

TCWLA LEGAL MATTERS

A PUBLICATION OF THE TRAVIS COUNTY WOMEN LAWYERS' ASSOCIATION

October 2006

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TCWLA congratulates Justice Bea Ann Smith on receiving the Defender of Democracy Award from the People For The American Way Foundation for her dedication and leadership on the Third Court of Appeals. Justice Smith, you are a hero to us all.

The Family and Medical Leave Act

A Panel Exploration

**Panelists: Julie Springer,
Jennifer Poppe, Linda
Shaunesy, Erin Kitchen**

**Date: October 17th, 2006
THIS IS A TUESDAY!**

Time: 11:45 - 1:00 p.m.

**Location: Texas Law Center
ROOM 202**

**Be Sure to Bring a
Business Card**

Menu: Chicken and Artichoke
Pasta, Traditional Green Salad,
Rolls, Iced Tea, and Assorted
Cookies and Bars for Dessert

Cost of lunch is \$15 for everyone.
Cost of CLE for members: FREE
Cost of CLE nonmember: \$15
Cost of membership: \$20 prorated for
rest of 2006.
TO RESERVE A LUNCH, YOU MUST
RSVP NO LATER THAN **October
13th to tcwlaorg@gmail.com**. We
cannot provide lunch if we don't
know that you are coming! You are
always welcome to attend and
brown bag your lunch if you forget
to RSVP. Please remember also that
no-shows will be billed.

Women Lawyers and the Workplace: Rights, Trends, Alternatives

Are you planning a family? Or maybe you employ someone who needs to take extended leave to assist a family member. Do you know your workplace rights? Join us in October as we explore the Family and Medical Leave Act, new trends in law practice management and the retention of women lawyers, and tips for balancing your law practice with family life. We'll talk to lawyers from different walks of life and hear "real world" examples of women lawyers who found success in balancing work and family. Our panel will consist of several women lawyers, including Julie Springer, employment attorney with Scott, Douglass & McConnico, speaking on the laws governing family leave; Jennifer Poppe, attorney with Vinson & Elkins, speaking on V&E's "Women's Initiative" in law practice management; Linda Shaunesy of the Office of the Attorney General, and Erin Kitchen, Human Resources Counsel for Dell. We have submitted this course for CLE approval. Please note that our October meeting will be on an unusual date and room: TUESDAY, October 17, 2006 at 11:45 in Room 202.



FROM THE PRESIDENT

October 2006

In my job as a legal recruiter, I speak with countless attorneys struggling with the same issue: how to balance a legal career with family life. One attorney was reentering the job market after having taken a year-long sabbatical from work in order to care for a parent with cancer. It had been a tough road and now, while she was ready to work hard, she needed help convincing employers that the gap in her resume was not a problem. Another candidate was on her second maternity leave from a large firm that was pressuring her to work longer hours than her current reduced hours arrangement. She was curious about part-time options with other law firms or in-house opportunities. This attorney got a terrific part-time offer with another large law firm but ended up deciding that the right thing for her and her family was for her to be a stay-at-home mom.

The legal profession seems slower than

some others in effectively addressing work/life balance issues and the resulting attorney attrition. Attrition hurts employers not only in the pocketbook, but also in employee morale, diversity, and quality and efficiency of service. Legal employers often cite client or company service expectations and the financial bottom-line as a reason for rejecting proposals for sabbaticals or alternative work arrangements (such as reduced hours, telecommuting or job sharing).

Communication about the law as well as the successes and struggles of people dealing with family issues and creative work schedules can empower us to make stronger, more workable proposals going forward, thereby enriching our work environments and family life. This is why I am especially excited about this month's membership meeting on Tuesday, October 17th. TCWLA has assembled a terrific panel of speakers who will be able to shed some light from various perspectives on the Family and Medical Leave Act and the options facing attorneys who are juggling


work and life with a new baby, an unexpected illness, or aging parents. Please join us and bring your questions and stories to share. I am also looking forward to our TCWLA walks every Tuesday in October at 6:00 p.m. This is part of our Race for the Cure "training" but you can join us for our evening walks even if you don't plan on signing up for the Race. I hope to see a lot of members at our walks who may not normally join us for our lunch meetings due to scheduling conflicts. Don't be shy — please join us. This is a great way for us to get to know each other (if we aren't too out of breath). On October 26th, we will be getting to know women law students from UT Law (and potentially future co-workers) at a mixer at Brenda Collier's house. We do this every year and it is always a lot of fun. Finally, SIGN UP NOW to save your seat at our November 2nd CLE seminar! More details are in this newsletter. See you soon!

Warmest Regards,

Joelle Boehle
TCWLA President

After a successful start last year, TCWLA will continue collecting items each month at the membership meetings to donate to local charities assisting women and children in Travis County. Each quarter, we will choose a new charity. For the months of September, October, and November, we will be accepting donations of nonperishable foods for the Capital Area Food Bank. The mission of the Capital Area Food Bank of Texas is to nourish hungry people and lead the community in ending hunger. In its 25th year of service, the Capital Area Food Bank of Texas (CAFB) currently provides food and grocery products to 370 Partner Agencies in 21 Central Texas counties. In 2005, CAFB distributed more than 15 million pounds of food. The CAFB service area covers 21,600 square miles in Central Texas. Please bring your donations to the September 20 membership meeting to be a part of the solution to ending hunger in Central Texas.

Please join TCWLA at a Meet and Greet for the UT Women's Law Caucus on October 26, 2006 at 6:30. It will be at the home of Brenda Collier, located at 615 W. Live Oak in South Austin. This is a wonderful opportunity for Travis County women lawyers to socialize with women law students and to share their experiences in the practice of law. Please contact Liz Branch at 565-4464 for more details or check your email for the Evite!

****SAVE THE DATES****
Women's Legislative Days

Uniting Women for Fairness & Equality
January 28-30, 2007
Woodward Hotel & Conference Center
3401 S. IH-35 Austin, TX
www.tcwild.org • info@tcwild.org

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CALENDAR OF EVENTS

October 3rd, 10th, 17th, 24th, 31st	6 pm	Meet other TCWLA Members at MoPac Bridge to train for Race for the Cure
October 17th	11:45-1pm	TCWLA membership meeting (Please note that this is a TUESDAY this month): Panel Discussion on Family Leave Issues
October 26th	6:30pm	Mixer with UT's Women's Law Caucus, Brenda Collier's Home, 615 W. Live Oak
November 2nd	All Day	TCWLA presents "Everything your Family and Friends Expect you to Know" CLE Seminar
November 15th	11:45-1pm	TCWLA membership meeting
December	TBA	Holiday Party!

Announcements

Have something you want to share with membership? Let us know!

Member Book Recommendations

The Spiral Staircase: My Climb Out of Darkness, by Karen Armstrong (a memoir by the British author of "A History of God" who is also a former nun)

Caramba!: A Tale Told in Turns of the Card, by Nina Marie Martinez (a quirky novel about some inhabitants of Lava Landing, California, full of magical realism and kitschy humor).

The Red Tent, by Anita Diamant (historical fiction involving women from the Bible, told in Dinah's voice).

C'est La Vie by Suzy Gershman. If you've ever dreamed of starting over in Paris, you'll enjoy this author's entertaining account of the trials, travails and joys of moving to Paris alone mid-life following the death of her husband. Suzy Gershman is also the author of the "Born to Shop" guides. An easy, entertaining read that feels like spending a few hours with a girlfriend.

Nine Parts of Desire: The Hidden World of Islamic Women by Geraldine Brooks. This book was written by an Australian reporter who spent two years traveling around many Middle Eastern countries talking to women from all walks of life. She knows her Islamic history and traces back many of today's customs and practices back to Mohammed's era. It's a fascinating look at a world few Westerners see behind closed doors.

Bring a business card to general membership meetings for drawing and you could be spotlighted in future newsletters!!

Joey Moore had her baby around 1:00 a.m. on September 15 just in case you had not heard! She's an adorable baby girl, 7.1 pounds and 19 3/4 inches with brown hair and blue eyes. Yeah Joey and Mark and Ali!

Please note the November 2nd CLE cost is \$100 for TCWLA members!

Don't forget, Race for the Cure Walk Team starts group walks **every** Tuesday night (6 pm, MoPac Bridge) in October. Come get to know other TCWLA Members!!

Please join TCWLA at a Meet and Greet for the UT Women's Law Caucus on October 26, 2006 at 6:30. It will be at the home of Brenda Collier, located at 615 W. Live Oak in South Austin. This is a wonderful opportunity for Travis County women lawyers to socialize with women law students and to share their experiences in the practice of law. Please contact Liz Branch at 565-4464 for more details or check your email for the Evite!

Seeking TCWLA Historian and Website Chair!!

Want to get more involved in TCWLA but you have limited time? You could take on a project-oriented Board position: Enjoy scrapbooking, photographs, family trees, and investigative research? You could be our Historian!

Experienced Dream Weaver Software and setting up/troubleshooting webpages, you could be our Website Chair.

Contact Joelle Boehle if you are interested.

Joelle@KinneyRecruiting.com. Thanks.

TCWLA has a new email address tcwlaorg@gmail.com

Don't miss your opportunity to be a small business contributor to the Race for the Cure! Please email tcwlaorg@gmail.com for packet information. Packets and payment are due November 1st, 2006. Get your packet to see how you can contribute to this outstanding organization!!!

September Luncheon Recap:



At our September luncheon, members were treated to one hour of an entertaining (and eye-opening) ethics CLE seminar presented by Nickie Hyde Freedman of Legally Large. Nickie spoke on the pitfalls of leaving legal staff to their own devices without providing adequate ethics training or supervision. And a lucky new TCWLA member won a \$500 gift certificate for an additional CLE hosted by Legally Large! Among others, Nickie provided these important tips to post on your office bulletin board and share with your staff:

ETHICS FOR NONATTORNEYS

UNAUTHORIZED PRACTICE OF LAW

The definition of practicing law is broad: giving advice or rendering services which require legal skill or knowledge. If your work is supervised by a licensed attorney who remains responsible for the work, the legal work you're doing in a firm does not constitute the practice of law.

Only attorneys can practice law. Nonlawyers and/or staff cannot:

- Accept cases or clients
- Set fees
- Give legal advice
- Appear in a representative capacity in court or before an administrative or regulatory agency (unless otherwise authorized by statute, court or agency rules)

When asked (whether formally or informally) to give an opinion on any kind of legal question or issue, please give an answer similar to the following:

*"I am not an attorney and cannot give legal advice.
I will have the attorney contact you as soon as possible".*

CONFLICTS OF INTEREST

A conflict of interest is a situation in which someone in a position of trust, such as a lawyer or legal staff, has competing professional and/or personal interests sufficient to appear to influence the objective exercise of his or her official duties.

There are three key elements in this definition.

1. There is a private or personal interest.
2. The duty you have because you have an office or act in an official capacity. As a professional you take on certain official responsibilities, by which you acquire obligations to clients, employers, or others. These obligations are supposed to trump private or personal interests.
3. Conflicts of interest interfere with professional responsibilities in a specific way, namely, by interfering with objective professional judgment.

If you have a conflict of interest with a current or prospective client, please tell your supervisor *immediately*.

TCWLA Member Profile: Heather Davies Bernard



Practice Area: Interest areas: civil litigation, appellate, estate planning

Employer: Licensed in May, 2006; actively engaged in career search

Education: A native of the Eastern Shore of Maryland, I earned my undergraduate degree from Bates College, in Lewiston, Maine. As an English major, I spent my junior year in Galway, Ireland.

After college, I enjoyed a career in public relations. During that time, I had the honor of serving as press secretary to the Governor of Maine. I also worked for Burson-Marsteller in San Francisco, where I led client teams in developing strategic marketing initiatives.

My career path ultimately led me to law school: I graduated from the American University Washington College of Law, in Washington, DC, in May 2005. During that time, I appeared before the U.S. Tax Court as an attorney in the Federal Tax Clinic, and clerked for a criminal trial judge in Maryland.

Family: My husband, Durel, and I celebrate our one-year anniversary this month. We were married in Austin last October, and are thrilled to be back in our favorite city after enjoying several years in Washington, DC. Our border collie puppy, Pablo, is the newest addition to our family.

Loves to Do: I collect vintage cookbooks and am always trying new recipes. I am currently preparing for the upcoming Race for the Cure – and working on my distance running.

Tidbits: I am thrilled to be a member of TCWLA; I truly enjoy the friendliness and camaraderie of the organization. I am also enjoying my new role as public relations volunteer for The Susan G. Komen Foundation's Austin chapter.



Meet Your Board: Jessica Warren

Practice Area/Employer: I left the formal practice of law last March to become a Vice President in the Trust Department at Bank of America. In my former life as a practicing attorney, I worked in a wide range of areas. I started out in a small boutique firm in Houston that concentrated on Products Liability Defense Litigation. Then I moved to Austin and practiced Workers' Compensation and General Defense Litigation. Eventually I transitioned to Estate Planning and Probate law before making the switch to Trust Officer.

Education: I was raised in Laredo, Texas where I attended Catholic school from kindergarten to 12th grade. I started at Blessed Sacrament, then went to Ursuline Academy, and finally St. Augustine High School. After high school I was ready to spread my wings and put some

distance between my parents and me, so I went to Stanford University in Palo Alto, CA. A month after getting there, we experienced a 6.9 earthquake (October 1989). The earthquake made me homesick and was hard on my parents who worried that I, along with the rest of the California, would fall into the Pacific. When I came home for the summer, my dad convinced me to transfer to the University of Texas for my sophomore year. (He bribed me with a car.) I enrolled in the University's Plan II Program, which is a Liberal Arts degree with an emphasis on writing, and really loved it. I decided to keep the car and graduated from UT in 1992.

After graduation, I knew I wasn't quite ready to enter the workforce, so I thought about business school and law school. I eventually chose Baylor Law School. It turned out to be a great decision for me. Baylor Law has a small student body where I felt I could really get involved. I got to know my fellow students and professors well. I also met my husband there.

Family: I have two mostly sweet boys who are 4 (Ethan) and 2 (Jonah). Ethan is a budding artist. He loves to make Froot Loop necklaces and he can entertain himself for hours by drawing and painting on a plastic easel we got him for his birthday. He has strict requirements; however, about his artistic environment. No one is permitted to see his creations before they are finished and there are severe consequences for anyone who violates this condition. As a punishment, you will not be allowed to enjoy the beauty of the completed work. Jonah prefers to watch Power Rangers and wrestle the other kids at his daycare down to the ground. As you can imagine, the other mothers at daycare are quite fond of our family. And last but not least, I am lucky to have a wonderful husband who loves to cook, occasionally vacuums, and is patient with us all.

Loves to Do: I don't have many hobbies that I actually practice, but I have lots of hobbies that I fantasize about. I love Poker, Books, and Music. I wish I had more time to devote to all of them. I used to love a good glass of scotch, but I have since found that a glass of scotch in the evening is incompatible with an early rising toddler in the morning, especially when combined with the slowing metabolism of a thirty-something.

Tidbits: I can solve the Rubik's cube. I am also this year's treasurer and I am really looking forward to greater involvement in this wonderful organization and meeting more of its fabulous members.

TRAVIS COUNTY WOMEN LAWYERS' ASSOCIATION

PRESENTS

“EVERYTHING YOUR FAMILY & FRIENDS EXPECT YOU TO KNOW”

A Day-Long CLE Seminar

NOVEMBER 2, 2006

STATE BAR BUILDING

TCWLA MEMEBER COST: \$100.00

NONMEMBER COST: \$125.00

**COME TO THE SEMINAR AND LEARN ENOUGH TO ANSWER COMMONLY
ASKED QUESTIONS OR TO KNOW WHEN YOU NEED TO FIND A REFERRAL.**

Topics Include: Small Business Formation; DWI/Public Intoxication; Wills; Probate; Immigration; Property Rights; Family Law; and Employment Issues

**IF YOU ARE INTERESTED IN BEING A SPEAKER OR WANT REGISTRATION
INFORMATION PLEASE CONTACT**

TRACY HENRY AT THEHRY@AUSTIN.RR.COM

OR CHECK OUR WEBSITE AT

WWW.TCWLA.ORG



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Sunday, November 5, 2006

Join Team TCWLA at the Race for the Cure

Lace up your shoes and sign up now to participate in the Komen-Austin Race for the Cure, a 5K run/walk and 1K Komen Kids and Family Fun/Walk benefiting breast cancer awareness. Online registration is already up and running. Go to www.komenaustin.org for more information about this year's event which takes place Sunday, November 5 starting at 8:00 a.m.

You can join Team TCWLA at the Komen-Austin website to join other TCWLA members who will be participating in the Race. Last year we were successful in reaching our goal of raising \$1500 to contribute to this great cause. Help us exceed our goal again this year!

Team TCWLA t-shirts are currently on sale for \$10. All proceeds from shirt sales will be donated to the Komen Foundation. Contact Joey Moore, 476-5664, ext. 1143, joeym@tsta.org to place an order.

To prepare for race day, train with Team TCWLA! Team TCWLA members will meet every Tuesday in October at 6:00 p.m. at the Mopac Bridge stretching area, across the street from Austin High and the tennis courts. Come on out, meet some other TCWLA members, and get ready for the Race. Contact Portia Bosse at portiabosse@yahoo.com if you are interested or have other questions.

TCWLA members, feel free to invite you friends, family and colleagues to join Team TCWLA.

We can't wait to see you!

Joey Moore

Team TCWLA Captain

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game show format
featuring host
Claude Ducloux
and celebrity
participants
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What's Going On?

If you are an attorney, or legal professional who has recently changed jobs, opened up a new office, received an award, or hired new staff...we want to know what's going on.

Please e-mail tcwlaorg@gmail.com with your announcements and photos.



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