



PRESIDENT'S MESSAGE

"Thanks Giving"



Heading into my final months as President of Queen's Bench, and approaching the Member Meeting on

November 7, my thoughts invariably turn to the committees and individual members of Queen's Bench who have prioritized their commitment to this organization in 2018 and dedicated time and service in furtherance of Queen's Bench's mission. I have many of you to thank.

But first: Vote on November 6!

This does not go without saying. We were fortunate to hear from the Honorable Ellen Tauscher at the Annual Judge's Dinner on October 18, 2018. After a keynote address that was a tapestry of personal narratives and national and global reflections, past and present, she took questions from the audience. When asked to describe the most immediate threat to our democracy in one word, her immediate response was, "Apathy." That word resonated throughout the room.

If I were to wager, I would bet that most of our members have a solid voting record. And it still does not go without saying. As lawyer women, we have no greater duty to vote than any other citizen, but our legal education and our practice of law leave us keenly aware that voting matters. It matters who drafts our laws (and which laws are and are not drafted), who interprets our laws (fulfilling an independent, vital, nonpartisan function), and how and by whom our laws are effectuated (with policies and priorities with far reaching import).

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The Queen's Bench Amicus Committee: Accomplishments in 2018, and a Look Ahead to 2019

By Kara L. Wild and Josephine K. Mason

Since reconvening in 2018, the Queen's Bench Amicus Briefs Committee has been involved in numerous exciting opportunities to advocate on behalf of women's rights in public and the workplace.

People v. Reyes

In September of this year, the Amicus Briefs Committee drafted and filed an amicus brief in the Second District Court of Appeal in support of an appeal of the judgment for *People v. Reyes*, B280754. The petition submitted by Appellant's attorney of record, Wayne Tobin, argues that the trial court erred in allowing the trial to go forward despite clear evidence that the prosecutor committed gender discrimination by exercising peremptory challenges against four prospective female Latina jurors. For example, the prosecutor stated that one juror was eliminated because she was a supervisor, divorced, and "I felt like her strong personality and her position of power as a supervisor would not mesh well with the rest of the jurors in reaching a unanimous verdict." He also criticized her answers for "being somewhat terse."

The amicus brief focuses on the history of gender discrimination against women on juries, and how that discrimination is often conveyed through coded language. Because there has been a long-standing social expectation that men act decisive and independent, and women act communal and kind, any woman who strays from

that expectation is viewed negatively, which is reflected in the language we use. Words like "strong personality" and "terse" essentially chastise women for acting outside of their designated role, whereas a male supervisor who acted the same way would not be criticized. The amicus brief further argues that if such coded language is permitted to go unchallenged, the long history of discrimination against women on juries will continue.

The brief should soon be available on the Queen's Bench website.

Moussouris v. Microsoft

In July 2018, the Committee helped organize and signed on to the amicus brief in support of Katherine Moussouris and her co-plaintiffs in *Moussouris v. Microsoft*, Case No. 18-80080, a federal gender discrimination case, at the request of Kelly Demondy, a partner at Lief Cabraser Heimann & Bernstein. The Committee was successful in recruiting Jocelyn Larkin of Impact Fund, who ultimately drafted the brief, as well as a vast network of more than 30 state, national, and

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The Queen's Bench Amicus Committee

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international civil rights organizations to sign onto the brief.

The amicus brief argues that the district court for the Western District of Washington unfairly denied certification to a class of female Microsoft employees by imposing a numeric threshold to anecdotal evidence. Whereas in the past, the U.S. Supreme Court and certain federal courts weighed the substance of any anecdotes detailing discrimination, here, the district court claimed that it was the number of anecdotes that mattered. The court therefore dismissed as insufficient declarations submitted by eleven employees regarding the discrimination they suffered. The amicus brief argues that if this arbitrary standard stands, it will become more difficult to bring gender-based class action lawsuits, as employees will be deterred from coming forward and identifying themselves in workplaces that suffer from systemic gender discrimination.

As the amicus brief explains: "Mandating a minimum number of litigation declarations with specific geographic and departmental distribution, while at the same time ignoring hundreds of formal complaints of gender bias, frustrates the vindication of antidiscrimination laws and permits barriers to women's advancement to remain firmly in place." The *Moussouris v. Microsoft* petition has been granted and the Ninth Circuit will now hear the case on the merits. The brief is available at the Impact Fund website.

Other Opportunities

Finally, the Amicus Briefs Committee is partnering with the Civic and Judicial Appointments Committee to put on a panel inspired by the amicus brief for *People v. Reyes*. The panel will discuss the history of women jurors, as well as issues facing women decision makers at all levels, including judges. The committees seek to attract a number of high-profile speakers to the panel, which is anticipated to take place in the spring of 2019.

Overall, we are very excited about what the coming months will bring. We welcome anyone who wishes to join the Amicus Briefs Committee. Please feel free to contact jmason@hansonbridgett.com or kwild@ericksenarbutnot.com for more information about our monthly meeting and how to get involved.

President's Message

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Queen's Bench Civic and Judicial Appointments Committee ("CJAC"), under the leadership of Jodie Smith and Sara Craig, has played an important role in demonstrating that these issues matter to Queen's Bench. Notably, in the spring, as four incumbent members of the San Francisco Superior Court, Judges Andrew Cheng, Curtis Karnow, Cynthia Ming-Mei Lee, and Jeffrey Ross, were challenged in their re-election bids, CJAC co-organized a candidates' forum with the judges and their challengers in attendance. This forum provided our members direct access to all candidates to inform their choice and their vote. Following the forum, CJAC conducted a plebiscite, which led to the organization endorsing Judges Cheng, Karnow, Lee, and Ross. In addition, CJAC has partnered with other organizations to provide information and training for members with an interest in running for elected office or seeking appointed office, including "The Path to the Judiciary" panel, and "Civic Appointments Training." CJAC also created "The Conversation" series, intimate gatherings capped at 12 attendees, which were hosted this year by Judge Kiesselbach and Judge Dekreon, Wanden Treanor and Judge Faye D'Opal, and Venus Johnson.

The Amicus Committee, headed by Josephine Mason and Kara Wild, has also had a notably active year. First, in July 2018, the Amicus Committee helped organize, and, Queen's Bench ultimately signed onto an amicus brief to the Ninth Circuit Court of Appeals in *Moussouris v. Microsoft*, an appeal that followed the district court's denial of class certification for women employees of Microsoft who sued, alleging systematic underpayment and under promotion of women and ignored allegations of gender bias, including sexual harassment. The brief argued that the district court used an improper legal standard to evaluate the anecdotal evidence offered to demonstrate the existence of "questions of law or fact common to the class." More recently, and ambitiously, the Committee drafted an amicus brief to California's Second District Court of Appeal in *People v. Reyes*. There, the Committee contributed briefing in furtherance of appellant's argument that the prosecutor engaged in a pattern of discrimination when striking female jurors from the jury, and thus the trial court erred when it denied appellant's Batson-Wheeler motion and allowed the trial to proceed.

Another standout committee in 2018 has been the Domestic Violence Committee, led by Diana Passadori and Elisha Jussen-Cooke. This Committee organized a toiletry drive for women in domestic violence shelters, co-organized a panel on "Legal Tips and Strategies for Domestic Violence Survivors" with the Bar Association of San Francisco, and has prepared a program "Avoiding

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Bias in Domestic Violence Cases” that will take place on November 6 from noon to 1:30 p.m. at Hanson Bridget.

I also would like to acknowledge the dedicated work of the Juvenile Hall Project committee. Beverly Brand graciously served as interim co-chair in the early part of this year, before her duties were assumed by permanent co-chairs, Cheryl Coterill, Kathleen Nolan, and Jasna Veledar. This Committee exemplifies Queen’s Bench’s mission of community outreach and engagement. This Committee provides twice-monthly programs to incarcerated youth, making its leadership of the most important and demanding in our organization. Thank you Cheryl, Kathleen, and Jasna for your dedicated service.

I also want to thank Kimiko Akiya and Shelley Jiang Fannon for their support of Queen’s Bench. They have been instrumental in organizing MCLE certifications, and beyond that, both have demonstrated a readiness to volunteer whenever and wherever their help is needed. Most recently, they worked behind the scenes to support the planning and execution of Judges’ Dinner.

Thank you also to Heather Fuchs, a law student at Santa Clara University, recent graduate Maria Sokova, and attorney Lisa Widup, who have made notable contributions to the planning of the So You Want to Be a Lawyer youth outreach event taking place on November 27.

A special thank to Past President and San Francisco Superior Court Judge, Angela Bradstreet, for your support and counsel from my early days as a Queen’s Bench member to the present. Indeed, I was inspired to join Queen’s Bench because of Judge Bradstreet. At my first event, a Past Presidents Dinner, Judge Bradstreet, then Labor Commissioner Bradstreet, live auctioned a Diane Feinstein water color painting with such humor and warmth that, in the process, she underscored the comradery and genuine affection that existed among the long-time members and Past Presidents of Queen’s Bench. I knew right away that this organization was something of which I wanted to be part.

It has been an honor to serve as President of Queen’s Bench during an electrified, ambitious year. I must thank Hana Hardy, who has been a dynamite First Vice President – reliable, resourceful, and creative, and a thoughtful and considered advisor and friend this year.

The 2018 Board as a whole has been a pleasure with which to work: Anne Gyemant-Paris, Hana Hardy, Sophia Andritsakis, Alice Purdy, Beverly Brand, Michelle Dylan, the Hon. Ruth Astle (Ret.), Pamela Markert, Lisa Villasenor, Kimberly Wong, Jodie Smith, and Sara Craig. With the right balance of opinionated and decent, this group did not have to agree on everything to have robust, productive, and dignified dialogues on matters of day to day governance of the organization or in navigating challenging and nuanced issues we faced as a Board this year. These women could be counted on to show up, even on short notice, to lend their collective wisdom in furtherance of the mission and reputation of this venerated organization.

Thank you to our dedicated Past Presidents whose

careers and dedication to service continue to inspire us and elevate the name of Queen’s Bench and to the membership of Queen’s Bench as a whole. I look forward to seeing you at the Member’s Meeting November 7 and the Past President’s Dinner December 4.

Happy Hour Series Connects Members and Draws New Attendees

By Kimiko Akiya

First Vice President Hana Hardy started the Happy Hour series as an informal way to have current Queen’s Bench members gather in a relaxed setting and to have social and legal conversations. It has since evolved into a way for law students, new female attorneys, and non-members to meet Queen’s Bench members and learn about one of the oldest women’s Bar Association in the Bay Area. Members and non-members are able to have conversations about the law and the workplace with female colleagues in a casual setting.

The Happy Hour series has turned into an important way to maintain regular membership interaction while introducing Queen’s Bench to potential new members. One of this year’s most successful events gathered members at the Press Club for appetizers and cocktails and concluded with a museum tour of the SFMOMA. This year’s series will conclude with a Holiday Happy Hour in December! The date and location will be announced soon and all members are encouraged to come for food and drinks.

Cocktails and Couture – Make Up at the Balm Cosmetics, San Francisco – May 15, 2018

By Lisa Villasenor, Co-Chair, Business Development Committee

The Queen’s Bench Business Development Committee added yet another twist to our tradition of supporting local businesses started by women. The journey to the start of The Balm Cosmetics began in 2004 by CEO Marissa Shipman, who states on her website, “Welcome to theBalm, where we believe in empowered glamour - feeling your best and looking incredible as you turn heads for all the right reasons...”

In searching for a new place for this year’s event, I was walking down Valencia Street and came upon this wonderful reprieve from the daily grind. I was instantly greeted by the friendly manager, Serge and his staff. I came away with a mini make up - make over, natural products to try at home, an appointment for my brows and a big smile. I knew this would be a fun place to have this year’s Cocktail and Couture event and with the help of Serge we planned our event.

On May 15, 2018, at 6:00 o’clock in the evening, women started to gather at The Balm Cosmetics on Valencia Street in the bustling Mission District of our city. We enjoyed our usual wine and beverages, cheese and fruit platter all while trying on makeup and facial products and enjoying make overs for ourselves and others. We had a modest and consistent flow of attorneys, judges, law students and their guests mingling in the shop’s intimate space during the event. Some of our attorneys had their makeup done beautifully for events later that evening.

The Business Development Committee is consistently striving to make connections across professional lines for women in our community. The Balm Cosmetics, donated their space for the event, gave all the guests discounts and donated 20% of sales. Gift cards will be available for our later events along with a gift basket for auction at our annual Past President’s Dinner later this year. That auction will benefit worthy causes including Queen’s Bench’s Juvenile Hall Project. Thank you to The Balm Cosmetics.

I have enjoyed attending Cocktails and Couture for over 5 years and even more so now that it is one of the events that I am honored to chair with Alice Purdy. There are many calls for our time and participation in events. We hope that we can have more members and guests attend Cocktails and Couture next year, as well as our other annual events. Getting involved with Queen’s Bench, including the Business Development Committee and Board of Directors has been a highlight of my past 30 years as a practicing litigator. Time is scarce and valuable, but the friendships and relationships I have gained from Queen’s Bench through my membership and involvement with the Business Development Committee and Board of Directors are priceless. In

the words of my co-chair Alice in her prior Cocktails and Couture article, “Your network is comprised of the people you know and meeting people is essential to the successful practice of the law. There is no better way to meet potential mentors, employers and clients, than to plan and attend professional events. Please join a Queen’s Bench committee if you have not already.” The Business Development Committee welcomes all members to get involved, I think you will enjoy it! Contact Lisa Villasenor or Alice Purdy if you need more details.



Queen's Bench New Members

Please welcome the following new members
who joined since May 1, 2018.

- Abby Harrington
- Allison Mullings
- Allison Sutherland
- Alyssa Denuyl
- Ana Allec
- Andria Eguia
- Ann Mary Olson
- Anona Su
- Ashley Bechtel
- Ashley Quan
- Belle Borovik
- Briana Desch
- Cassandra Frias
- Chloe McLean
- Christine Pham
- Claire Baugher
- Colleen Cleary
- Corina Johnson
- Danielle Empson
- Eliza Rodrigues
- Elizabeth Holt Andrews
- Emily Westfall
- Emma Geering
- Erin Lapeyrolerie
- Erin Zatti
- Evelyn Minaise
- Gail L. Jackson-McCray
- Gioconda Molinari
- Hee Min Noh
- Hilary Burke Chan
- Janka Dubakova
- Jennifer Devine
- Jennifer O'Brien
- Jessica Barber
- Johanna Johannesson
- Julie Westerling
- Katarina Kretz
- Katharine Sundberg
- Katherine Kwan MacDonald
- Katherine Zarchikoff
- Kathryn Hetherington
- Kayla O'Brine
- Kelsey Constantin
- Kerrin Liu
- Koreen Kelleher
- Kristin Lahaszow
- Kristina Pedroso
- Lauren Holton
- Lauren Powe
- Margot Gwilliam Minor
- Marian Hussain
- Marina Garcia
- Megan Bettles
- Melanie O'Brien
- Melissa Rake
- Michelle Dong
- Miranda HOLETON
- Natalie Moyce
- Nina Milosavljevic
- Paula Ciobanu
- Rebecca Spodick
- Richelle Gernan
- Samona Taylor
- Sara Allman
- Sarah Kanter
- Shajuti Hossain
- Sharon Alkire
- Si Kyun Im
- Sierra Luther
- Sigourney Jellins
- Susan Gibbs
- Tammy Dawson
- Tammy Haygood
- Tiffany Wang
- Vanessa LeWinter
- Violaine Brunet
- Vittoria Luchini
- Yanet Cordero



ANNOUNCEMENTS...

Women Who Win: The 2018 Midterm Elections

November 14, 2018
5:30 PM - 8:00 PM
Duane Morris International Room, 55 Spear St
@ Market St, San Francisco 94105

This moderated panel will focus on the experiences and outcomes of women candidates in the 2018 elections, nationally and at the state and local level in California. With record numbers of women running for elected office this year, this post-midterm discussion will provide an opportunity to reflect on the challenges and opportunities this election cycle held for women candidates. We'll also look at the electoral results for women on the ballot both in the primaries and the general election.

Confirmed panelists:

- * Kimberly Ellis, progressive political leader and former Executive Director of Emerge California
- * Katie Orr, Politics & Government Desk report for KQED

Includes networking reception with appetizers, wine, and beer. Sponsored by the Duane Morris Women's Impact Network for Success.

Register here: bit.ly/2018WomenWhoWin

QUEEN'S BENCH NEWSLETTER

Published three to four times a year by the Queen's Bench Bar Association of the San Francisco Bay Area, a California nonprofit corporation

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WOMEN WHO WIN: The 2018 Midterm Elections

Presented by Duane Morris WINS & Queen's Bench

A moderated panel discussion focusing on the experiences and outcomes of women candidates in the 2018 midterm elections, followed by a hosted networking reception.

Panelists:

Kimberly Ellis, Former ED of Emerge California
Katie Orr, Politics & Government Desk Reporter for KQED
Stefanie Roumeliotes, Founder & CEO of SGR Consulting

Moderator:

Hadar Aviram, Professor of Law at UC Hastings

November 14, 2018 (5:30 p.m. - 8:00 p.m.)

Duane Morris International Room
55 Spear Street, Suite 2200
San Francisco, CA

The event is free, but RSVP is required. Please RSVP by November 9, 2018 at <http://bit.ly/2018WomenWhoWin>



The Duane Morris Women's Impact Network for Success is devoted to the success of women attorneys. Through various programs, they exchange ideas, foster and expand business contacts and opportunities, and enhance attorney development to fully realize the talent, knowledge and potential of women attorneys.

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CALENDAR OF EVENTS

October

- 10 You Be the Judge
- 18 Annual Judge's Dinner
- 24 The Conversation Series: East Bay with Venus Johnson

November

- 6 MCLE: Avoiding Bias in Domestic Violence Cases
- 7 Annual Members Meeting
- 13 Minority Bar Coalition Unity Awards. Come Support Awardee, Queen's Bench Member Nancy Newman!
- 14 Women Who Win: The 2018 Midterm Elections
- 27 So, You Want To Be A Lawyer? Panel And Speed Networking

December

- 4 Past Presidents' Dinner & Auction benefitting the Queen's Bench Foundation
- 12 Civic & Judicial Appointments Committee Meeting



Queen's Bench
Bar Association

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Queen's Bench Newsletter
Fall 2018