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the Advocate

A Publication of the Colorado Women's Bar Association

One Small Step





President's Letter || Jessica Brown

One Giant Leap

The CWBA is on fire. At a time when many bar associations are struggling to maintain members and grappling with large numbers of retirements from, and low entry into, the profession, the CWBA is growing, with roughly 700 active members in March 2014, 850 in March 2015, and more than 1000 in March 2016.

The CWBA also is selling out programs regularly, suggesting the need for bigger venues. We had wait lists for many recent events, including our sixth annual moms' luncheon and "Confidence Gap" programs (each sold out at 70), judicial reception (sold out at 125), and member appreciation event (capped at 180).

Representative Beth McCann commented on our success: "I am so proud to be a founding mother of this fabulous supportive organization."

When I became President, my initial goal was, "Don't mess it up!" Another was to reach 1300 members this summer (if the Oregon Women Lawyers can do it, we can, too). A third was to have outstanding programming centered on my theme, *Walking Together: Supporting Each Other and Advancing Our Mission*.

The "Walking Together" part was a nod to my not-yet-famous "walk 'n' talks": I have held walking meetings with members all year. We also organized "Team Legally Pink" to support Board member Alli Gerkman and celebrate President-Elect Sarah Chase-McRorie in the Race for the Cure. And we invited the CBA/Colorado Lawyers Assistance Program to co-host two wellness programs: Author Jeena Cho's mindfulness workshop and psychologist Cynthia Lackner's stress reduction program.

The "Supporting Each Other" aspect showed up in our successful effort to have qualified women apply for judicial nominating commissions and nominations of members for honors like the Corporate General Counsel Group Advisor Program and the Colorado Women's Hall of Fame. It also appeared in

a success-and-authenticity talk at a NALP Committee luncheon; our sold-out CLE to assist lawyers contemplating a career change; a mock interview program we co-hosted with other specialty bars; our flexible work arrangements survey and panel discussion; and the "Confidence Gap" program, where CU's Dean Phil Weiser explored with us how women can bridge this gap to succeed.

The "Advancing Our Mission" facet was a guiding principle for our Public Policy Committee as they continued to fight for pay equity; for our Judicial Committee as it urged the Governor to appoint qualified women to the bench and identified implicit bias in the diligence process; and for me when I wrote in *The Advocate* about being a "wingwoman" and in *The Docket* about women "opting out." It also was embedded within our "Storming the Bench" program, helping attendees position themselves for judicial vacancies; our legislative breakfast, a success despite the snowstorm; and our Trivia Night fundraiser for the Legal Aid Foundation.

Stay tuned for all aspects of our theme at our 39th Annual Convention in May. Having a successful Convention was one of my main goals, and I know we will, with a beloved Mary Lathrop Award recipient, four keynote caliber speakers, an array of judges, and a wellness focus Friday afternoon. The Convention Chairs' theme, "One Small Step," not only connotes walking, but the giant leap forward we have taken together this year. We could not have done it without our tireless Executive Director, our hardworking Board, and our devoted members. Thank you for walking with us, and I hope to see you at Convention.

Jessica Brown is a partner at Gibson, Dunn & Crutcher, LLP specializing in employment law, e-discovery, and class action litigation.

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|| Perspectives ||

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How Students, Administrators, Law Enforcement, and CWBA Members Can Unite Against Campus Sexual Assault

The epidemic of sexual violence on college campuses has spawned a multitude of national and local campaigns focused on prevention, education, and justice. This article profiles three prominent trailblazers empowering students to report sexual assault and educating school administrators on properly handling Title IX investigations.



Dana Bolger

Ms. Bolger is a graduate of Yale University and Executive Director/Co-Founder of Know Your IX, a survivor- and youth-led organization empowering students to end campus sexual violence. Bolger will be featured

as a student activist panelist at the 39th Annual CWBA Convention from May 20-22, 2016 in Vail, Colorado.

1. What motivated you in your fight against campus sexual assault?

As a student, the problem was very real and immediate to me. You watch enough of your friends struggle to stay in school in the aftermath of sexual violence, you see your college doing little to nothing to help them, and you have no choice but to jump in and do something about it.

2. How does Know Your IX help educate students about sexual violence?

Greek organizations have brought Know Your IX to their campuses to run “know your rights” workshops, we’ve partnered with sororities to oppose dangerous legislation, and of course we have students in Greek life on our team and in our student network of activists. The voices of those most directly affected by sexual violence should inform our collective mobilization against it. We train, organize, and support student survivor activists in challenging their educational institutions to address gender violence and discrimination. And we work to bring their voices, concerns, and experiences to policymakers to ensure meaningful survivor-centered systemic action to end the violence.

3. What do you see as the best way to give teeth to Title IX enforcement?

Quite simply: *more* enforcement, *less* slowly. The Education Department is investigating over 150 colleges and universities for sexual violence-related Title IX violations, and many of those investigations have been dragging on for years. For a rape victim, that’s an eternity. Many survivors graduate — or drop out of school — long before the investigations are concluded.

4. What do you think is the ultimate impact of the 2014 Rolling Stone article covering a woman’s account – since discredited – of a gang rape at the University of Virginia? How do you think the school could have better handled that situation?

It’s disappointing that what people will take away from 2014 is this one story rather than those of hundreds of other students who have spoken up about their rapes -- not to mention the thousands of survivors that have remained silent. I expect it’ll have a chilling effect on victim reporting, as victims witness the fallout from the piece and are deterred more than ever from coming forward.

5. How can CWBA members help become leaders in the fight against campus sexual assault?

Student survivors need two things: pro bono legal representation, and financial support for their activism. By that I mean donations, help tackling some of the complex legal questions students are trying to navigate, and support fighting dangerous bills at the state and federal levels. The only reason we’re hearing about campus sexual assault on the news these days is because student survivors have organized long and hard. When the media attention dies down, as it inevitably will with time, students will need you more than ever.



Dr. Gillian Kaag

Dr. Kaag is a licensed psychologist and the Director for the University of Denver Center for Advocacy, Prevention, and Empowerment, which provides advocacy and support for victims of sexual violence.

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On the Road

By Sarah Chase-McRorie

It is an exciting time to be a part of the Colorado Women's Bar Association! We are an active, issues-driven organization that advocates for and lobbies on behalf of all women in Colorado. We are member-focused, providing a forum for idea exchange, relationship building and informal mentoring. We all have our own reasons that resonate with us and keep us engaged. For me, it is the focus and engagement on the member that drew me in and keeps me active.

Our theme this year, *Walking Together: Supporting Each Other and Advancing our Mission* has been an important part of my year as President-Elect. I've walked many miles this past year while strategizing a plan to support our membership and the new board in advancing our mission. It started out with walk 'n' talks that had me zig-zagging around downtown. More steps took me to the capital to meet with state leaders and members of the Governor's office, speak at a press conference, and testify before members of the legislature. And participating in the Race for the Cure is always emotional for me – the reality of almost having my name on the back of a "running in memory of" t-shirt makes me run all the harder for those women whose names do appear on the t-shirts.

Then, I took my show on the road.



Sarah Chase-McRorie (Front row, second person) with one of two groups of Colorado attorneys who traveled to Cuba this winter.

Members of the CWBA and Colorado Bar Association joined forces and brought us an opportunity to travel together to Cuba. I did a walk 'n' talk every morning and connected with CWBA members in a way that could only happen while discovering a new place together. By the end of the trip, we had a group of eight incredible women walking 'n' talking.



Sarah Chase-McRorie with CWBA Past President Patricia Jarzobski and Denver Bar Association President Elect Nancy Cohen on their walk 'n' talk to Cloud Gate in Chicago.

Then I traveled to the ABA's Bar Leadership Institute in Chicago where I had the opportunity to do a walk 'n' talk with Colorado leaders of regional and local bar associations who I count among my friends and mentors. Here again, being in a new place allowed for new ideas to come forward.

Walking 'n' talking has prepared me in ways I did and did not expect:

it has allowed me to connect on a more personal level; to listen to members' needs and address them in a way that is meaningful and advances our mission; to be mentored informally; and to connect professionally so that I can refer a matter or ask a question myself. This year has allowed me to continue to recognize the similarities and the differences in our membership, while recognizing that we are all here for the same mission: advancing women as leaders in the law, and to know that we are together as one – no matter what.

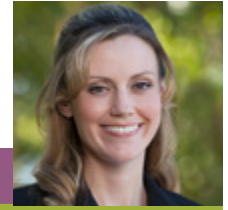
Next up: the road to Vail and our 39th Annual Convention. I encourage you to travel with the CWBA and to find time to walk 'n' talk with fellow members in a way that only traveling allows, whether through city streets or a hike around the valley. You will get more than just exercise!



Sarah Chase-McRorie is President-Elect of the CWBA and is a member of the CWBA Foundation Board. She is Senior Legal Counsel for Matrix Settlement & Clearance Services, LLC, a Broadridge company, and one of the nation's largest providers of back-office, trust, custody, trading and mutual fund settlement services for financial institutions. Her practice focuses on the financial services industry and the corporate retirement and institutional services business. Sarah is a graduate of Colorado State University and California Western School of Law.



Kristi Dorr Gilkes || Melanie MacWilliams-Brooks



“One Small Step” CWBA 39th Annual Convention *CWBA Convention Committee*

Registration is filling quickly for our 39th Annual CWBA Convention, “One Small Step.” Convention will take place May 20–22, 2016 at The Sebastian in Vail and promises to be a rewarding experience for the whole family. We kick off Convention Friday at 1:45 p.m. with a health-and-wellness-focused afternoon. Our CLE programming begins with an ethics program entitled “Staying Sane in the Legal Profession,” followed



by an afternoon “smoothie social” with a special focus on CWBA Chapter members, new CWBA members, and first-time Convention attendees. Then, at 3:30 p.m., we’ll hear

from Mary LoVerde, an expert on work-life balance who has appeared on Oprah four times! The day concludes with the Mary Lathrop Award Reception honoring Helen Shreves, a remarkable local attorney and pioneer in many respects.

Saturday, May 21st promises star-quality speakers throughout the day. Breakfast will feature a presentation by **Kathy Ruemmler**, former White House Counsel to President Barack Obama and current Global Co-Chair of White Collar Defense & Investigations Practice at Latham & Watkins in Washington. **Ashlie Beringer**, Facebook’s Vice President and Deputy General Counsel will speak at Saturday’s luncheon regarding the critical role women play in technology litigation. Finally, in the afternoon, our feature panel, “Campus Sexual Assault: A Civil Rights Perspective,” will include Dana Bolger, co-founder of Know Your IX and recognized by Politico Magazine as a “Top 50 Influencer” of 2015.

In addition to our nationally renowned speakers, Saturday programming is chock-full of informative and relevant CLE courses, including depositions training, training on offering unbundled legal services, a panel on transitioning one’s practice, and presentations on free speech in the context of social media and hot topics in immigration law. Additionally, our Judge in



Residence, **Judge Terry Fox** of the Colorado Court of Appeals will host a fireside chat for attendees in The Sebastian’s beautiful library. Convention will conclude on Sunday morning with the ever-popular judicial panel.

We are pleased to announce that we are offering childcare for the first time this year. Parents or guardians have the option of leaving children aged three and older with our care providers, or alternatively, participating with their child in a variety of activities our providers have planned. The children’s activities will include age-appropriate games, marshmallow buildings, and a multi-craft table, and will take place Saturday from 7:30 a.m. to 1:30 p.m., with the option to purchase lunch. Childcare is limited to 20 children, but there is no limit to the number of children participating in activities with a parent or guardian. Additionally, from 1:30 to 4:30 p.m., we will offer face painting and balloon animals for children (must be accompanied by an adult). We will also present a movie on Friday night and invite parents and children to snuggle up together and watch the show from 7:00 to 9:00 p.m. **Please register for the childcare activities separately on the CWBA website.**

This amazing weekend also includes, yoga, a Sunday morning “walk ‘n’ talk,” and Saturday night “Geeks Who Drink” trivia entertainment. Register today! When you do, be sure and book a room at one of our many partner hotels, including The Sebastian, The Four Seasons, Sonnenalp Hotel, The Lodge at Vail, and Vail Marriott Mountain Resort. All offer steeply discounted rates and many (The Sebastian, The Four Seasons, Vail Marriott and Sonnenalp Hotel) offer spa discounts as well!

For the full schedule, registration, hotel information, and more online at: <http://www.cwba.org/Convention>

Kristi Dorr Gilkes is a CWBA Board Member and Co-Chair of the Convention Committee. Kristi is the Executive Director of the El Paso County Bar Association.

Melanie MacWilliams-Brooks is a CWBA Board member and Co-Chair of the Convention Committee. She is an associate at Foster Graham Milstein & Calisher, LLP, where she practices commercial and appellate litigation.



A Review

Stop Screaming at the Microwave: How to Connect Your Disconnected Life

By Lynn Noesner

Feeling overwhelmed? Torn in multiple directions? Stressed to the max? If so, you are not alone. Finding balance in today's modern world can sometimes feel like an impossible, elusive goal.

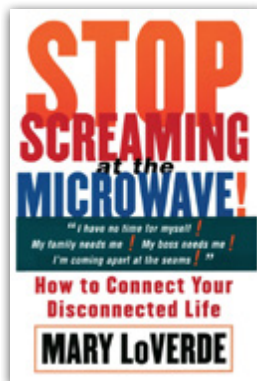


Author **Mary LoVerde** offers a simple but viable solution – connection. In her first book, “Stop Screaming at the Microwave: How to Connect Your Disconnected Life,” LoVerde asserts that the act of connecting creates balance. Her motto is “When you can’t keep up, connect.”

She discusses connection in several ways. First, she urges readers to connect to themselves by looking inward and tapping into their own personal passion. Then, she suggests connecting to partners or loved ones by increasing romance, attention and support. Next, she offers solutions for staying connected with children, things like being more affectionate and accepting, and having dinner together as much as possible. And finally, she offers ways to connect to elders or aging parents, like conducting videotaped interviews of them to preserve their lives or creating memory jars as presents. After exploring how to increase self-connection and connection to others, LoVerde addresses how to connect to the bigger picture by letting go of antiquated thinking, meditating, and taking time for quiet reflection.

Mary LoVerde keeps it real and down to earth. Her tone is friendly, and she shares much from her own

life. She offers not just larger, abstract wisdom but also practical advice to help readers implement positive change, like developing rituals and policies that will facilitate connections and establish healthy boundaries. At the end of every chapter LoVerde offers concrete examples to readers to help them increase connection rather than exacerbating disconnection, along with a list of “microactions” to get readers started on the right path. And throughout her book LoVerde includes letters and stories from individuals who have attended her conferences or speeches and have found balance and joy by increasing their connection.

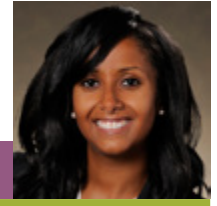


Let's be honest – we are never going to check off all of the tasks on the ever-growing to-do list, but what if we could hit the most important ones – the ones that make us and the ones around us feel happy, energized and loved? That would be a successful life balance, and that is the hope that LoVerde provides. As she explains, we cannot have everything, but we can have it all!

Mary LoVerde will speak at the upcoming 39th Annual CWBA Convention on Friday afternoon, May 20th at 3:30 p.m. Her presentation will be based on her book “I Used to Have a Handle on Life, But It Broke.”



Lynn Noesner is a member of the CWBA Publications Committee and is a Senior Deputy Public Defender in the Appellate Division of the Colorado Public Defender's Office.



Inside The CWBA: Meet Judge Adam J. Espinosa

Board Member Spotlight



A member of the 2015-16 CWBA Board of Directors, Judge Adam J. Espinosa was appointed to Denver County Court on September 19, 2014. After finishing law school at the University of Denver-Sturm College of Law, Judge Espinosa worked as a district attorney for eight years in various counties before serving as a trial attorney with the Office of Attorney Regulation Counsel for five years. I was fortunate to have the opportunity to interview Judge Espinosa (the first male CWBA member to be profiled in *The Advocate*) about his background, the people who have most influenced his legal career, his observations of implicit bias against female attorneys, the importance of female judges and diversity in the legal profession, and his advice for CWBA members appearing in the courtroom and aspiring to join the bench.

This interview has been edited and condensed for clarity.

Born in Germany to a military family, Judge Espinosa had a worldly upbringing. After moving several times as a child, he and his family settled down in Kansas. Despite knowing from a young age that he wanted to go to law school, Judge Espinosa faced obstacles getting there and beyond. Given that his older brother was the first in the family to graduate from college, Judge Espinosa did not grow up with anyone to tell him how to apply to college – much less law school – where to apply, and what to do when you get there. When asking his high school guidance counselor for advice on which colleges and scholarships to apply for, he recalls being told: “Don’t apply for college. Why don’t you just be an auto mechanic, instead?” Several years later, when asking for advice on applying to law school, Judge Espinosa’s college admission counselor attempted to dissuade him from applying, saying: “I’m not so sure you’ll get into law school.” When considering how far he

has come, Judge Espinosa wonders, “What if I had listened to those people?”

When Judge Espinosa considers who has had the greatest influence upon his legal career, several people come to mind, including Second Judicial District Court Chief Judge Michael Martinez, OARC Regulation Counsel Jim Coyle, Colorado Court of Appeals Judge Daniel Taubman, and legal malpractice defense attorney Nancy Cohen. On a fundamental level, however, Judge Espinosa shares that he would not be where he is today but for his parents: “My father went to college late in life and then went to law school. I usually look to him as my greatest influence. But when I thought about my dad’s success, even after my parents divorced, his success is really attributable to my mother. She’s the one who lit the fire under me. When I had doubts about if I could go to college, she’s the one who kept me focused and going.”

Throughout his career, Judge Espinosa has observed several instances of implicit bias against female attorneys. In his experience, he has noticed discrepancies in the priority and type of work projects assigned to his female versus male colleagues. Throughout his career, Judge Espinosa has further observed a culture in which confidence and aggressiveness are respected in male trial attorneys but not valued, and sometimes scorned, in female trial attorneys. He reflects that despite considerable strides, the legal profession still has a ways to go in advancing gender equality: “We can all be grateful that direct discrimination against women in the legal profession is less common. Our primary challenge now is to overcome implicit bias, which can have the same cruel effect, even if unintentional.”

On the importance of female judges, Judge Espinosa notes that, “our courts have made tremendous progress in expanding the pool of advocates and jurists in a manner that more accurately reflects our community.” At the same time, he recognizes

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CWBA Hosts Survey and Symposium on Reduced Hours Program

By Deborah O'Neil

On March 11, 2016, the CWBA sponsored a Tea and CLE on Reduced Hours Programs. The Symposium was facilitated by **Judge (Ret.) Mary McClatchey, President of WorkSmart Partners**, who consults



with law firms and other businesses on flexible work strategies and employer compliance programs. www.worksmartpartners.com.

Prior to the symposium, Judge McClatchey partnered with CWBA President Jessica Brown and Program Committee Chairs Elizabeth Meck and Ryann Fogel to draft a survey circulated to the CWBA membership. One

hundred and seventy-seven (177) members took the survey – an excellent response rateⁱ.

Survey Resultsⁱⁱ

The survey results revealed a big disconnect between attorneys' interest in reduced hours programs and the reality of law firm practice today: 81% of respondents were interested in having a program at their firm, yet only 42% of them currently do.

When asked why their firms don't have a program, 20% attributed this to work culture and 21% to lack of leadership support; 9% stated there is interest but no time to make it happen; and 45% did not know. A third of respondents work in small offices where no formal program is needed.

Nearly half of the lawyers working at firms with reduced hours programs believe the program is well accepted and viewed as an important talent strategy for the modern workforce. However, 26% stated that many avoid using the program out of fear of being marginalized, and 20% said those using the program are perceived as not being "A" players. Forty percent

said the program is viewed as primarily for women. The good news is that 23% indicated that men are using the reduced hours program at their firm. A large majority (77%) believe that men's increased use of reduced hours will strengthen these programs.

Symposium Takeaways for Attorneys

Symposium panelists included Jessica Brown, who went on a reduced time schedule as a Gibson Dunn equity partner after having her first child; Kelly Cooper, elevated to partner at Holland & Hart while on reduced time; Erik Lemmon, a Holland & Hart associate on reduced time; and Todd Fredrickson, Managing Partner of Fisher & Philips' Denver office and chair of the firm's diversity committee.

The discussion focused primarily on how attorneys can make reduced time arrangements work successfully for clients, law firms, and for attorneys themselves. Among the key points:

- For attorneys early in their legal careers, gain some mastery in your area of practice before considering a reduced time arrangement. Build champions in the firm who value your work and trust your work ethic first.
- From day one, start learning about business development, so that when you do go on reduced time you will continue to advance towards partnership.
- Build your billable hour rate and your efficiency to a reasonable level before going on reduced time, so that when you pitch a proposal it is clear you will generate sufficient revenue for the firm.
- Be accessible to clients at all times. If you can't return an email or call right away, inform the client of when you will be able to do so.
- There is no need to disclose your reduced time status to either clients or attorneys in other practice groups in your firm.

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- Try to work five days a week on reduced time; this will make your availability a non-issue.
- Work in a practice group that is explicitly dedicated to work-life balance and in which attorneys support each other in achieving this goal.

Stay tuned for a September 28, 2016 brown bag CLE on reduced hours programs, cosponsored with other specialty bars, and the Center for Legal Inclusiveness's General Counsel/Managing Partner Roundtable in November 2016, which will feature a nuts & bolts program for firm leadership on these programs. And, [access survey results here](#).

i *Forty-seven were partners; 72 were associates; and the remainder work in government, in-house, and other positions. Eighty-six respondents had ten or more years of practice; 40 had 6-10; and 48 had five or less. The only male who took the survey is a partner.*

ii *The survey was not randomized and therefore is not necessarily representative of CWBA membership or women attorneys in general.*



Deborah O'Neil is a CWBA Board Member, Co-Chair of the CWBA Publications Committee, and Vice President of Assured Equity Management Corporation.

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Someone's Gotta Say It: Social Media Smackdowns

By Justine Pierce



Clearly, the CWBA and its members know the power of social media—in May we will welcome Ashlie Beringer, Vice President and Deputy General Counsel at Facebook, as one of our Convention speakers. According to a recent survey of lawyers, 88% of us use social media, and 68% of us use it as part of an overall marketing strategy. Social media's use as a method of communication is increasingly commonplace. The tone and delivery of that communication, however, can vary widely.

Social media can spawn comical memes or launch a heated smackdown. With memes, the community seems to understand the general sense of humor intended. A meme's entertainment value stems from the brief glimpse it provides into an emerging and, often-times, hilarious pop-culture trend. (#nodisrespecttobenaffleck) Although memes do not typically generate a great deal of controversy, the same cannot be said of the all-too-common social media smack down. A social media "mob" can tear down an individual for a comment astonishingly quickly. Should we consider social media just another form of shared communication? Or do far more serious consequences attach to such communication than we ever could have anticipated?

We previously discussed thinking twice before exercising the power of social media in our Spring 2015 "Someone's Gotta Say It" column. But every day reveals tempting new targets. Real-life events lead to twitter wars just as often as social media snafus cause real-life consequences. A twitter war recently erupted after comedian Amy Schumer was accused of stealing other comics' jokes for her stand-up routine. One of the other comics eventually apologized and said she went too far. And then there was the young professional whose tweet just before her plane took off for Africa caused her to be fired before she landed. The social media mobbing she experienced was so intense and

noteworthy that it has been covered by *The New York Times*, *The Guardian*, and *Vanity Fair*.

Beyond pop culture, social media smackdowns also occur in the legal world. A female associate recently engaged in a smackdown of a partner at her firm who responded to her request to connect on LinkedIn by commenting on her appearance rather than her professional skills. Afterward, the associate reportedly had difficulty finding employment. In yet another example, a lawyer wrote a blog post that called an expert witness's qualifications into question. Turns out the expert in question happened to be a member of the state's attorney disciplinary board, and she requested investigation of the lawyer for allegedly misrepresenting her credentials.

Our freedom to call out a senior partner on LinkedIn, criticize an expert witness on a blog, or make an ill-advised joke on Twitter stands in stark contrast to other parts of the world. For example, a human rights lawyer in China, Wang Yu, recently used social media to alert her followers that she "heard someone trying to force the doors open," and that "calls to my husband's and son's cellphones are ringing unanswered." Wang and her husband were later detained and arrested.

Even though we may not be imprisoned for a political tweet, the real-life consequences can still be profound for lawyers and non-lawyers alike. A Staten Island judge recently ordered a dissatisfied customer to pay a business owner \$1,000 for committing libel on Yelp. The judge also ruled that the Yelp review in question was not protected by the First Amendment.

Whether we choose to exercise the power of social media wisely or foolishly, we should always appreciate our freedom to do so. But we should also keep in mind the real-world consequences.

Justine Pierce is a member of the CWBA Publications Committee and an Assistant Attorney General in the Health Care Unit at the Colorado Department of Law.

"Someone's Gotta Say It" is a regular fun feature of The Advocate, committed to bringing you true, relevant, and/or hilarious information.

Getting Up Close and Personal with Two of CWBA's Convention Speakers: Their Advice on Small Steps to Success.

By Jennifer Tiedeken and Melissa Hessler

Ashlie Beringer is Vice President and Deputy General Counsel at Facebook, where she leads the Product, Regulatory and Litigation Legal teams of Facebook.

Kathy Ruemmler is Global Co-chair of the White Collar Defense & Investigations Practice and partner in the Litigation and Trial Department at Latham & Watkins in Washington DC. She is former counsel to President Obama. Both took time out of their busy lives to give CWBA members exclusive advice on what small steps they take in their everyday lives to foster success and personal fulfillment. It comes as no surprise that these women have invaluable insight to share.

Getting to know Ashlie:



1. We know you are extremely busy. What is one thing you do to make time for activities outside of your profession (or one thing you like to do outside your profession)?

"Having a life outside of my job has always been essential for me, and I have many pursuits outside of work. I gravitate towards activities that allow me to combine time with friends and family with one of my passions. I'm in two book clubs, which combines my love of reading, conversation, friendships, food and wine (and Audible during my commute is a great way to finish the book if I'm running behind). And I'm really invested in spending as much time outdoors as possible—hiking, camping, and backpacking—or snowshoeing and cross-country skiing in the winter, which is great bonding time with my family and great for clearing my head."

2. How do you view the issue of work-life balance, given the many high pressure jobs you have held?

"I'm passionate about finding work/life balance and in creating routines and moments that allow me to completely unplug from work and recharge. No matter how demanding my schedule, I have always taken every day of vacation (and usually a few extra) during my 20 years as a lawyer, and many of those vacations were in remote regions or sailing or river rafting where I was unreachable. My clients survived, I set the expectation that this was important to me, and as I came back and ramped up to 1000%, nobody remembered that I was gone. Facebook really emphasizes these values and provides formal periods

for employees to recharge (4 weeks' vacation, a one month recharge every five years, etc.), and I set these expectations with my team as well."

3. Do you have any particular work habits or routines that help lead to successful work days (and nights)?

"One of the challenges of my current position is that I am overseeing such a broad area with numerous moving parts, and it is important for me to focus on the most important issues to impact each day. In the words of Sheryl Sandberg, 'ruthless prioritization' is really critical to success at Facebook and any fast moving company. Rather than letting my email inbox dictate my priorities for the day, I start each day identifying the top three things I need to accomplish that day: one must do, one should do, one try to do. I am ruthless about rescheduling meetings, declining requests and delaying on email to ensure that I focus in on these priorities, and that has been essential to keeping the ball moving on the most important priorities. I replicate this structure with my team and begin my weekly one-on-one meetings by asking them to identify their top three priorities for the week — and work with them to make sure that they are spending their time on the areas where they can have the greatest impact."

4. We understand you believe in making decisions based on intuition. Has that approach ever backfired and/or how has it most benefited you?

"Trusting your intuition and being prepared to pick a path in the face of uncertainty is essential when working in a technology company facing so many novel and uncharted issues. I think informed intuition is the better practice. Before making key decisions, I ask a number of questions and drill down on the issues that help me to assess the pertinent risks, potential outcomes, worst and best case. There is no algorithm for weighing and mitigating risk, which fundamentally is our role as counsel—and this is where intuition comes in. Once the information has been pulled (and sometimes before we have the ability to pull or digest it) decisions need to get made and a path needs to get charted. Intuition has been a key asset for me in the decision making process. It helps that I work at a company that challenges employees to take risks and accepts that failure is an inevitable

continued on page 14

1. What measures must schools take to ensure effective Title IX investigations?

Title IX investigations are most effective when investigators have the resources to give every student who comes forward the attention they need and communicate with the student about expectations and the status of the investigation. The role of the investigators is that of neutral fact-finders, so it is critical that students have access to a confidential advocate or counselor who can support them through the investigative process.

2. What can schools do to encourage more students to report incidents of sexual assault?

Students are more willing to come forward when they trust their university to protect their privacy, conduct a fair and timely investigation, protect them from retaliation for coming forward, and hold offenders accountable. There's a greater sense of trust when universities require training around gender-based violence issues for all members of their community.

3. How can law enforcement and campus administration do a better job of coordinating their investigations?

This is a great question and an issue that Denver is actively working on. The Sexual Assault Interagency Council (SAIC) has formed a Title IX workgroup comprised of representatives from universities in the Denver metro area, from law enforcement, from the Blue Bench, and from the District Attorney's office. Together, we are working on developing an MOU for how investigative processes will be handled when an incident is being investigated by both a university and the police. We are hoping to establish clear, coordinated, and agreed-upon practices.

4. What steps must schools take to protect students who come forward?

Universities need to have clear policies regarding retaliation and hold offenders accountable for retaliatory behavior. Confidentiality and privacy are different things – so it also is important that students coming forward understand who their confidential resources are and who their private resources are. At the University of Denver, the Health and Counseling Center, including the CAPE department, is a confidential resource so information is only

shared with the student's permission except under the rarest of circumstances. The University Chaplain is the other confidential resources on campus. When a student is making a formal report to the university's Title IX office, the investigators are able to keep the information private so that only those directly involved in the investigation and who "need to know" are informed of any details about what happened.

5. How can CWBA members help become leaders in the fight against campus sexual assault?

Alumni have the power to hold institutions accountable for how they are interpreting and meeting the expectations of the law. Alumni also can play a critical role in their role-modeling and promoting of an institution's values.

Haylee Wexler

Ms. Wexler is an anti-gender violence activist at the University of Colorado Boulder, where she serves as a member of the Gender Justice League, a student group that spreads awareness about oppression and inequality on campus.

1. What has motivated you to become a leader in the fight against campus sexual assault?

When I took my first Women and Gender Studies class, I realized then that I had had my own sexual assault experience in high school without even knowing it. Most students know little about sexual assault and what qualifies as such.

2. Why are so few incidents of campus sexual assault prosecuted?

There is still a stigma of being a victim of something, especially in a place where a feeling of belonging is still so important. Victims who do report either gain a negative reputation or are completely dismissed by the university, their peers, or their families. Most administrations don't have the tools or understanding to adequately approach sexual assault cases.

3. Do incidents of campus sexual assault against males get treated differently than those against females?

There is still a societal belief that men cannot be sexually assaulted, are inherently sexual and always want sex. Because of this, males reporting sexual assault are perceived as weak, especially in college.

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4. What is your biggest challenge in this fight?

The biggest challenge is how ingrained some of these messages are in our heads, and how to flip those messages to inform people on how important these issues really are. It's hard for people who have experienced sexual assault to identify it as such because their experience does not match these messages.

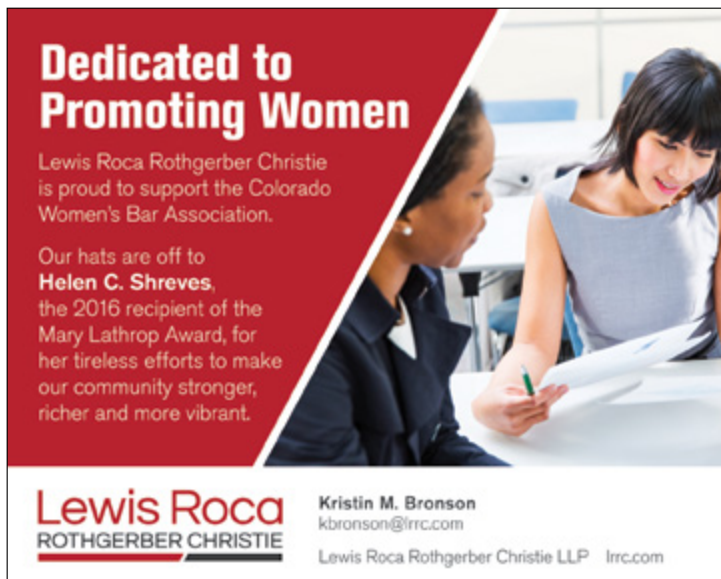
5. How can CWBA members help become leaders in the fight against campus sexual assault?

Awareness. Educating yourselves on all of the ways sexual assault can look, all the ways people react and cope, and being advocates for those who do come forward without speaking for them or silencing their voices and experiences. Doing things like these interviews really helps too, because it brings voice to the students in the schools either experiencing, witnessing, or advocating for fellow students facing these assaults head on.

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For their outstanding research assistance, the authors thank Brittany Choun and Jordan Henry. Ms. Choun is a CWBA Publications Committee member and a law clerk for Chief Judge Alan M. Loeb of the Colorado Court of Appeals. Ms. Henry is a CWBA Publications Committee member and a J.D. Candidate at University of Colorado Law School.



Dedicated to Promoting Women

Lewis Roca Rothgerber Christie is proud to support the Colorado Women's Bar Association.

Our hats are off to **Helen C. Shreves**, the 2016 recipient of the Mary Lathrop Award, for her tireless efforts to make our community stronger, richer and more vibrant.

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that there is room for even greater improvement: "There are plenty of qualified women available now for leadership and other positions throughout the legal system, at every level. All we need is the vision to see past the way things used to be and the confidence to embrace the future."



Judge Espinosa and his wife Ashley

The issue of diversity in the legal profession is a personal one for Judge Espinosa, who has a daughter he raised as a single father, who said, "I want my daughter to see that my colleagues on the bench and in the bar are men and women of many backgrounds. I want her to see as many professional, accomplished women in private and public positions as possible. I don't want her to have to rely on my word alone to be assured that she is the equal of any man. I want her to see that truth on display all around her."

In closing, Judge Espinosa provides succinct advice for CWBA members appearing in the courtroom (particularly in his courtroom): "Be on time, and be prepared." Both traits "add to an attorney's credibility and effectiveness to his or her client." To CWBA members aspiring to join the bench, Judge Espinosa advises: "Don't do it for title or money or retirement or capstone. You should really want to do it." He emphasizes that the hard work associated with being a judge cannot be overstated: "This is not the kind of place where you come to chill out or rest on your laurels. You are required to work hard. You have people's lives (whether in the civil or criminal context) before you. Every decision you make is a real decision that affects people every day."

Genet T. Johnson is a CWBA Publications Committee member and an attorney with the Denver law firm of Johnson Law Group, LLC, where she and fellow CWBA member Myles S. Johnson practice family law.

consequence of innovation and trying new things. When things go wrong, we regroup, figure out what went wrong and what we learned from it, and move on. A strong gut sense is usually an indication that you're on to something. All of us have this, but we need to learn to listen to and trust it."

5. What are your thoughts on the glass ceiling – does it exist?

"There are an increasing number of portholes through the glass but there are real and complex challenges facing women as they progress towards leadership in their organizations. I believe the key factors behind this today are largely unconscious. There is an inherent comfort factor that exists among men and among women, which makes it natural that leaders gravitate towards and groom leaders that they most identify and relate to. With leadership historically consisting of men, this creates inherent friction slowing down the progress of women, because men in positions of power may instinctively trust or relate to other men more easily than woman. I recall one of my co-counsel years ago (a man) explaining that he would not feel comfortable taking a female associate to lunch because it could be misperceived. This kind of thinking is incredibly damaging to the development of women, but we need to understand that it exists to overcome it. Separately, I think the smaller number of women in positions in leadership unconsciously limits women's own sense of their potential. I was painfully aware as I approached partnership that I was entering a sphere where there were fewer women and even fewer perceived rainmakers, and it led me to conclude that I would not be able to be as successful as men in my firm. I was entirely wrong but I had to grapple with my own doubts about what women could achieve—heavily informed by what I saw around me—to achieve something that I had not seen others do. I share Sheryl Sandberg's view that as professional women, we have a responsibility to push to our fullest potential and consciously lift up the women around us, because it is so much harder to do this in the absence of role models."

Getting to know Kathy:



1. When you encounter a high pressure/crisis situation, what do you do first or early to manage it?

"Before taking any first steps, I try to assess how I think the situation will end, and how I can help to shape the ending. Figuring out the end game early is the most important part of any crisis management strategy."

2. How do you view the issue of work-life balance, given the many high pressure jobs you have held?

"Work-life balance? What is that? In all seriousness, I—like everybody else—spend more time working than I do living, but when I have the opportunity to take time for myself I take it. And, I take it unapologetically. I do believe, however, that if you want to practice law at a certain level you have to be willing to devote yourself to it. I am fortunate enough to love what I do, such that work does not always feel like it comes as a sacrifice to the rest of life."

3. You have a rare day off from work—what is on your list of things you want to do?

"I will always find a way to get outside – to hike, to ski, or just to take a walk in Central Park."

4. Who or what has been your inspiration to excel as you have professionally and why?

"My parents, who taught me that you should always do whatever job you are doing as well as you can do it."

5. What are your thoughts on the glass ceiling – does it exist?

"I think that there are still significant professional barriers for women in law. Until such time as women are truly equally represented in positions of leadership—in law firms, in government, on the courts, in private corporations, and other institutions—women will continue to face those barriers. I strongly believe that to break the proverbial glass ceiling, women need to promote other women professionally."

It goes without saying that these women are emblematic of the maxim that taking small steps does lead to a rewarding life, both personally and professionally. We are lucky that these women were willing to share some of the details of their personal views and beliefs with the CWBA, and even luckier that we have the rare opportunity to hear these women speak at the 39th Annual CWBA Convention on May 21, 2016.



Jennifer Tiedeken is a member of the CWBA Publications Committee and a litigation associate at Davis & Ceriani, P.C., focusing on employment law, securities law, and commercial litigation.



Melissa Hessler is a member of the CWBA Publications Committee. She practices in the areas of commercial litigation and construction litigation in Denver.

Confetti!

Bench Strength

- **Keri Yoder** was appointed by Gov. John Hickenlooper as a 7th Judicial District Court Judge.
- **Regina Rodriguez** was nominated by President Obama to fill a vacancy on the federal bench as a Colorado U.S. District Court Judge.
- **Andrea Eddy** and **Chelsea Malone** were appointed by Mayor Michael B. Hancock as judges to the Denver County Court.

On the Move

- **Shelly Dill** joined Martinez Law Group where she will practice employment and class action litigation.
- **Ruchi Kapoor**, CWBA South Asian Bar Association Representative, is now Staff Attorney-Appellate Director at the Colorado Office of Respondent Parents' Counsel.
- **Amy Trenary** and **Amy Kapoor** have joined Johnson, Brennan & Klein PLLC.
- **Abby Dvorkin** is now an Associate at Burns, Figa & Will PC.
- **Kristi Dorr Gilkes** is now the Executive Director of the El Paso County Bar Association.
- **Nancy Cohen** has joined the Denver office of Lewis Brisbois in its professional liability practice.

You Were Recognized

- **Maureen Reidy Witt**, partner with Holland & Hart in Denver, is a recipient of the Lifetime Achievement Award from the the Catholic Lawyers Guild of Colorado.
- **Maureen Watson** was awarded Young Lawyer of the Year by the Denver Bar Association.

- **Judy M. Stevens**, CEO/President of Stevens-Koenig Reporting, was recently awarded the National Court Reporters Association's JCR Award for Outstanding Leadership and Team-Building.
- **Catherine Anne Seal** has been named President of the 2016-2017 National Academy of Elder Law Attorneys (NAELA) Board of Directors, effective June 1, 2016, and became President of the NAELA Annual Conference in Denver this April.
- The following CWBA members will be recognized by the Colorado Lawyers Committee at its 2016 Awards Luncheon on May 23:
 - **Nancy Elkind** - Outstanding Sustained Contribution Award, and **Ilene Bloom** - nominee for the Individual of the Year Award.
 - **Lori Potter** of Kaplan Kirsch Rockwell and **Theresa Wardon** of Wheeler Trigg O'Donnell were recognized as Top Litigators by *Law Week Colorado* in its March 14, 2016 issue.
 - The following CWBA members were recognized as 2016 Super Lawyers:

Top 10 Super Lawyers: Kenzo Kawanabe & Michael O'Donnell

Top 50 Women: Nancy Cohen, Patricia Cooper, Carolyn Fairless, Marcy Glenn, Paula Greisen, Sheila Gutterman, CWBA Past President Natalie Hanlon-Leh, Hollynd Hoskins, Diane King, CWBA Past President Pamela Mackey, Jane Michaels, Lesleigh Monahan, Mari Newman, Dru Nielsen, Valeri Pappas, CWBA Past President Lorraine Parker, Diana Powell, Carrie Rodgers, Sabrina Stavish, CWBA Past President Shannon Stevenson, Charlotte Sweeney, Sarah Wallace, Tamera Westerberg.

Leading The Way

- **Randa Davis-Tice** was appointed to Governor Hickenlooper's 15th Judicial District Nominating Commission.
- **Rachel Ellis** has been appointed to the Board of Directors for Colorado Plaintiffs Employment Lawyers Association.
- CWBA Board Member and Professional Advancement Committee Co-Chair **Kelly R. Southerland** is Program Chair for the upcoming "Evidence Practicum for Family Lawyers: Courtroom Techniques" CLE.
- CWBA Members **Nancy Cohen** (for Office of the President), **Jaelyn Casey Brown** (for 2nd Vice President), **Amy DeVan** (for Board of Governors), **Emma Garrison** (for Trustee), **Arash Jahanian** (for Board of Governors), CWBA Immediate Past President **Alison Zinn** (for Board of Governors) and **Maureen Watson** (for Trustee) are among the slate of nominees for Denver Bar Association governance for 2016-17.

Congratulations!

- CWBA Board Member and Membership Committee Chair **Whitney K. Beck** and her husband welcomed their new son Daniel Joseph Duke III on February 26.
- **Abby Dvorkin** and her husband welcomed Sloane Beri Dvorkin on October 24, 2015.

Submit your
Confetti news to
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COLORADO WOMEN'S BAR ASSOCIATION FOUNDATION
RAISING THE BAR

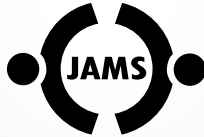
Save the date for the 11th Annual Raising the Bar Dinner
"Women Lawyers Who Raise the Bar by Maintaining a Significant and
Sustained Commitment to Pro Bono Services"
September 8, 2016

Please consider becoming a member of the Circle of Minerva.

Circle of Minerva members donate \$150 a year for five years in support of
the CWBA Foundation and its charitable works. Among other benefits,
Circle of Minerva members are invited to a private reception from
5-5:30 pm before the Raising the Bar dinner to meet the honorees.

Helen C. Shreves

Your friends at JAMS congratulate you on your
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39th Annual CWBA Convention

May 20-22, 2016

The Sebastian-Vail

UPCOMING EVENTS

May

3 – Law Day Event | Denver Public Library

6 – A Conversation With SEC Commissioner Kara M. Stein | Gibson Dunn

20–22 – 39th Annual CWBA Convention | The Sebastian – Vail

20 – CWBA Mary Lathrop Award Reception | The Sebastian Vail

21 – CWBA Annual Business Meeting & Board Elections | The Sebastian Vail

July

Summer Membership Social | TBD

August

1 – New Membership Year Begins

September

8 – 11th Annual CWBA Foundation “Raising The Bar” Dinner | The Brown Palace



Register Now!
39th Annual CWBA Convention
May 20-22, 2016
The Sebastian-Vail



The 2016 Convention will continue our tradition of hosting an exciting, informative, and energizing weekend.

Attendees will enjoy a premier venue and Convention activities, programs, and exceptional faculty featuring distinguished local and national speakers, with many opportunities to hear from and interact with colleagues and leaders from the bench and bar. [Full 2016 Convention details here.](#)

We have tremendous speakers and topics, including a terrific panel of judges who will speak on our popular annual Judicial Panel as well as present regarding modest means representation. And **Court of Appeals Judge Terry Fox** will be our **Judge In Residence**, available to answer questions and provide guidance as desired, all weekend.

The CWBA's prestigious **Mary Lathrop Award** will also be presented during the Convention on Friday, May 20, 2016. [Read about this year's honoree Helen Shreves.](#)

Please join us!

The Advocate is published quarterly by the Colorado Women's Bar Association. The deadline for articles is the first day of the month prior to the publication month. *The Advocate* team reserves the right to edit any material submitted for publication.

Submit articles or comments to the CWBA, Attention: Advocate Editors, P.O. Box 1918, Denver, CO 80201 or to publications@cwba.org.

Send email and address changes to Executive Director, CWBA, P.O. Box 1918, Denver, CO 80201. Phone: (303) 831-1040; e-mail: execdir@cwba.org.



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For more information about CWBA events, membership and activities, visit the website at www.cwba.org or contact the CWBA office at (303) 831-1040.