



PRESIDENT'S MESSAGE

Women on the Bench

by Rebecca Hooley

It is widely recognized that there is a clear benefit to the judiciary being generally reflective of the society over which it adjudicates. Not only does it increase the general perception of fairness, but it may actually change the results. In areas such as sexual harassment and discrimination, studies have shown that having a woman on the bench increases the probability of a ruling in favor of the plaintiff. It's easy to imagine other areas of law where there also might be a measurable difference in the outcome of a case.



Despite the important reasons for a well-balanced bench, only thirty-one percent of current California judges are female while over half of California's population is female. Behind this dismal statistic there is some good news. Since 2006, the percentage of female California state judges has increased by five percent.

Not only has the percentage of female judges recently increased, but there is reason to believe that women can continue to make these statistics move in their favor. In 2011, thirty-two percent of the applicants for a judgeship were female, compared to thirty-three percent of the appointees. Based on these numbers, a start to equalizing the uneven gender balance on the bench simply may be for more qualified women to apply.

Most of us have heard about the

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2012 Queen's Bench Scholarship Committee

by Patricia Rosenberg

The 2012 Queen's Bench Scholarship Committee recently announced that **Aditi Fruitwala** is the recipient of the 2012 Agnes O'Brien Smith Scholarship at University of San Francisco School of Law. The scholarship awarded this year is over \$11,000.

Ms. Fruitwala is a first year law student who graduated with a BA in Anthropology from American University in Washington, D.C., and a Masters in Social Anthropology from the London School of Economics in London in the United Kingdom. Ms. Fruitwala has been extremely active in civil rights movements including as Founder and President of Darfur Action at American University and as an Events Director of the LGBT Society at the London School of Economics. Her Master's thesis "Our Blood is also Red: National Blood Donation Bans as Defensive Boundaries Between Marginalized Bodies in the Civil Body Politic" discusses the ban on blood donations from gay men which is still in effect in the United States. During her first year of law school, Ms. Fruitwala became a member of the McAuliffe Honor Society, a staff writer for Law and Global Justice Forum and a member of the Public Interest Law Foundation.

This summer Ms. Fruitwala is splitting her time between finalizing her independent research on experiences of race and racism in the U.S. which is being culled and organized

into the Race Monologues and assisting in the investigation and prosecution of claims that UN forces brought cholera into Haiti. Although having an impressive resume, Ms. Fruitwala is extremely modest and unassuming about her many accomplishments. In addition, her eloquent writing skill and articulate discussion of her work serve to make her a very worthy recipient of this scholarship. Ms. Fruitwala exemplifies the values we hold dear as members of Queen's Bench. The Queen's Bench Scholarship Committee is honored to award the 2012 Agnes O'Brien Smith Scholarship to Aditi Fruitwala. The Scholarship Committee includes Adrienne Miller, Patricia G. Rosenberg, Ann Torkinton, Pauline Farmer Koppenol, Barbara O'Hearn, Sara King, Meagan Snyder, Sarah Pollack, Liz Stone and Cheryl Wei. The Scholarship Committee Co-Chairs, Adrienne Miller and Patricia G. Rosenberg thank all of the Committee members for their time in reviewing the 60 applications for the Agnes O'Brien Smith Scholarship at USF School of Law.

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ANNOUNCEMENTS ...

Queen's Bench Mixer

June 27, 5:30-7:30 p.m.

Please join your fellow Queen's Bench members to talk, have a drink, catch up or meet new people. No fee to attend. At the Bubble Lounge, 714 Montgomery Street, San Francisco (www.bubblelounge.com/san-francisco). See flyer.



Queen's Bench New Members

Please welcome the following new members who joined between May 3 and June 11, 2012:

- Galia Aharoni
- Jennifer A. Fleischer
Law Offices of Roy J. Fleischer, Sr.
- Karin Greier
- Jennifer C. Reyes Lagunero
- Sandy Liu
- Athena McMahon
- Carly Newman
Sideman & Bancroft
- Chandani Patel
- Ariel K. Salzer
Kaiser Gornick, LLP
- Kimberly Taylor
Carr, McClellan, Ingersoll, Thompson & Horn
- Dina Zagari



QUEEN'S BENCH NEWSLETTER

Published monthly by the Queen's Bench Bar Association of the San Francisco Bay Area, a California nonprofit corporation

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President's Message

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daunting application process and may have been put off by the thought of going through a public, exhausting and confusing process while balancing our practices, families and other commitments. Although the process is public and the result uncertain, it can be manageable if one is educated on what to expect and how to prepare. This was perhaps the most important message conveyed by the panelists at "So, You Want to Be a Judge." This one-day workshop on judicial selection, election and appointment is held annually at different locations around the state by California Women Lawyers, and this year Queen's Bench co-sponsored the event in San Francisco.

Even for those attorneys who are at the beginning of their careers – and perhaps particularly for these attorneys because they have so many opportunities and challenges in their careers ahead of them - learning about the path to becoming a judge can be important in deciding whether to keep this career open by making choices that ultimately may make one a stronger judicial candidate. By educating ourselves about the qualifications necessary to become a judge, we are more likely to become successful candidates.

For those who have seriously considered a judicial career, now is a good time to take stock of where you are and what steps you can take to prepare yourself for the challenges of becoming and being a judge.

EEOC Rules Transgender Employees are Protected by Title VII

By Sharon Alkire, J.D.

The Equal Employment Opportunity Commission (EEOC) recently issued a landmark ruling holding that Title VII protects employees who are discriminated against because they are transgender. The EEOC found “that intentional discrimination against a transgender individual because that person is transgender is, by definition, discrimination ‘based on . . . sex,’ and such discrimination therefore violates Title VII.”¹

The ruling is the result of an employment discrimination complaint filed by San Francisco’s Transgender Law Center on behalf of Mia Macy. Macy had applied for a job as a ballistics technician with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) prior to transitioning from male to female, and had been twice assured that the position was hers pending a background check. However, five days after Macy informed the ATF ballistics lab director of her gender transition, she was told that

due to federal funding cuts, the position was no longer available. She later learned that someone else had been hired for the position.

The EEOC’s decision, which went into effect on May 21, has broad implications because it is binding on all federal agencies and federal contractors, as well as all EEOC offices and investigators. Additionally, transgender/gender non-conforming employees who are employed in the private sector at businesses with fifteen or more employees, as well as those with state and local government jobs, are now covered by Title VII protection.

The Department of Justice has chosen not to appeal the EEOC’s Macy ruling and has instructed the ATF Office of Equal Opportunity to investigate Macy’s claims of discrimination. ATF had originally refused to investigate the complaint, stating that gender identity and transgender status claims could not be brought under Title VII.

¹ Macy v. Dept. of Justice, EEOC Appeal No. 0120120821, April 20, 2012.

Advocacy Alert for the Law Library!

It Is Time to Contact City Officials

Now is the time for Law Library advocates to contact the Board of Supervisors, the Mayor and the City Administrator individually. The budget process has begun, and the Budget and Finance Subcommittee will determine the amount of funding to be allocated for a new location for the Law Library during the next two weeks. They will present the budget to the full board on July 10th. The full board will vote on July 24th and conclude its final vote on July 31st. But right now is the time to contact officials, while the budget committee reviews the budget and makes critical budget decisions. **The most critical concern is whether**

enough space will be funded to provide essential resources. It is urgent that library supporters contact the Supervisors, Mayor, and the City Administrator now. The most direct way is to send individual letters. If you know an official personally, in-person meetings and phone calls are helpful although very difficult to arrange due to their schedules. The supervisors on the budget committee are: The Honorable Carmen Chu, chair; John Avalos, Scott Wiener, Malia Cohen and Jane Kim. The public comment hearing for budget matters is Friday, June 22 from 10 am until all participants have been heard. Generally, the public hearing is less effective than individual letters and contacts with the Supervisors.



CALENDAR OF EVENTS

June

26 **Business Development Committee**
6:30-8:00 p.m.
Ropers, Majeski, Kohn & Bentley, PC
201 Spear Street, Suite 1000, San Francisco

27 **Queen's Bench Mixer**
5:30-7:30 p.m.
At the Bubble Lounge in San Francisco.
Please join your fellow Queen's Bench members to talk, have a drink, catch up or meet new people. No fee to attend. See [flyer](#).



July

3 **Board of Directors Meeting**
6:00 p.m.
Fenwick and West LLP

4 **Juvenile Hall Project**
7:00 p.m.
Youth Guidance Center

18 **Juvenile Hall Project**
7:00 p.m.
Youth Guidance Center

31 **Business Development Committee**
6:00-8:00 p.m.
Ropers, Majeski, Kohn & Bentley, PC



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Queen's Bench Newsletter

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