are showing up in life -- whether grappling with the realities of an epidemic, facing unexpected loss, raising thought-provoking questions about how we interact with those around us..., or more mundanely tackling a day at the office, in court, on a race course or yoga mat, or perhaps in a college classroom -- move with purpose. There is a saying that how you do anything is how you do everything. Check in with yourself and be intentional about your actions. All too often, under the weight of the many demands placed on us on any given day, we can default to habitual behavior that is akin to operating on "auto pilot." It may also happen when working from home day after day, feeling a bit like the protagonist in the movie, "Groundhog Day." Such a coping mechanism has its place and can be helpful to allow our energies to be deployed on higher urgency tasks, but defaulting to that setting on

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How We Show Up continued

a repeated basis elevates the risk that we will operate on the surface at a superficial level. Dig in. Wake up. Find enchantment in the details.

2. Know upfront that what you envision will happen... and what will actually play out... will diverge. Be open and prepared. Make it part of the dance. Well... this has never been more true. While not revelatory, it feels so very poignant today. John Lennon famously penned the lyric, "life is what happens to you when you're busy making other plans." It can be helpful, and quite fun, to plan for the future. When running a race, you map out a training plan that allows adequate time to prepare the body to handle increasing rigor along with sufficient rest and recovery to perform optimally. Similarly, in litigation, it is key to plot out the various potential contingencies that may play out so as to be fully prepared with appropriate mitigation tactics and responses. That said -- in law, in life, in competition, in practice, in a yoga pose -- whatever you envision will happen more often than not diverges in some manner from what actually unfolds. We all saw this come to life in more profound ways over the last year.

While critical to plan and prepare thoroughly, leave room for spontaneity. With that as foundation, it lays the groundwork to then be open and able to react in real time. Resilience and adaptability are key skills to handle such situations. And while we all strive to be graceful under pressure, it's not always possible to avoid some clumsiness. And that's okay too. Self-compassion is another critical skill. Make it part of the dance.

3. No matter what happens, always come back to what centers you. In any yoga practice, we come back to our breath to center us. It is our best tool to stay present, focused and grounded. It is your home base. The breath can serve the same function in triathlons. There is an analogous lesson that can be applied when handling and managing litigation. No matter the case, there should be a central theme or objective that anchors the case. It is the guidepost that consistently steers the strategy as it is developed, the narrative as it is framed, and decisions as they are made along the way. Discipline yourself to have clarity of what constitutes that central anchor. And then, when things go awry (see point 2, above), always come back to what centers you.

4. Create space for curiosity (and kindness).

While it is critical to know what grounds you or a case, it is equally important to allow space for curiosity so that new insights can be gleaned and sharpened as the process unfolds. In other words, don't be so rigid that you develop tunnel vision. Part of the beauty of creating space is that it creates the opportunity for something unexpected to take place or unexpected connections to be made.

5. Find and build your hive.

Quality is far more important than quantity on this one. Take the time and make the effort to find and build a community of those who will support you in good times and in bad, and will be real with you – which includes calling you on the carpet if and when it is needed. Be open but also trust your instincts. Edit your circle ruthlessly, if necessary. Keep those close who foster your energy. Life is too short to feel obliged to keep ties that drain you. Boundaries are healthy and an act of self-care.

6. Practice, practice, practice.

No matter the endeavor: law, triathlon, yoga, life -- it all takes practice and presence. There are no short cuts. The hard work, and heart work, are also never done. You need to show up. Again and again. It is not about showing up only on the good days. It is inevitable that there will be days when you do not feel motivated or appreciated. That is when discipline and a belonging to yourself kicks in. The benefit to showing up -- especially on the hard days -- is that is often when the biggest lessons are learned and the magic happens.





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How We Show Up continued

7. Trust the process (and that process will often take longer than you think it will or "should"). Several of the preceding points come together on this one... the process will often take longer than you think it will or should. But whether living through a difficult chapter in your life, training for a race, showing up for your yoga practice, or seeing a litigated matter through to resolution – it all takes time. With ups and downs and sideways turns along the way. If you are moving forward with purpose ~ and acting with intention ~ while staying grounded in what centers you ~ and allowing space for curiosity -- it will all work itself out. Perhaps in unexpected, and even more amazing, ways. But it will come together: Trust. The. Process.

8. Do your best, share it with the world & do not take the results personally. I have heard this adage, perhaps in slightly different wording, from a few of my favorite yoga teachers. This can be a tough one in terms of not taking it personally. After all, if you invest your best efforts and intentions, you likely will hope for a particular outcome. I have come to learn that there are so many other factors at work over which we have no control (and some of which we may not even know are in play). Do your best. Share it with the world. And then, gulp, let it go, and move on (see the next point).

9. Let go – it is often the most difficult and simultaneously most beneficial step you can take. Letting go is incredibly difficult, particularly for certain lawyer types who tend to have personalities (myself included) that like to believe they are in control. As a parent, I held my breath when my daughter embarked on her college journey last fall. I cried. And then I exhaled. (P.S. I'm happy to report that she's been absolutely savoring the experience, even though different than what any of us thought it would be. Every single day, she's learning from every aspect of it).

Brené Brown defines vulnerability as "having the courage to show up and be seen when we have no control over the outcome. Vulnerability is not weakness; it's our greatest measure of courage." Be courageous and then let go... because control is illusory anyway. So show up, give your absolute best, and then let the chips fall where they may. And hold your head up high knowing that you remain in integrity.

10. Appreciate all of it -- the joy and the tears. Anything worth your time (our most valuable and fleeting resource) is worth appreciating for all that it has to offer you. Whether litigating a case, running a race, pursuing your yoga practice, parenting your child... there will be joys and heartbreak, incredible highs, frustrations, distractions, crushing disappointments, and unending pressures. It is messy and amazing and paradoxical and multidimensional. The entire mix makes us who we are and challenges how we show up.

Show up with purpose and intention. And be grateful for the smiles, the tears, the wrinkles, the anxiety, and the lessons learned. Take heart from any or all of these guideposts. We are, each of us, privileged to be here and to be a part of it.

Prologue: I wrote this for the NJWLA Gala Journal in the first couple of months of 2020, of course with no anticipation that the world, as we knew it, would seemingly go on pause. And we would arrive in this unprecedented time with all the layered challenges presented by the pandemic, political upheaval, and racial reckoning. What a year it has been. With so many challenges and, yet also, innumerable gifts. This new year and new time dare us to show up more fully, more authentically, and more intentionally than ever before. How we show up will make all the difference. I hope that naming some of these themes can be helpful as part of that journey.

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Diversity and Inclusion in the Contemporary Legal World by Aryana Badery

mbracing diversity and inclusion is not only good practice, it is good business. This year, the United States will celebrate two historic milestones. First, the 100-year anniversary of the 19th Amendment providing women the equal opportunity to vote; and second, the 150-year anniversary of the 15th amendment protecting the vote for citizens regardless of race. Today, our collective sensibilities around the need for more inclusive living have moved beyond racism and oppression of women. From the #MeToo movement to various headline scandals, diversity and inclusion have been brought to the forefront of workplace dialogue.

Despite the heightened focus on diversity and inclusion within the legal field, the legal profession has been slow to capture the opportunity. But why is it that the profession that protects one's civil rights remains one of the least diverse of any profession? Multifaceted differences are neither intuitive nor easy for most people to fully grasp, and the legal world is the least agile in responding to this policy, perhaps due to its risk-averse nature.

What is diversity and inclusion?

Diversity has a different meaning to everyone. Diversity represents the full spectrum of human demographic differences such as race, ethnicity, gender, age, religion, disabilities, sexual orientation, and socio-economic status. Diversity is also the differences in lifestyle, education level, perspectives, opinions, family composition, personalities, skill sets, and experiences. Inclusion refers to a cultural and environmental feeling of belonging. Inclusion is an environment comprised of collaboration, acceptance, support, and respect that entails the participation and contribution of all. Fundamentally, people want to feel valued, heard, and be understood.

Diversity and inclusion must be considered together. Too often, the legal profession focuses on diversity and inclusion efforts disproportionately. The norms, power structures, and inequalities in society can easily become embedded in an organization if there is no progressive thinking behind future development. Simply having a wide-ranging roster of demographic characteristics alone will not make a difference unless the people who fall into any one demographic feel welcomed. As a result, it is important to consider both diversity and inclusion contemporaneously.

Diversity and Inclusion in the Contemporary Legal World

Is the legal world today affording all qualified individuals equal access and opportunity? Personally, I was born in Afghanistan and raised in Southern California and moved to the east coast to pursue a legal career. My background and ability to speak five languages alone raises eyebrows, but modern-day diversity of human identity span much broader than just gender, race, and ethnicity. Now, we must recognize the multitude of diversity such as working mothers and stay at home dads, women who choose not to have children, and transgender.

The United States is on the road to a majority minority population and the legal profession must stay abreast and become more progressive. A growing number of the contemporary clients demand change and fortunately, there has been some progress over the years. Several organizations within the legal community provide professional development and a supportive community to lawyers from under-

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Diversity and Inclusion in the Contemporary Legal World continued



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represented communities in the United States. Prior to my law school career, I recall utilizing services from an organization by the name of For People of Color, Inc. I learned of the organization from a family-friend in the legal profession. The organization holds an Admissions Conference at UCLA School of Law every year where a panel of professionals explain the application process, education and resources in law school, and their personal success stories. The organization even offered to review personal statements with feedback.

Today, a couple of distinguished organizations include Leadership Council on Legal Diversity and the National Association of Minority and Women Owned Law Firms. The American Bar Association ("ABA") has even pushed for change in the legal profession when it called on employers to sign its Pledge for Change to increase the inclusion of disabled lawyers in the profession. More recently, the ABA passed a resolution requiring all providers of legal services to take action to attain greater diversity in their organizations and for corporations to direct more attention from under-represented communities in the profession.

So, what's the problem?

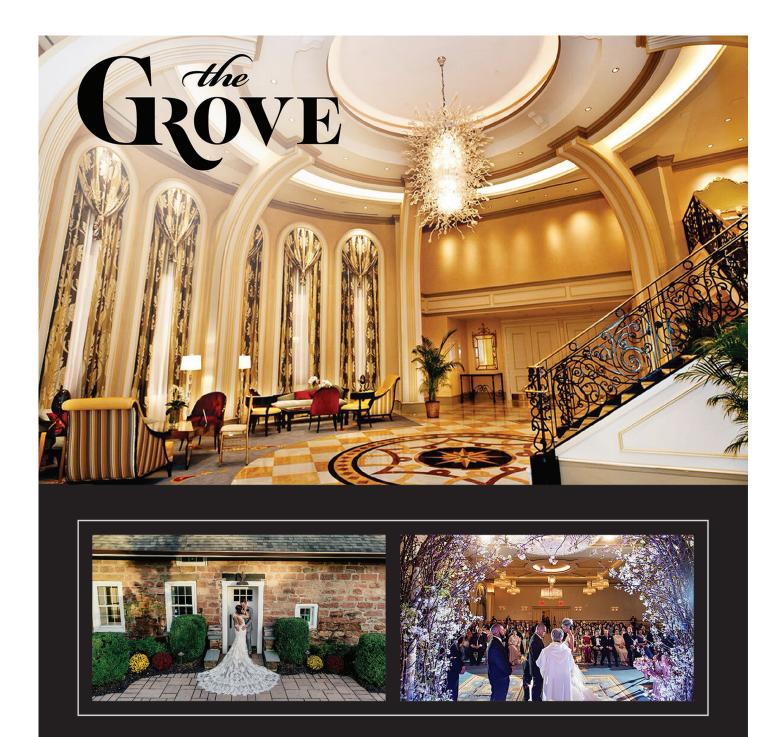
The need for fair representation begins with a diverse population of attorneys and judges. The lack of diversity and inclusion in the legal profession poses a threat to public faith in the legal system. Additionally, diversity and inclusion is likely to promote a competitive advantage because creative solutions to diverse problems are required to keep up with the contemporary legal world. All it takes is relatability. The modern client, individual or entity, wants professionals that mirror their core values and reflect their own diversity to represent them. A diverse group of professionals working collaboratively may use their experiences to identify and assess underlying issues that a non-diverse practice may not fathom. Collaborative thinking leads to innovative problem solving. This approach not only allows members of the legal profession to feel valued but it's good for business because diverse opinions and thoughts build confidence within the legal profession.

The challenge is overcoming unconscious bias and the risk-averse nature of attorneys. With active and meaningful strategies such a recruitment and retention, the contemporary legal world may progress in this landscape. It's important to implement educational training programs to bring awareness to the implicit and explicit bias issues in the legal profession as most firms do with sensitivity training, i.e. sexual harassment training. Another way to get ahead with diversity and inclusion initiatives is mentorship and sponsorship. If partners in private practice engage in local events or make time to join associations that allow for mentoring minority law students, then the legal world may begin to speed up the progression in this insular legal community.

We all know that we have an ethical obligation to remove barriers to the participation of diverse lawyers in the legal profession and the judiciary. It is more of a "must do" than a "nice to do" thing among professionals. One of the best ways to combat the unconscious bias and bring valuable awareness to the legal profession is to encourage continuing legal education (CLE) programs that address these types of issues. Elevating the power of shared experiences and storytelling makes for greater potential for positive change.

As professionals in the legal profession, we must recognize that we are all human, and diversity and inclusion is for all of us, created by all of us. Although it may be difficult, it is not impossible, to understand and address the overt and covert discrimination and unconscious bias and utilize resources, tools, or methods to adequately promote diversity and inclusion in the contemporary legal world.

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