



# CONTROLLING YOUR CAREER: Tools & Insight to Guide Your Path



**Federal Bar  
Association**  
San Diego Chapter

2022 Annual Conference & Award Ceremony

# Welcome

---



**Dylan M. Aste**  
*President*  
*San Diego FBA*



**Janet A. Cabral**  
*Special Events Chair*  
*San Diego FBA*

## **Welcome Message from Dylan M. Aste, San Diego FBA Chapter President, and Janet Cabral, San Diego FBA Chair of Special Events**

On behalf of the San Diego FBA, welcome to the 2022 Annual Conference – Controlling Your Career: Tools and Insights to Guide Your Path. We hope today’s conference will give attendees at all stages of practice both tools and insight to guide their career paths. We are so grateful for the support and encouragement we have received regarding this event from the court, the community, and our entire federal family. We look forward to hearing from our featured speakers, moderators, and keynote speaker, about their experiences, insights, and tools for pursuing a satisfying career.

We hope this will be an interactive conference that will inspire attendees to evaluate their career paths. Please stay and join us for a reception immediately following the program, during which we will present the San Diego FBA Chapter Awards. Our legal community has benefited from each recipient’s service. We look forward to celebrating them and sharing this time with you.



# **Federal Bar Association**

---

## **San Diego Chapter**

# Conference Schedule

---

## **Kroc Institute for Peace & Justice** **University of San Diego**

<b>Time</b>	<b>Event</b>
12:30 p.m. – 1:00 p.m.	<i>Registration</i>
1:00 p.m.	<i>Welcome</i>
1:10 p.m.	<i>Panel I: Forging Your Path</i>
2:05 p.m.	<i>Panel II: Exemplary Leadership</i>
3:00 p.m.	<i>Break</i>
3:15 p.m.	<i>Panel III: Building Your Business</i>
4:15 p.m.	<i>Fireside Chat: David Lat</i>
5:00 p.m.	<i>Hosted Reception Begins</i>
5:15 p.m. – 5:30 p.m.	<i>Presentation of FBA Chapter Awards</i>
6:30 p.m.	<i>End of Reception</i>

# Event Details

---

## WELCOME

1:00 p.m.

### SPEAKER

Dylan M. Aste, *San Diego FBA Chapter President*

## PANEL I: FORGING YOUR PATH

1:10 p.m.

### SPEAKERS

Janice Brown, *Principal, Meyers Nave*

Dave Fox, *Founder, Fox Law APC*

Kelly Capen Douglas, *President & CEO, Voices for Children*

**Moderator:** Heather Linn Rosing, *CEO & President, Klinedinst PC*

## PANEL II: EXEMPLARY LEADERSHIP

2:05 p.m.

### SPEAKERS

Carol C. Lam, *former U.S. Attorney and former Deputy General Counsel of Qualcomm*

Reuben Camper Cahn, *former Executive Director of Federal Defenders of San Diego, Inc.*

Johanna Schiavoni, *Appellate Attorney and Past President, SDCBA and Lawyers Club of San Diego*

**Moderator:** Ninth Circuit Judge John B. Owens

## PANEL III: BUILDING YOUR BUSINESS

3:15 p.m.

### SPEAKERS

Karen Hewitt, *Partner-in-Charge, California Region, Jones Day*

Carolina Bravo-Karimi, *Managing Partner, Wilson Turner Kosmo, LLP*

Anabella Bonfa, *Attorney and Social Media Specialist*

**Moderator:** Paul Fraidinburgh, *Shareholder, Buchalter*

## FIRESIDE CHAT

4:15 p.m.

### SPEAKER

David Lat, *lawyer-turned-writer and founder of Above the Law, one of the nation's largest legal news websites, and publisher of Original Jurisdiction, a newsletter about law and legal affairs*

**Moderator:** Ninth Circuit Judge Patrick J. Bumatay

## RECEPTION & PRESENTATION OF CHAPTER AWARDS

5:15 p.m.

### AWARDS

Distinguished Service Award: Shireen Matthews

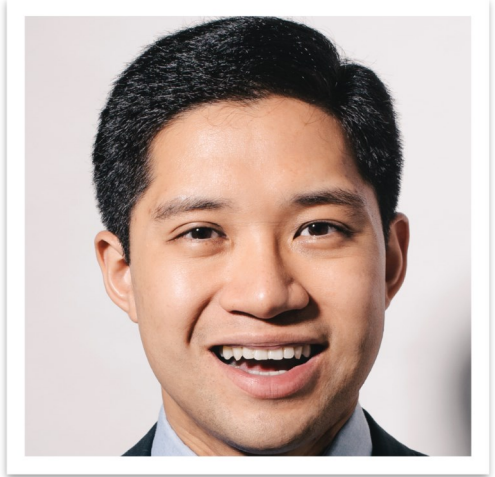
Rising Attorney Award: Tarina Mand

Outstanding Advocate Award: Ryan W. Stitt

*Written Materials for MCLE Programs Available at <https://www.fbasd.org/cle-materials>*

## ***Featured Speaker: David Lat***

David Lat is a lawyer-turned-writer. He publishes *Original Jurisdiction*, a newsletter on Substack about law and legal affairs, and he writes for newspapers and magazines, including the *New York Times*, *Washington Post*, and *Wall Street Journal*. Prior to launching *Original Jurisdiction*, David founded *Above the Law*, one of the nation's most widely read legal news websites, and *Underneath Their Robes*, a popular blog about federal judges that he wrote under a pseudonym. He is also the author of a novel set in the world of the federal courts, *Supreme Ambitions*.



Before entering the media world, David worked as a federal prosecutor in Newark, New Jersey; a litigation associate at Wachtell, Lipton, Rosen & Katz, in New York; and a law clerk to Judge Diarmuid F. O'Scannlain of the U.S. Court of Appeals for the Ninth Circuit. David graduated from Harvard College and Yale Law School, where he served as an editor of the *Yale Law Journal*.

## ***Moderator: Ninth Circuit Judge Patrick J. Bumatay***

Patrick J. Bumatay was confirmed as a U.S. Circuit Judge for the U.S. Court of Appeals for the Ninth Circuit in December 2019. He is based in San Diego, California.

Prior to his appointment, Judge Bumatay served as an Assistant United States Attorney in the U.S. Attorney's Office for the Southern District of California, where he was a member of the Appellate and Narcotics Sections. He also served as a Counselor to the Attorney General on criminal law issues, including on national opioid strategy and combating transnational organized crime. Judge Bumatay has also worked in the Office of the Deputy Attorney General, the Office of the Associate Attorney General, and the Office of Legal Policy at the U.S. Department of Justice. Judge Bumatay has twice received the Attorney General's Distinguished Service Award.



Judge Bumatay previously worked as an associate at Morvillo, Abramowitz, Grand, Iason, and Bohrer in New York, New York. Judge Bumatay clerked for the Honorable Timothy M. Tymkovich of the U.S. Court of Appeals for the Tenth Circuit and the Honorable Sandra L. Townes of the U.S. District Court for the Eastern District of New York. Judge Bumatay earned his B.A., cum laude, from Yale University and his J.D. from Harvard Law School.



**Federal Bar  
Association**  
**San Diego Chapter**

# Speaker Biographies

---



## **Janice Brown**

Janice Brown is a Principal in Meyers Nave's Labor and Employment Practice, and Workplace Investigations Practice. She has more than 35 years of trial, arbitration, and appellate experience in state and federal courts. Janice's distinguished career began in the U.S. Justice Department where she quickly demonstrated outstanding legal expertise that earned her membership in the Honors Program and the "Outstanding Trial Attorney" and "Trial Lawyer of the Year" awards in under three years.

Janice is recognized as a pioneer in the legal profession as the founder and Chief Strategy Officer of Brown Law Group, a woman- and minority-owned employment and business litigation firm in San Diego that served local corporations and Fortune 50 companies headquartered throughout the U.S. for over 20 years. She is a trusted advisor to clients, an inspirational mentor to colleagues, and an influential leader in advancing diversity throughout the legal profession. Janice is also a speaker and consultant for Diversity, Equity, and Inclusions issues.



## **Dave Fox**

Dave Fox is a seasoned plaintiffs trial lawyer heading a 10 attorney personal injury and class action firm – Fox Law. He is also a former federal prosecutor from the U.S. Attorney's Office here in San Diego. Dave and his firm have obtained over \$300 million for his clients through outstanding verdicts and settlements in difficult cases involving wrongful death, catastrophic injuries, and fraud. His trial results have led to his peers in the San Diego plaintiffs' bar, Consumer Attorneys of San Diego, awarding him the Outstanding Trial Lawyer Award in 2015, 2018, and 2021.

Dave and the attorneys at his firm are also adept at successfully prosecuting complex mass tort and class action cases. They have been appointed by courts in San Francisco, Los Angeles, and Sacramento to various case leadership committees. This includes several court appointments to the Plaintiffs Steering and Executive Committees for all of the major wildfire litigation cases across the state against PG&E and So Cal Edison since 2015.

Dave began his legal career by clerking for the Honorable Janis L. Sammartino as her first law clerk when she took the bench on the U.S. District Court here in San Diego. After that, he joined a top international law firm, Cooley LLP, where he represented Fortune 500 companies in high stakes litigation and class actions. He was later honored to serve as a federal prosecutor in the U.S. Attorney's Office. There, he successfully investigated, prosecuted, and tried numerous cases involving public corruption, weapons trafficking, drug trafficking, and bank robbery. Dave tried over a dozen cases to verdict there, including a high profile 5-week trial against corrupt U.S. Border Patrol agents.

Dave is highly involved in the San Diego legal community. He has served several years on the federal Magistrate Judicial Selection Committee and as a Lawyer Representative to the Ninth Circuit. He has served on the Board of Directors of the San Diego County Bar Association and the Association of Business Trial Lawyers. He also taught as an Adjunct Professor of Trial Practice at the University of San Diego School of Law, and has been on the faculty for the National Institute of Trial Advocates.

# Speaker Biographies

## ***Kelly Capen Douglas***

Kelly is the President & CEO of Voices for Children, Inc., the local nonprofit designated by the Superior Court to recruit, train, and support Court Appointed Special Advocate (CASA) volunteers who advocate on behalf of children in foster care in San Diego and Riverside Counties. Prior to joining Voices for Children, Kelly served as the General Counsel at the University of San Diego from February 2005 through October 2019, where she was the university's first in-house counsel, created and led the university's legal department, and served as the chief legal advisor to the board of trustees. Before joining USD, Kelly was a partner at Luce Forward Hamilton & Scripps LLP (now Dentons) where she was a member of the firm's labor and employment practice group.



A third generation San Diegan, Kelly is an engaged community volunteer. She served on the board of directors of Goodwill Industries of San Diego from 2005-2022 and currently serves on the board of directors of the National Conflict Resolution Center. While at USD, she served on the board of directors and was active in other leadership roles with the National Association of College and University Attorneys, the premier bar association in the nation for higher education lawyers. She was a recipient of the Volunteer of the Year Award from Goodwill Industries and the First Decade Award from NACUA.

Kelly earned a law degree with high honors from Duke University and a bachelor's degree in international relations from Stanford University. Kelly and her husband JD have two grown children.

## ***Carol C. Lam***

Carol Lam was the United States Attorney for the Southern District of California from 2002 to 2007, and then Senior Vice President and Deputy General Counsel of QUALCOMM Incorporated. She currently serves on the Stanford University Board of Trustees, and is an independent director on the board of TRACON Pharmaceuticals. A graduate of Yale University and Stanford Law School, Ms. Lam clerked for the Honorable Irving R. Kaufman on the Second Circuit Court of Appeals, then served as an Assistant United States Attorney in the Southern District of California, where she became Chief of the Major Frauds Section. As a federal prosecutor, Ms. Lam convicted high-ranking members of the Chicago organized crime family La Cosa Nostra; obtained a guilty plea and a settlement of \$110 million from National Health Laboratories, Inc. in a Medicare fraud case; and briefed and argued the first appellate case upholding the constitutionality of "roving" wiretaps. In 2000, Ms. Lam was appointed to a judgeship on the San Diego County Superior Court, and in 2002 she became the first female and first Asian-American United States Attorney in the Southern District of California. Ms. Lam is a recipient of the Attorney General's Award for Distinguished Service and the Director's Award for Superior Performance as an Assistant United States Attorney. She has been named one of California's Top 100 Attorneys and one of California's Top 75 Women Litigators by the Los Angeles Daily Journal, as well as Outstanding Attorney of the Year by the San Diego County Bar Association.



# Speaker Biographies

---



## ***Reuben Camper Cahn***

Reuben Cahn is a partner with Keller/Anderle LLP and the former Executive Director of Federal Defenders of San Diego, Inc. Mr. Cahn is a graduate of Stanford University's English Honors Program and Yale Law School. Following graduation, he clerked for the Second Circuit Court of Appeals Judge Lawrence W. Pierce. After his clerkship, Mr. Cahn spent several years in private practice in New York, working in securities litigation and international arbitration. Spurred by his desire to be a trial lawyer and to serve the public, Mr. Cahn left corporate litigation to become a public defender, first in the state of Florida and then in the federal courts. There, Mr. Cahn distinguished himself in representing clients charged in matters presenting extraordinary factual and legal challenges ranging from capital murder to securities fraud, and quickly rose to become the Chief Assistant Federal Public Defender for the Southern District of Florida. Recruited to

become the Executive Director of Federal Defenders of San Diego, Mr. Cahn continued to try cases and argue appeals while running an office of 140 employees and managing a budget of \$26 million. He argued twice before the Supreme Court, served as "learned counsel" in the high-profile case of *United States v. Loughner*, and led a team that obtained the release of two clients held at the Guantanamo Bay Naval Base and charged as enemy combatants. Mr. Cahn also established himself as a leader in the Federal Defender community, serving for ten years as one of its two representatives to the Judicial Conference of the United States. In recognition of this leadership, the Chief Justice of the United States Supreme Court appointed Mr. Cahn to the Conference's special committee to review the Criminal Justice Act. Mr. Cahn has won multiple awards for his advocacy.



## ***Johanna Schiavoni***

Johanna Schiavoni is a San Diego appellate litigator who handles civil appeals and writs in state and federal courts, in addition to criminal appeals for indigent defendants by court appointment. With nearly two decades of experience, she is a certified specialist in appellate law by the California Board of Legal Specialization and Counsel with California Appellate Law Group LLP, heading up the firm's San Diego office. Johanna completed two judicial clerkships with Hon. Christina A. Snyder of the U.S. District Court for the Central District of California and Hon. M. Margaret McKeown of the U.S. Court of Appeals for the Ninth Circuit. She also worked as a trial and appellate litigator at Latham & Watkins LLP in New York and San Diego, was an appellate litigation partner with boutique firm Jacobs & Schlesinger LLP, and has run her own solo appellate practice for nearly nine years. Johanna, who grew up in Louisville, Kentucky, is a 1998 graduate of

Washington University in St. Louis and a 2002 graduate of the UCLA School of Law. Johanna is deeply involved in the legal and broader community. She served as the 2020 President of the San Diego County Bar Association, stewarding the organization through the onset of the COVID-19 pandemic and the impacts on the justice system, attorneys, and the legal community. She also currently serves by appointment as an Appellate Lawyer Representative to the U.S. Court of Appeals for the Ninth Circuit, as a member of the Committee for Appellate Courts of the California Lawyers Association, and as a member of the Executive Council of the National Conference of Bar Presidents. She is a past president of Lawyers Club of San Diego from 2013-14, and from 2013-21 served as a member of the City of San Diego's Balboa Park Committee. Since 2018, Johanna has served as a Mayoral appointee to the Board of the San Diego County Regional Airport Authority, which oversees San Diego International Airport, and served as Board Chair in 2021. In September 2021, the San Diego Law Library Foundation honored Johanna with its *Bernard E. Witkin Award for Excellence in the Practice of Law and as a Community Changemaker*.



# Speaker Biographies

## **Hon. John B. Owens**

The Honorable John B. Owens serves on the Court of Appeals for the Ninth Circuit. Prior to becoming a federal judge in 2014, he was a partner at Munger, Tolles & Olson LLP (where he focused on white collar investigations and appellate matters), and a federal prosecutor for more than 11 years in Washington D.C., Los Angeles, and San Diego. He served as the Chief of the Criminal Division in the U.S Attorney's Office for the Southern District of California, and received two Director's Awards for his work there. The television show *American Greed* featured two of his prosecutions, and he obtained the longest sentence for a white collar defendant in the history of the Southern District of California in *United States v. Cao*.



Judge Owens graduated first in his class from Stanford Law School in 1996, where he was an Executive Editor on the *Stanford Law Review*. After graduation, he served as a law clerk for the Honorable J. Clifford Wallace of the Ninth Circuit Court of Appeals and for the Honorable Ruth Bader Ginsburg of the Supreme Court of the United States. His written work has appeared in the *California Law Review*, the *UCLA Law Review*, the *Northwestern Law Review*, and other law reviews.

Judge Owens and his family live in San Diego.

## **Karen Hewitt**

Karen Hewitt is a former United States Attorney and an experienced trial lawyer who has successfully litigated hundreds of cases in federal court for more than two decades. She currently represents companies nationwide in civil and criminal investigations and in complex business litigation. Karen's practice focuses on defending matters involving possible violations of federal law, including the AntiKickback Statute, the Foreign Corrupt Practices Act, the Taft-Hartley Act, and the False Claims Act. She is Partner-in-Charge of Jones Day's California Region, which encompasses five offices and nearly 300 lawyers. She has been recognized in Chambers as a "real powerhouse."



Karen led the defense of an international retailer in a complex FCPA investigation conducted by the DOJ and SEC in four countries. She also has represented major public and private companies in internal investigations on highly sensitive topics, crisis management, compliance, contested proceedings before regulatory agencies, and "bet-the-company" litigation. In the matters Karen leads, she routinely reports to senior management, the board of directors, the audit committee or a special committee, and develops the comprehensive strategy for the company to protect and defend itself from a range of legal and regulatory risks.

Before joining Jones Day, Karen served as the Southern District of California's chief federal law enforcement officer, where she focused on national security, border security, cyber and intellectual property crime, white collar and financial crime, civil fraud, violent crime, and narcotics enforcement.

Karen is President of the National Association of Former U.S. Attorneys. She is a Master in the Enright Inn of Court and a member of the Board of Visitors of the University of San Diego School of Law.

# Speaker Biographies

---



## ***Carolina Bravo-Karimi***

Carolina Bravo-Karimi received her bachelor's degree, cum laude, from Harvard University in 2002, Master of Science degree in Gender Studies with merit from the London School of Economics and Political Science in 2004, and Juris Doctor degree, Order of the Barrister, from USD School of Law in 2008.

Bravo-Karimi is the Managing Partner at Wilson Turner Kosmo LLP, one of the largest certified women-owned law firms in the region. She is a member of the firm's Employment Law group. Her practice is focused on representing employers in a variety of employment disputes, including wrongful termination, discrimination, harassment, retaliation, and wage and hour litigation. Representing both public and private entities, Bravo-Karimi is an expert in handling complex matters and balancing the needs of several high-

profile stakeholders.

Bravo-Karimi also serves as Practice Chair of the Diversity, Equity & Inclusion Practice Group at the firm. Recognizing that intentional attention to diversity, equity, and inclusion (DE&I) is essential to promote workplace cohesion, attract and retain talent, create business opportunities, and comply with the law, Bravo-Karimi assists employers of all sizes in the creation, implementation, and management of their DE&I efforts.

Bravo-Karimi also conducts workplace investigations, including those requiring Spanish fluency and multicultural understanding. She also regularly advises employers regarding diversity initiatives and provides implicit bias, microaggressions, equal pay, and anti-harassment training.

Prior to joining Wilson Turner Kosmo, Bravo-Karimi served as a judicial law clerk to the Honorable Louisa S. Porter of the U.S. District Court for the Southern District of California.



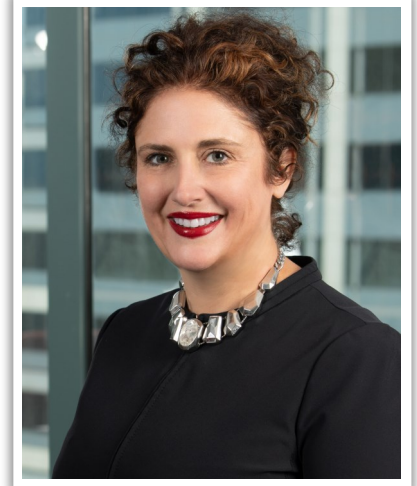
## ***Anabella Bonfa***

Anabella Bonfa is a Trade Secret Litigation Attorney with Wellman & Warren LLP. She has written numerous blog articles for Continuing Education of the Bar (CEB) on networking, law practice and social media for attorneys and frequently lectures on these subjects. She is also a contributor to the CEB PRACTITIONER litigation guide providing sample forms and guidelines for use by civil litigators. She has presented for CEB's "The Business of Law" education series on "LinkedIn for Attorneys – Creating Your Personal Brand and Writing Highly Visible Posts".

# Speaker Biographies

## ***Heather Linn Rosing***

Heather L. Rosing is CEO and President of Klinedinst PC. She serves as the Chairperson of the Professional Liability Department, working with a team of Klinedinst lawyers across the state. A Certified Specialist in Legal Malpractice law, Ms. Rosing has developed a nationwide reputation for her experience and skill in complex litigation, and in advising in the areas of State Bar defense, ethics, and risk management. Ms. Rosing also serves as a consultant and expert witness in the areas of fee disputes, professional responsibility, privileges, and attorney duties. For approximately a decade, Ms. Rosing has also represented judges and commissioners in matters before the Commission on Judicial Performance and advised judicial officers on matters pertaining to judicial ethics.



In 2018 and 2019, Ms. Rosing served as the inaugural President of the CLA, the largest statewide voluntary Bar Association in the country. Previously, she served for four years on the State Bar of California's Board of Trustees as Vice-President, Treasurer, and Chairperson of the Regulations, Admissions, and Discipline Oversight Committee. A strong advocate for judicial and legal diversity, Ms. Rosing served as President of ChangeLawyers (formerly the California Bar Foundation), which awards pipeline grants, scholarships, and fellowships across the State, and currently serves as the President of the California Lawyers Foundation. Ms. Rosing has also served in leadership roles of many other organizations, including as President of the San Diego County Bar Association in 2008. During her presidency, she launched a Diversity Fellowship Program, spearheaded a civility initiative, and founded a pro bono program to assist active duty service members.

The recipient of numerous accolades, Ms. Rosing was one of 18 lawyers honored as "Lawyer of the Decade" by the Daily Journal in January 2021. In September 2021, the San Diego legal community came together at the annual Red Boudreau Trial Lawyers Dinner to recognize Ms. Rosing with the Daniel T. Broderick III Award, which honors the highest standards of civility, dedication, and professionalism in the practice of law. In February 2022, the National Conference of Bar Presidents named Ms. Rosing as the recipient of the 2022 Fellows Award.

Born in Chicago, Ms. Rosing attended the University of Illinois and Northwestern University School of Law.

## ***Paul Fraidenburgh***

Paul Fraidenburgh is a trial lawyer who serves as Chair of Litigation for Buchalter's Orange County and San Diego offices. He focuses his practice on representing clients in high-stakes commercial litigation, arbitration, and regulatory compliance matters.

Clients praise Paul for his "high-energy, stamina, professional ethics, and vigorous intellectual capabilities."

Paul has prevailed on behalf of clients in the U.S. Court of Appeals for the Ninth Circuit and at the state Supreme Court level. He has also served as lead trial counsel in California and beyond. He represents clients ranging from government agencies to Fortune 100 companies. In 2018, Paul was named a "Top 40 Under 40" lawyer by the Daily Journal, as one of only 20 lawyers selected from Southern California.



Paul has also served as an active member of several firm committees. As a member of the Pro Bono Committee, he has volunteered his time to organizations that serve underprivileged children.

# Chapter Awards

## OUTSTANDING ADVOCATE AWARD

**Ryan W. Stitt**

*Trial Attorney*

*Federal Defenders of San Diego, Inc.*



Ryan W. Stitt is a Trial Attorney with Federal Defenders of San Diego, Inc., where he has worked since 2010. Mr. Stitt graduated cum laude from Illinois Wesleyan University and obtained his J.D. from DePaul College of Law. Mr. Stitt is a long-time member of the Federal Bar Association and previously served on the

San Diego FBA's Board of Directors.

Mr. Stitt maintains a diverse and vigorous litigation practice with a special focus on systemic litigation. Areas of particular focus for Mr. Stitt have been the expansion of safety-valve eligibility under the First Step Act, widespread immigration arrests at the courthouse, warrantless searches of cell phones at the border, unreasonable delay in presenting in-custody criminal defendants for arraignment, the criminalization of speech, and the denial of medical care to pretrial defendants. Mr. Stitt regularly trains and lectures to law students and other federal criminal defense attorneys on topics related to trial practice and systemic litigation.

---

*The Outstanding Advocate Award recognizes an attorney, in any practice area, public or private, who has demonstrated outstanding advocacy and legal expertise while maintaining professionalism and civility over the course of her or his career.*

## RISING ATTORNEY AWARD

**Tarina Mand**

*Attorney*

*Dixon Diab & Chambers*



Tarina Mand is an attorney at Dixon Diab & Chambers representing plaintiffs in complex litigation matters, including class action and mass tort cases, as well as employment matters including discrimination, harassment, and assault. She actively litigates cases in both Superior Court and Federal Court, including

jury trials in federal and state court.

Tarina is a leader within the community, advocating for inclusion and equality. She was the co-chair of the Women's Advocacy Committee for Lawyers Club, and as former two-term President of the South Asian Bar Association of San Diego she launched the Equal Pay Transparency Initiative. She also serves as the co-chair for the Diversity and Inclusion Subcommittee for the National Federal Bar Association. She previously served on of the San Diego County Bar Association Committee on Diversity and Inclusion, as well as the County Bar Leadership and Outreach Committee. She became one of the first members of the newly launched California Judges Association's Committee on Law Student Wellness & Ethics. She also provides pro bono legal services to veterans and victims of human and civil rights violations.

---

*The Rising Attorney Award recognizes an outstanding attorney, in any practice area, public or private, who has been admitted to the bar for no more than 7 years at the time of nomination. The recipient has demonstrated a commitment to the legal profession through excellent advocacy and service to the legal profession, education, mentoring, and/or the community. The recipient must have served as counsel of record in at least one case before the Southern District of California's U.S. District Court or U.S. Bankruptcy Court. The recipient must be a member of the FBA.*

# Chapter Awards

## DISTINGUISHED SERVICE AWARD

### Shireen Matthews

*Partner*

*Jones Day*

Shireen Matthews is a former federal prosecutor who now helps companies conduct internal investigations and build, enhance, and maintain effective corporate compliance programs. She regularly defends clients in high-stakes government investigations and regulatory proceedings relating to health care, false claims, cybersecurity, and data privacy. Shireen also is an experienced civil litigator who represents businesses facing complex, and often enterprise-threatening, litigation. She has managed civil discovery, including depositions and motion practice, from case inception through trial.



Prior to joining Jones Day in 2013, Shireen served as the Criminal Health Care Fraud Coordinator for the U.S. Attorney's Office in the Southern District of California. During that time, she prosecuted violations of the Anti-Kickback Statute, criminal false claims, and aggravated identity theft. Her success stories include uncovering a multimillion dollar fraud involving stolen medical equipment from Camp Pendleton, prosecution of wide-ranging contract fraud by a San Diego-based biotech firm, and obtaining one of the largest individual restitution awards for the Social Security trust fund. Shireen also has broad criminal trial experience and has successfully briefed and argued several cases before the Ninth Circuit Court of Appeals.

An engaged community leader, Shireen is committed to public service and serving pro bono clients. Shireen served as a Lawyer Representative for the Ninth Circuit Judicial Conference from 2014 to 2018 and is a past president of the San Diego Chapters of the South Asian Bar Association and the Federal Bar Association. She also serves as the hiring partner for Jones Day's San Diego Office and is a member of the Firm's Diversity, Inclusion, and Advancement Committee.

---

*The Distinguished Service Award recognizes distinguished service by an attorney to the San Diego and/or Imperial County communities that consists of any of the following: service to the legal profession; service to the local community; service to education; service to equality, diversity, or inclusion; and/or service advancing access to justice. Significant weight is given to service to the FBA as well as volunteer programs offered by the Southern District of California's U.S. District Court and/or U.S. Bankruptcy Court and the judiciary. The recipient must be a member of the FBA.*



## Federal Bar Association

---

### San Diego Chapter

# Thank You to Our Sponsors

---

*Gold Sponsor*

**WILSON TURNER KOSMO**  
**LLP**

---

*Silver Sponsor*

**FOX** LAW<sub>APC</sub>  
PERSONAL INJURY • CLASS ACTIONS

*FBA's Annual Sponsor*



*Results Beyond Dispute<sup>SM</sup>*

*Sponsor*



*Written Materials Provided Courtesy of:*



# San Diego FBA

## *2022 Board of Directors*

### **President**

Dylan M. Aste, *U.S. Attorney's Office*

### **President-Elect**

Mary Cile Glover-Rogers, *U.S. District Court*

### **Treasurer**

Sanjay Bhandari, *Buchalter*

### **Secretary**

Megan Rossi, *Robbins Geller Rudman & Dowd*

### **VP, Legal Education**

Kim Gregg, *U.S. District Court*

### **VP, Professional Advancement**

Courtney Strange, *U.S. Attorney's Office*

### **Special Events Chair**

Janet Cabral, *U.S. Attorney's Office*

### **VP, Fundraising**

Hector Tamayo, *Law Offices of Hector Tamayo*

### **VP, Community Outreach**

Benjamin Cheeks, *Law Offices of Benjamin Cheeks*

### **VP, Membership**

Joseph Goodman, *Gordon & Rees LLP*

### **VP, Public Relations**

Blake Currey, *U.S. District Court*

### **VP, Public Engagement**

Jenn French, *Patterson Law Group*

### **Immediate Past President**

Rebecca Church, *U.S. Attorney's Office*

## *About San Diego FBA*

The Federal Bar Association, founded in 1920, is dedicated to the advancement of the science of jurisprudence and to promoting the welfare, interests, education, and professional development of all attorneys involved in federal law. Our members run the gamut of federal practice: attorneys practicing in small to large legal firms, attorneys in corporations and federal agencies, and members of the judiciary. The FBA is the catalyst for communication between the bar and the bench, as well as the private and public sectors. The San Diego Chapter was founded in 1961.

The mission of the San Diego Chapter of the FBA is to serve the interests of the federal legal community and strengthen the quality of the federal legal profession by promoting professionalism, inclusiveness, and civility; by providing educational, social, and leadership opportunities, and by encouraging meaningful engagement between the federal practitioner, the judiciary, and the public they serve.

*The San Diego FBA is grateful to the many individuals who volunteered their time to make the conference successful, including the following:*

Rebecca Bavlsik, *U.S. District Court*  
Betsey Boutelle, *U.S. Attorney's Office*  
Kristina Cherevas, *Cozen O'Connor*  
Jenn French, *Patterson Law Group*  
Desislava Kalcheva, *U.S. District Court*  
Michael Hopkins, *Sheppard Mullin*  
Michelle Pettit, *U.S. Attorney's Office*  
Cheryl Soto, *Franklin | Soto LLP*  
Morgan Suder, *U.S. Attorney's Office*  
Hector Tamayo, *Law Offices of Hector Tamayo*



**Federal Bar  
Association**  
**San Diego Chapter**

# **Panel I: Forging Your Path**





## Drawing Your Own Path

Forging new identities in the profession

SHARE



A recent [study](#) by the Harvard Law School Center on the Legal Profession found that the vast majority of HLS graduates—nearly 95 percent—practice law in their first jobs after law school. This is hardly surprising. The majority of these young lawyers enter firms (60 percent), and a significant minority of them go into the public sector (30 percent). In many ways, this picture mirrors popular perceptions of what graduates of law schools do, and the professional identity of lawyers remains closely linked to the actual practice of law, whether it takes place at firms or in the public-interest sector.

What these numbers don't reveal is the small but increasingly significant group of lawyers who are pursuing alternative careers, stretching the mold of what it means to be a lawyer. The same study of HLS graduates found that as early as 10 years after graduation, nearly 25 percent of graduates no longer practiced law. (This is largely consistent with the findings of *After the JD*, a nationally representative study of lawyers in the United States.) Importantly, the HLS study also found that the vast majority of those who left the practice of law nonetheless reported law school to be a valuable and worthwhile experience. Some pursued careers in business. Others went into consulting. And notably for this article, many are entering positions that might be considered “law adjacent,” resting at the intersection of law and other fields, such as technology, business, and education.

Whether by choice or due to broader market circumstance, the innovative careers of these lawyers raise interesting questions about the professional identity of lawyers. How do these individuals view their professional identities? And how does their presence alter the overall perception within the profession about what it means to be a lawyer?

We use cookies to ensure that we give you the best experience on our website. By closing this banner, scrolling this page, clicking a link, or continuing to browse this site, you agree to this use.

OK

PRIVACY POLICY

Ned Gannon didn't know much about lawyers or the law when he entered law school. In a recent interview with *The Practice*, Gannon reflects, "I didn't have any lawyers in the family. I didn't even know a single lawyer before entering law school! What I had heard about lawyers was essentially what I had seen on TV or read about." In that sense, Gannon's understanding of lawyers, and ultimately his own professional identity, was very much the product of his experiences at law school. Unlike the majority of his classmates, Gannon pursued a **joint degree** at Harvard—a J.D. from HLS and a Master in Public Administration (M.P.A.) from the Harvard John F. Kennedy School of Government. Explaining his decision to pursue a joint degree, Gannon says, "I enjoyed the nuts and bolts of what I was learning in law school—reading the case law and having those discussions—but I also liked the broader perspective of how the legal profession intersects with business, with government, and where it's going in the future."

Despite earning a joint degree, upon graduation from HLS and HKS in 2003, Gannon began a professional career that fit, at least on the surface, the standard story of a graduate from a top law school: he became an associate at a major corporate law firm, what would become Dewey & LeBoeuf. He then moved between a series of major law firms, including Paul Hastings, working primarily on M&A deals and representing private equity firms. Gannon believes that, in his day-to-day work as a corporate associate, his M.P.A. didn't affect how others viewed him. He explains, "I was doing essentially what all the other corporate associates were doing: conducting due diligence, drafting contracts, maybe negotiating here and there." However, the degree certainly played a role in shaping Gannon's own professional identity. He explains,

The fact that I had done all this work at the Kennedy School, for example, classes in regulatory, policy, and political issues, gave me a broader perspective to not only look at what I was doing in the trenches that day but to step back and say, "What trends are there in the legal industry over all? How was it changing? How are attorneys' roles changing? How was technology influencing it?" So I always was interested in that broader perspective.

In 2009, Gannon took a chance on that unique perspective. He left the practice of law to move into the startup business, founding a company called Audible Auto, which developed infotainment technology at the intersection of smartphones and vehicles. Two years later, he cofounded eBrevia, which draws on artificial intelligence to improve the process of reviewing contracts and legal documents. Reflecting on this transition and how it related to his own professional identity, Gannon explains,

When I graduated from law school, I ended up practicing corporate law. As part of that process, I was always very interested in the business side. I got to witness some really great entrepreneurs build up these companies and then sell them to a private equity fund. I was fortunate to have a lot of time to interface with the clients and get to know the entrepreneurs and their teams. That drew me into the business side, and I always thought to myself, "Hey, wouldn't it be great to kind of sit on that side of the table at some point?"

In talking about the transition from law practice to entrepreneurship, Gannon recalls the timidity he felt when first explaining his transition from corporate lawyer to entrepreneur.

It can be a little disconcerting to be in a social situation where you're used to saying, "I'm a corporate attorney" when asked what you do. There is a lot of prestige that goes with that. It's a very concrete thing. It's different when you say, "Oh, well. I just started a company. I'm an entrepreneur." People say, "Oh, OK. We're not quite sure what that means." People felt that becoming a lawyer was a pretty exciting thing, so after you've made that transition, people ask, "You were a corporate lawyer and now what are you doing?" I talk to other associates who have made similar changes after practicing law, and I think it's common to confront that situation.

And even though he now identifies himself primarily as an entrepreneur, Gannon still thinks of himself as a lawyer and as part of the legal community. His knowledge of the law and legal practice has been critical for the success of eBrevia, and he finds that it also helps his clients—who are predominately lawyers—to have faith in his business. He isn't someone trying to disrupt the industry from the outside, but rather he is working to innovate from within. "I consider myself a part of the legal profession," Gannon says. "And I like to think that, as the legal profession is changing, we're on the forefront in terms of helping attorneys to adapt to some of these changes."

We use cookies to ensure that we give you the best experience on our website. By closing this banner, scrolling this page, clicking a link, or continuing to browse this site, you agree to this use.

OK

PRIVACY POLICY

eBrevia automates the contract-review process by using machine learning technology. The company's products, which leverage artificial intelligence research from Columbia University, are used by law firms, accounting firms, commercial real estate firms, and corporate legal departments to more efficiently, accurately, and cost-effectively extract and summarize key provisions from legal documents. Applications include due diligence, contract management, lease abstraction, and document drafting.

## Students step outside of the box

Despite the presence of individuals like Gannon who have managed to forge a new path between law and other fields, it remains an uphill battle for law students seeking to stretch the mold and forge alternative professional identities.

Stacy Ruegilin, currently a second-year law student at HLS, came to

law school after many years of working in the tech industry. "I developed applications and business intelligence," Ruegilin explains, "but after a number of years in the industry, there was a shift in which a lot of technologies that were being hosted in-house migrated to the cloud. That was a pivotal point for me. I thought either I could reframe the technologies that I was working with or I could make a career shift. So I came to law school."

Like Gannon, Ruegilin admits that when she entered law school, she didn't have a strong sense of what being a lawyer meant or the professional identity that came with it. "I didn't come in with the whole Ally McBeal dream that a lot of people come in with," she tells *The Practice*. "I didn't grow up with lawyers in my family. No one in my family knew what it was. So it wasn't that I dreamed per se of being an attorney, because I couldn't articulate what that meant."

Given her background in technology, however, Ruegilin says she was hoping to pursue a career in technology law—for instance, focusing on intellectual property—as that seemed like the most natural fit. However, after being exposed to a class titled **Innovation in Practice and Education** at HLS, she became more interested in thinking about legal technologies as part of the legal profession but separate from the day-to-day practice of law. "When I came in," Ruegilin explains, "I thought I wanted to do tech law, but as I went through law school, I found that I conflated the two. What I'm more interested in now is legal technology." She continues,

There are a few classes at HLS, like Professor Scott Westfall's class on innovation, which are not the traditional black letter law courses but which blend the technology business, law, and design. So you start seeing the faces and then you can start to identify each other. In a class of 500, there are maybe 10 or so who have that same interest.

While she has managed to find a community of students who also identify with nontraditional legal careers, she explained that it takes some determination to pursue a different path. Indeed, law school structures are often geared toward students entering law firms or the public sector (see "**The Professional Identity Formation of Lawyers**"). For instance, law schools typically offer two main job-placement services: one assisting students with recruitment to private law firms and one helping to place students in public-interest positions. Students with more diverse interests—and who are in the process of forming different professional identities—often have to seek out their own mentors and sources of support.

Asked why she thinks her budding professional identity doesn't fit into the existing boxes, Ruegilin stresses that her experiences prior to law

“I didn't grow up with lawyers in my family,” says Ruegilin. “So it wasn't that I dreamed of being an attorney, because I couldn't articulate what that meant.” ”

“We're raised in the Silicon Valley startup world,” Ruegilin says. “So even when we find ourselves

We use cookies to ensure that we give you the best experience on our website. By closing this banner, scrolling this page, clicking a link, or continuing to browse this site, you agree to this use.

OK

PRIVACY POLICY

Ruegilin says. Law students like

Ruegilin, who have prior work experience, are becoming more and more common. Just a decade ago, the majority of law students entered law school straight from college; today nearly three-quarters of all law students enter with at least a year of experience elsewhere. This means that new students are entering the legal profession—and forming their professional identities—with preexisting identities. And there are few reasons to believe that these existing identities would not influence their views on being a lawyer.

Ruegilin also links her mentality to a larger sea change in how her generation thinks about their own identities and roles in society. She explains that as a millennial, she believes that many of the movers and shakers of her world have been individuals who have used technology to transform old industries and solve problems. This is a world in which it's OK to try something and to fail, and she thinks that many young people will take this approach with them as they enter into the professions. "We're raised in the Silicon Valley startup world of a new business every minute," Ruegilin reflects. "We view these people as the largest, most important players in our world. So even when we find ourselves being drawn to more 'traditional' professions, like the law, we still want to be like them and push the boundaries of our profession and our own professional identities."

## Professional identity 2.0

Law schools and other innovative forms of training that connect law with other disciplines are pushing the boundaries of what "being a lawyer" means and the professional identity that comes with it. For instance, law schools are increasingly offering courses that reflect the myriad career options out there. As Ruegilin notes, course offerings on innovation and changes within the legal profession encourage students to think outside of the box and remind them that law, like all professions, will transform with time. The University of Notre Dame, for example, offers a course titled "[Legal Technology and Informatics: Think Outside the Bar](#)," which examines how big data and technology trends intersect with the law. In addition to curricular changes, there have also been experiments with degree options. Northwestern University recently graduated its first class of students in a new [Master of Science in Law](#) program, a one-year master's program geared toward those who want to work on the legal side of entrepreneurship and business (see "[Developing a Master of Science in Law](#)"). And there are innovative educational models, such as [LawWithoutWalls](#), that further blur the lines between law, business, technology, and entrepreneurship, thereby offering new dimensions to the profession and alternative perspectives on what it means to be a lawyer.

### Nonlawyers enter the law

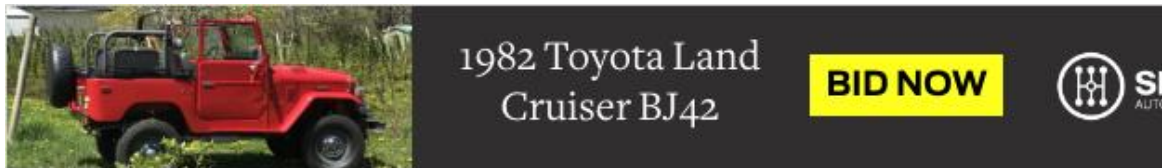
Shifts in the practice of law are not just occurring within the profession of lawyers. Indeed, just as lawyers are increasingly developing professional identities outside of traditional legal practice, so too are nonlawyers entering areas once defined strictly as territory for lawyers (see "[Model Objectives: New players in the profession?](#)"). For example, the state of Washington recently launched a pilot program for Limited Licensed Legal Technicians, professionals trained and licensed to advise and assist individuals going through divorce, child custody, and other family law-related matters. This path-breaking program raises important questions on both how this new class of legal professionals identify themselves as well as how their presence might prompt lawyers to redefine their own professional identities.

It is clear that the professional identity of lawyers will continue to grow and change in the coming years. While all may not agree with the drastic picture painted by thinkers like Richard Susskind—who portends the end of the professions as technology disperses expertise—no profession is immune to change. As Susskind argues, the tasks that a doctor or nurse does today are quite different than they were 50 years ago. There is no reason the field of law would be any different. Helping students to understand and embrace this will not only help future lawyers ride the waves of change but will also encourage those students whose interests expand beyond the traditional boundaries of the legal field.

We use cookies to ensure that we give you the best experience on our website. By closing this banner, scrolling this page, clicking a link, or continuing to browse this site, you agree to this use.

OK

PRIVACY POLICY



Home / Magazine / Millennial lawyers are forging their own...

WORK-LIFE BALANCE

## Millennial lawyers are forging their own paths—and it's wrong to call them lazy

BY KATE ROCKWOOD

JANUARY 1, 2018, 12:00 AM CST (/MAGAZINE/ISSUE/2018/01/)

Like 2

Share

Tweet



Share



Lauren Stiller Rikleen heard plenty of millennial bashing during her years as a partner at a Boston-area law firm—but she never bought it. “The stereotypes don’t match up with my experience as a lawyer and as a mother of two millennials,” she says. “I’ve never understood the constant negative refrain.”

Rikleen was so baffled by the disconnect, in fact, that she launched a second career geared toward helping different generations effectively work together. In her book *You Raised Us, Now Work with Us*, Rikleen (a member of the *ABA Journal* Board of Editors) investigates and unravels common myths about 20- and 30-somethings and offers practical advice on how to bridge generation gaps. The reality, she found—and one that’s backed up by countless examples of young lawyers who are tackling a variety of problems in the profession—is that millennials are neither entitled nor lazy.

As younger attorneys flood the workforce and begin replacing the retiring baby boomer ranks, even the most conservative law firms are realizing the need to reshape corporate culture and embrace millennials’ tech-savvy, self-confident and flexible point of view. Older lawyers are realizing that younger attorneys won’t accept the rigid hierarchies and old-fashioned processes that defined their own careers. At the same time, millennials also won’t receive the same mind-boggling hourly rates that clients formerly paid without batting an eye. With all these changes, experts say firms may need to invest time and resources in helping a multigenerational workforce interact effectively.



*Photo illustration by Brenan Sharp*

As Rikleen dug into her research, she began to understand that work-life balance matters previously had been considered “women’s issues” and were now being redefined as generational concerns. “Young lawyers—men and women alike—are thinking of work-life integration and how to live a whole life,” she says. That’s a good thing—but a host of miscommunication and mislabeling have created intergenerational tension. Worse yet, these misunderstandings threaten to calcify into fixed beliefs that can prevent a younger generation from developing to its full potential. Bridging the generational divide, then, is critical to creating a functional work environment, and separating generational myths from reality is the first step.

## **MYTH NO. 1: THEY HAVE A SENSE OF ENTITLEMENT**

The biggest myth, Rikleen says, is the idea that millennials feel entitled. “What we’re seeing is the manifestation of a generation that was raised with an enormous degree of self-confidence,” she says. “My parents did not have the resources that we did as parents of millennials. We were constantly told how important it was to raise emotionally secure, healthy children.” This child-centric upbringing combined with youthful enthusiasm results in a confident, achievement-oriented attitude common among new workers. The downside? Older people who were not raised in the same way can find that confidence jarring. “Millennials have a comfort with speaking up that other generations mislabel as entitlement,” Rikleen says. Rather than rolling their eyes at so-called entitled behavior, employers should welcome the self-esteem they see in their young employees. A willingness to speak up can yield wonderful results that would never come from quietly accepting the status quo.



Take, for example, the three women who founded the Knight, Morris & Reddick Law Group in Chicago. While doing contract work for a firm in 2012, Yondi Morris-Andrews was horrified when she heard a partner flippantly refer to his associates as “slaves.” “I knew I couldn’t work in a culture like that,” she remembers. Rather than keep her head down and swallow her indignation, Morris-Andrews went home, tweeted that she needed to start her own firm—and was quickly retweeted by her friend Keli Knight. Soon after, she met with Knight and Jessica Reddick at a Starbucks. Though Reddick and Knight didn’t know each other, “it immediately felt natural, like we’d been planning this for a really long time,” Morris-Andrews says. The three young lawyers talked for more than an hour, about everything from flip comments that were insulting to real concerns that being part of their generational cohort might be a barrier to career growth and success.

*Fascinated by millennials, Lauren Stiller Rikleen wrote the book “You Raised Us, Now Work with Us.”*

*Partners Keli Knight, Jessica Reddick and Yondi Morris-Andrews. Photograph courtesy of Knight, Morris & Reddick Law Group.*

and joined a small real estate law firm, where she was on the partner track. As the recession hit, however, the firm's fortunes changed: "It made me realize that I had to venture out on my own," she says.

Today, the three represent clients who include NBA star Derrick Rose. They also run a boutique legal staffing agency and have expanded to Los Angeles. Many of their clients are fellow millennials and entrepreneurs who respond well to the firm's active Instagram presence that provides glimpses into their interests outside the office. "We're very serious about being true to ourselves and being different from a typical firm," says Morris-Andrews.

Indeed, millennials seem to have abandoned the old pursuit of work-life balance in favor of work-life integration. In today's always-on, technology-saturated work environment, juggling boundaries has given way to posting Instagram pics of leisure pursuits alongside tweeting about interesting legal wins.

*Read more ...* ([https://www.abajournal.com/magazine/article/millennial\\_stereotypes\\_these\\_lawyers\\_object/P1](https://www.abajournal.com/magazine/article/millennial_stereotypes_these_lawyers_object/P1))

1	2	3	Next Page
---	---	---	-----------

*This article was published in the January 2018 issue of the ABA Journal with the title "Millennial Stereotypes? The largest generation in today's workforce is forging its own path—and it's wrong to call them lazy."*

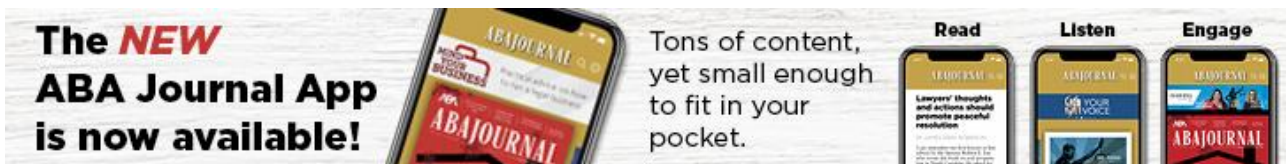
*Kate Rockwood is a freelance writer living in Chicago. She was born at the tail end of the Gen X generation.*

**Give us feedback, share a story tip or update, or report an error.**



Copyright 2022 American Bar Association. All rights reserved.





Home / Magazine / Millennial lawyers are forging their own...

WORK-LIFE BALANCE

# Millennial lawyers are forging their own paths—and it's wrong to call them lazy

Like 2 Share Tweet Share

## MYTH NO. 2: THEY'RE SLACKERS

Knight's eagerness to strike out on her own is hardly an anomaly for this generation. Perhaps more than any other trait, a willingness to leap into entrepreneurialism separates 20- and 30-something lawyers from their Gen-X and boomer counterparts.

A first-generation immigrant, Nehal Madhani graduated from the University of Pennsylvania Law School and landed a job working in Kirkland & Ellis' bankruptcy practice. But four years in, he left that safe, rarefied world to launch his own company. It wasn't easy. Madhani's first startup, a marketplace that connected companies with legal help, sputtered out after a few months. "Small businesses have a high failure rate and are stingy on the legal fees—so not the best customers," he says.

Undaunted, Madhani decided to start over, drawing on a kernel of insight gained from his own experience as an entrepreneur. He had handled his own intellectual property filings for the first business and quickly became frustrated by the laborious process. So Madhani decided to automate IP deadlines by connecting to databases that would automatically download the latest filings and by creating algorithms to review data and identify deadlines. Today, his company, Alt



*Nehal Madhani: “In addition to learning how to be a lawyer, I gained an understanding of the concerns lawyers face when they’re evaluating technology and adapting to it.” Photograph courtesy of Alt Legal*

Legal, has hundreds of customers, ranging from small firms to Am Law 100 members, and manages hundreds of thousands of filings. It’s clearly filling a huge need. “One of our clients has 20,000 IP filings,” Madhani points out. “You just cannot track that manually.”

Alt Legal is looking to expand internationally and wants to start analyzing its IP data to offer customers insights about, for example, who might be infringing on their IP or how to file paperwork to increase your likelihood of patent success. The training he received as a corporate lawyer, he says, was critical to Alt Legal’s growth. “My experience at Kirkland was amazing,” he says. “In addition to learning how to be a lawyer, I gained an understanding of the concerns lawyers face when they’re evaluating technology and adapting to it. That’s been invaluable.”

There are countless other examples of millennial-helmed legal startups trying to fix the industry’s pain points. “Millennials have more entrepreneurial opportunities than any other generation, combined with a sense of confidence that makes the challenge more inviting and a greater comfort with risk that comes with being young,” Rikleem says.

Millennials’ boldness about striking out might also stem from their exposure to the criticism and



*Avery Blank: “We have that thicker skin because social media really gives you the opportunity to feel the real-world effects of how people react to us and what we’re thinking.” Photograph courtesy of Avery Blank Consulting.*

frank feedback that comes with living on social media, notes Avery Blank, a Yardley, Pennsylvania-based generational strategist and consultant who has a JD. “We have that thicker skin because social media really gives you the opportunity to feel the real-world effects of how people react to us and what we’re thinking.” In this regard, millennials are hardly the fragile snowflakes of longtime portrayals. “We’ve toughened up, and I think that’s allowed us to be a little more willing to take risks.”

Ryan Alshak of San Francisco is an example of millennials’ ability to identify opportunities and pivot. The graduate of the University of Southern California School of Law is attempting to solve the long-standing bane of lawyers’ existence: time entry. It earned him a position as a 2017 *ABA Journal* Legal Rebel ([https://www.abajournal.com/legalrebels/article/ryan\\_alshak\\_ping/](https://www.abajournal.com/legalrebels/article/ryan_alshak_ping/)).

Alshak’s timekeeping software, Ping, not only automates the entry process but also aims to record data so that lawyers can better understand how they spend their time and create more accurate budgets.

Alshak didn’t always intend to become an entrepreneur. In fact, he was dead set on being the general counsel for the Los Angeles Clippers—so much so that he joined Manatt, Phelps & Phillips, the LA firm that counted the NBA team as a client. But all those dreams went up in smoke shortly after Alshak began working, when recordings of racist statements made by Clippers owner Donald Sterling were publicized in 2014. His firm dropped the Clippers, and Alshak’s life plan was thrown for a loop. After spending 18 months working on cases that took him to Israel, London and Switzerland, “I was having a fantastic time, but I couldn’t shake this feeling that I was just working on my partner’s case, my partner’s client,” he says. “I knew I could build something similar, but I didn’t want to wait that long. I wanted to create something now.”



*Ryan Alshak: “Law firms now understand that they have to move toward data-driven decisions to survive in this new economy. That’s changed even in the past year.” Photograph by Earnie Grafton.*

His idea for a startup was born of personal experience during his three years as a corporate litigator. “I was the worst timekeeper in America,” Alshak says, laughing, remembering how he would inevitably wait until the end of the week to enter his hours. “I knew I was leaving a lot of time on the table.” Alshak decided to leave his job in May 2016 to build Ping full time. This past spring, the company was named one of the first participants in a new Silicon Valley legal tech accelerator program sponsored by LexisNexis. It’s in the process of beginning several pilot partnerships with big law firms. Alshak, who estimates that lawyers are 20 percent off in their billing estimates, and that managing partners will slice off another 10 to 20 percent when reviewing a client’s bill, says that the days of being able to get away with being that imprecise are waning. “As the legal profession moves toward flat fees, clients are going to demand more transparency and more accuracy,” he says. Alshak says that eventually Ping will be able to use machine learning to determine how attorneys actually spend their time and make better estimates for clients.

Like Madhani, Alshak says his time in BigLaw was critical in helping him grow Ping.

“I sell from a firsthand perspective of understanding what their pain is. That changes the game.” He also points to a new urgency among law firms when it comes to adapting to technology. “Law firms now understand that they have to move toward data-driven decisions to survive in this new economy,” he says. “That’s changed even in the past year.”

*Read more ... ([https://www.abajournal.com/magazine/article/millennial\\_stereotypes\\_these\\_lawyers\\_object/P2](https://www.abajournal.com/magazine/article/millennial_stereotypes_these_lawyers_object/P2))*

Previous Page   **1**   **2**   **3**   Next Page

Home / Magazine / Millennial lawyers are forging their own...

WORK-LIFE BALANCE

## Millennial lawyers are forging their own paths—and it's wrong to call them lazy

Like 2

Share

Tweet



Share



### MYTH NO. 3: THEY ARE DISLOYAL AND JOB HUNTERS

Beyond solving long-standing problems through technology, millennials are also deeply committed to finding work that aligns with their values. Rikleen points to a 2012 study conducted at Rutgers University in which nearly 60 percent of young adults said they'd give up 15 percent of their salary to work for an organization whose values they share. Across the country, many young lawyers are rearranging their careers to accommodate more pro bono work.

This millennial tendency to pursue work that aligns with their values dovetails with another persistent myth, Blank says: That millennials are less loyal than other generations. "The reality is that we're not—it's conditional loyalty. There's certain things we're looking for, and one of those things is purpose. If we don't see a company that really aligns with our values, we're not going to stick around."

**Become a**

Join today to sta

JOIN THE

Already an ABA Member

policies were wake-up calls, Slatton says. And though they've confronted plenty of skepticism about how two 20-something lawyers can handle such thorny, politically charged cases, the pair say their



*Michelle Stilwell (left): “We care so much, and we’re totally dedicated to figuring out how to help out clients.” Photograph courtesy of Stilwell & Slatton Immigration.*

passion—combined with social media savviness—has made up for inexperience. “We care so much, and we’re totally dedicated to figuring out how to help out clients,” Stilwell says.



*Jessie Kornberg: “People like to complain that millennials don’t stick around in one spot long enough. I’m trying to reshape that idea.” Photograph courtesy of Bet Tzedek.*

Jessie Kornberg felt a similar call to action. After graduating from the UCLA School of Law, the San Francisco Bay Area native worked at Bird Marella, a Los Angeles boutique litigation firm. In 2014, she was appointed the first female CEO of Bet Tzedek, a 60-employee nonprofit that has provided free legal service to people in Los Angeles for more than four decades. Under Kornberg’s leadership, the agency has created the county’s first transgender medical-legal partnership, a small-business startup clinic and a program to respond to growing concerns around the deportation of undocumented

**Become a**

Join today to sta

JOIN THE

Already an ABA Member

rising anxiety about new threats and deportation surges that affect her clients, “I’m constantly inspired

by the energy with which my staff is responding to it,” she says. “We’re on track to serve four times as many people this year as last, and that is a direct result of the terror being created in our immigrant community. It is both maddening and motivating.”

Kornberg gives credit to mentors who helped her immensely in her early days as Bet Tzedek’s youngest chief. “There’s no way to talk about my career without focusing on key relationships,” she says. “People like to complain that millennials don’t stick around in one spot long enough. I’m trying to reshape that idea, because I think it’s amazing that we hop around like fleas. It means that so many different entities can be connected through colleagues.”

## MYTH NO. 4: THEY’RE TOO DIFFERENT FROM PREVIOUS GENERATIONS



*Nicole Abboud: “The whole point of my podcast was to make it inspirational and show lawyers that you don’t*

**Become a**

Join today to sta

JOIN THE

Already an ABA Member

from the disorientation and isolation that came with professional dissatisfaction, Abboud began asking other young lawyers about their own stories. She eventually created the *Gen Why Lawyer*

podcast, which focuses on millennial attorneys who either redefined their law career in a way that increased their satisfaction or left law altogether. “I had no experience whatsoever—I looked up free YouTube videos about what podcasting equipment to buy and how to record and upload to iTunes,” says Abboud of Culver City, California. Her initiative paid off, and *Gen Why*'s success led her to leave her law job to launch a video and podcasting business, Abboud Media, to help lawyers develop their personal brands.

“To be honest, I struggled a lot with an identity crisis when I left the law,” Abboud says. “The fact that I’m so vocal about my journey gives other people permission to speak up too. The whole point of my podcast was to make it inspirational and show lawyers that you don’t have to feel stuck. I feel lucky every day to reach people.”

Many of these young attorneys are also redefining how and when they work. “We take meetings all over the city, we meet at each other’s houses, and we meet over brunch,” says Morris-Andrews of Chicago. “We’re not chained to the office”—even though they have an impressive one in the Willis (formerly Sears) Tower, and they work around the clock.

Rikleen believes this flexibility is a positive that leads to more sustained and focused work, not less. Older lawyers, she says, need to come around to the new way of working.

“I hear a lot of grumbling from my contemporaries. The quote would be: ‘Oh, the younger generation won’t put in the hours that we put in; they want to go away on the weekends,’” she says. “I don’t think that’s true. Yes, there is a desire to lead a whole life, but that doesn’t translate into a lack of commitment. It’s just in a technologically driven world, millennials understand there are a lot of ways they can accomplish what needs to be done.”

In the end, millennials’ confidence, tech savvy and willingness to establish new work patterns will play an important role in establishing the future of law. As boomers retire in large numbers, there won’t be enough Generation Xers to take their place.

As a result, Rikleen says, millennials’ increasing role offers an “unprecedented chance to reconsider how and where we work.”

This is crucial as millennial strengths are increasingly becoming client preferences, Blank says. “So it behooves an organization—a law firm—to think about what millennials do, what drives them and what their preferences are. Because the reality is that that’s what more and more of their clients want.”

**n**

**Become a**

Join today to sta

JOIN THE

Already an ABA Member

*The largest generation in today's workforce is forging its own path—and it's wrong to call them lazy.*

*Kate Rockwood is a freelance writer living in Chicago. She was born at the tail end of the Gen X generation.*



# MILLENNIALS IN THE WORKFORCE

By 2025, millennials will compose up to 75 percent of the workforce in legal departments, according to a 2015 Thomson Reuters report. Even for those legal teams with fewer millennials, the status quo won't last long.

### CORPORATE COUNSELS PERCEIVE MILLENNIALS AS ...

- 74%** Bringing tech advancements to the legal department faster than other generations.
- 70%** Wanting to be involved in the legal department's decision-making process.
- 63%** Anticipating quick promotions with the legal department.
- 63%** Valuing work-life balance more than other generations.
- 59%** And preferring to work for organizations that align with their values and morals.

Source: Thomson Reuters

### HOW TO HELP MILLENNIALS STAY PUT

A whopping 93 percent of millennials reported leaving their employer the last time they changed roles, according to a Gallup survey. To buoy retention in the legal field, Thomson Reuters researchers suggest:

- Involving millennials in technology projects and providing leadership opportunities.
- Encouraging diverse viewpoints and including them in the decision-making process.
- Assigning millennial employees a mentor.
- Allowing even more flexible work environments and championing work-life balance.

### GENERATION GO GROWS UP

Seventy-eight percent of millennials are part of a dual-career couple, with both people working full time, found a 2017 global survey by consultancy Ernst & Young. That's compared with only 47 percent of boomers.

Seventy-five percent of millennials want the ability to work flexibly and still be on track for promotion; 74 percent want colleagues and supervisors who support their ability to work flexibly, without stigma.

### SAME, SAME, DIFFERENT

When asked what they find most satisfying about their current position, legal professionals have some common ground and key differences across generational divides.

	MILLENNIALS	GENERATION X	BABY BOOMERS
<b>COMMON GROUND</b>			
VARIETY OF WORK EXPERIENCE	47%	41%	40%
USE OF MY LEGAL SKILLS	47%	39%	33%
USE OF MY NONLEGAL SKILLS	31%	29%	24%
<b>KEY DIFFERENCES</b>			
PERSONAL VALUES ALIGNED TO BUSINESS	59%	31%	31%
CROSS-TEAM COLLABORATION	38%	27%	19%
PROFESSIONAL DEVELOPMENT	34%	20%	24%
MENTORING RECEIVED	38%	13%	19%

Source: Thomson Reuters

Become a

Join today to sta

JOIN THE

Already an ABA Member

Subscribe

Send Tips

SMALL LAW FIRMS

# Forging The Path That Works For You

We get so caught up in following the path we think we *should* be taking that we sometimes forget to consider the path we *want* to take.

By Emily Hunter Plotkin

April 26, 2019 at 5:17 PM

60  
SHARES



(Image via Getty)



The law provides many different paths to success. The hard part is finding the one that's right for you. We get so caught up in following the path we think we *should* be taking that we sometimes forget to consider the path we *want* to take.

That was where I found myself in 2018. My husband and I had both chosen career paths based on what we thought we *should* be doing. We had both gone to law school, both spent time in Biglaw, then both moved up the standard trajectory to solid, in-house jobs with Fortune 500 companies. On the home front, we had two active elementary-age boys. Any time not working was spent shuttling them to their activities or trying to squeeze in a little time for ourselves. From the outside, it looked like we had figured out this whole work-life balance — we had the work, we had the family, we had our health, and we even found some time to travel. But instead of feeling balanced, we were on a seesaw, constantly teetering back and forth and poised to fall hard with one wrong step.

At work, I attended a women's leadership development program. I had said I wanted a seat at the table. I said it because that was what I was supposed to say. But then someone asked, "Is this the hill you want to die on?" I realized that it wasn't. I didn't actually want that seat at the table, no matter the cachet of a leadership position at a Fortune 500 company. I will help others take that seat, but I did not want it for myself.

What did I want? I knew that deep down, I enjoyed the practice of law. I also wanted to be a working mom role model for my boys, but how could I do that when all they saw of me was the desperate charge to get them out the door in the morning and a similar struggle in the evening to get them to bed so we could start all over the next day?

I began taking stock of the specific nuggets of the practice of law that meant the most to me. Much of my practice had been spent in mediation, and I realized I enjoyed facilitating successful resolution. Similarly, I loved figuring out creative solutions to solve sticky workplace compliance issues. To that end, I also loved



The idea of hanging out my own shingle to practice employment law and provide mediation services was starting to brew. But I was also that typical risk-averse lawyer who was scared of taking such a huge leap. When and how would I do it? Could my family support it? Was I committing career suicide or inadvertently setting women back by declining the offered seat at the table? Could this same type of choice be available to a lawyer dad, or is it considered a “mommy-track” role?

Fortuitously, an opportunity found me in academia — Professor of Legal Writing at our local law school. This fit my personality perfectly. It was an opportunity not only to teach but also to mentor a whole new crop of lawyers. Some of these lawyers would thrive in Biglaw, some would put out their own shingles, some would enter the public sector or focus on public interest. Probably some would end up in academia themselves. Specifically, though, I would be teaching them a practical skill that they could use no matter what type of path they ended up taking themselves.

In the summer of 2018, I created my new path — part time law professor, part time solo practitioner. I focused my career on the specific aspects of the law that I love: counseling, facilitating, and teaching. Having stripped off the meaningless obligations, I have more time for each of the roles that mean the most to me: mom, wife, daughter, friend, *and* lawyer.

Back to those questions I asked myself. The when and how turned out to be easy — find a job, start when the semester starts, and hang out the shingle at the same time. Could my family support it? Yes, because they got me in return. Was I committing career suicide? No more so than taking a seat at a table that I didn't want and failing miserably. By not taking the seat, I also left it open for someone who *did* want it, and kept opportunities open for me to find a seat at a table that fit me better. Is this choice one only for the lawyer mom to make? No. If the lawyer dad wants to choose a different path than the one he is on, he can do it, too. For us, our lawyer dad has found his niche, is very happy in it, and has no desire to change paths. Part of choosing the right path is accepting and supporting others' own paths. We have



This path I have chosen is my own path. It may still move in any number of directions. It's also a path built on previous decisions. I have the confidence to take this path because of my experience in private practice and in-house. I also have the confidence after taking the time to watch some of my lawyer mom friends forge their own amazing and unique paths. Some have found success in the corporate world, some have found success running their own practices, some have found success at the forefront of political causes. Seeing these women forge the paths grounded in their values made me realize I can do this. We all can do this. All it takes is recognizing that there is no single path to take, but that if you take the time to step back and focus on what means the most to you, a successful and fulfilling path will reveal itself.

---



***Emily Hunter Plotkin is an employment lawyer, mediator, and law professor in Nashville, Tennessee. When she is not teaching legal writing, she manages her own practice advising and training employers and employees on all aspects of the employment relationship, and provides mediation services to resolve any general civil disputes. She can be reached via email at [emily@hunterplotkinlaw.com](mailto:emily@hunterplotkinlaw.com), or you can connect with her on [LinkedIn](#).***

#### TOPICS

Emily Hunter Plotkin, Law Professors, MothersEsquire, Small Law Firms, Solo Practitioners, Women's Issues



## **Panel II: Exemplary Leadership**

# SAN DIEGO LAWYER®

## THE BUSINESS OF LAW



### PLUS

#### Generation Z:

Welcome the Workforce of the Future

#### Blockchain Basics

#### Book Review:

Dreyer's English



President's Column by Johanna Schiavoni

## LEADING THROUGH CRISIS— A PEOPLE-CENTERED APPROACH

As I write this, the world is in the midst of the global COVID-19 pandemic, which is causing rapid changes and having unprecedented impacts on our communities. The spread is unpredictable, the potential impacts on our healthcare system are crushing, and financial systems are disrupted. Small businesses face potentially ruinous closures, courts are running only emergency operations, and the unemployment rate has skyrocketed. The very way we work, learn, and interact is dismantled.

The greatest source of our collective anxiety around coronavirus, it seems, is the unknowns. How long will the crisis last? How many will get sick? How many could die? Will our healthcare system be able to handle the surge of patients and how can we best protect our front-line workers? Is our economy resilient enough to withstand the crisis? Can we rise to the challenge as a local and global community to protect one another and our most vulnerable?

Amidst the uncertainty and anxiety, there also is opportunity for leaders of organizations to be of service. I'm proud of how our team at the SDCBA has responded and continued to serve our members.

During the first week of March, as COVID-19 was escalating globally but before many local organizations were strongly reacting, Executive Director Jill Epstein and I convened our Board's Executive Committee to evaluate existing policy and determine the process for making decisions for the Bar. Based on the information available at that time, we decided to close our Bar Center space effective Friday, March 6 to best protect our staff, members, their clients, and the public. We announced the closure to our membership a day earlier, and reassured our members that staff operations would continue. We also made teleconference and webinar capabilities available for all programs and meetings.

At that time, we also began preparations for our staff to work remotely; we tested the capabilities, addressed glitches, and then went fully virtual as of Monday, March 16. We also opted to postpone large events, even before being required to do so. We kept our Board of Directors apprised, sought their input, and regularly updated our members about these decisions. In doing so, we communicated our desire to prioritize the health and safety of our employees and members, and to support local health officials and government leaders as they work to contain the virus and protect our community as a whole.

When announcing these changes to the membership, we were prepared to answer questions and received a few—but were gratified that most members thanked us for our early and decisive leadership. We also heard that we inspired many members to action, as well.

We have continued to update our members frequently about impacts to our operations and to courts across California, we have provided training about remote working tools and resources, and we have supported our members with other needs to continue their law practices and client service. And as the situation evolves, we are surveying members on what they need most from us, and how we can help them.

Despite the changes in our operations, we continue to publish timely and relevant content for our members, our Sections continue to plan topical programming, our Committees are hard at work on various projects to serve our membership, our Board and staff are moving forward on the strategic priorities we developed at our January retreat, our staff members continue their daily work while shifting to Zoom meetings, and we virtually celebrated Jill Epstein's one-year anniversary as the SDCBA's Executive Director.



This crisis is by no means behind us, and it is impossible to predict where we will be even at the time this column is published. Yet, based on this experience and the collective work of our Board and staff leadership at the SDCBA, here are some of the key takeaways I can share about taking a people-centered approach when leading through a crisis.

**Activate key decision-makers and gather information.** Determine who the key decision-makers are within your organization. Seek input from experts, whether from within your organization or outside of it. Listen carefully to your people, analyze the best information available, and then act quickly and decisively.

If your organization has contingency planning and crisis communications policies, use those to determine who the key decision-makers should be. If you don't yet have crisis planning policies in place, assemble your decision-makers under existing policy and beef up your policies to plan for emergencies.

**Make decisions from a people-focused and mission-centered place.** As you gather information, think about how to best serve and protect your people—whether they're employees, clients, stakeholders, the public, or all of the above. People-centered decision-making is critical. It's also vital to consider and acknowledge people's natural anxieties surrounding the crisis, and to demonstrate a commitment to addressing them for the greatest good.

**Be steady and decisive, but also adaptable.** Once you have enough information, act in the best interests of your people and make clear decisions. Be prepared, however, for the need to adapt those decisions

as you gain new information or resolve ambiguities. This *doesn't* mean a constant stream of 180-degree turns. It *does* mean being decisive, moving forward, and having a feedback loop as you learn new information that requires adjustments to your decisions.

**Communicate decisions and be transparent about the who, what, why, and when.** Provide clear explanations of what you know and your decisions based on that knowledge. Explain what uncertainties remain and what questions are being asked. Let your employees, members, stakeholders, or other key constituencies know who was involved in decision-making, what the decisions are, and why you made them. The "why" sheds light on the underlying intentions and motivations of the organization. This type of communication and transparency builds trust and confidence, and allows others who look to you for guidance to make key decisions, as well.

**Provide frequent updates.** As for the "when," it is understandable that in a quickly-evolving situation, your leadership team will not have all of the answers at the outset. But, set the tone that you will provide regular communication with information as it becomes available. This will help address the underlying anxiety people feel from not having information or guidance.

**Keep projects moving and your team motivated.** During times of crisis, and particularly those of rapid change, it's important to keep your team focused and moving forward. Some priorities may shift, and in fact, it may be easier to postpone or eliminate peripheral projects to focus on mission-critical work. Keep your

regular team check-in meetings and add more if the situation requires it. That must, of course, be balanced with empathy for your colleagues; some may be sidetracked by the crisis and will require your grace and understanding. Nevertheless, continue to lead the team to move forward toward your common, mission-centered goals.

**Continue small acts of kindness.** Even in the midst of a crisis, your employees will have work anniversaries or handle a project well, or a colleague will achieve a big win. Take the time to celebrate and recognize significant moments.

**Take care of yourself.** Wellness is an imperative for leaders to be effective and exercise good judgment. Times of crisis are by nature stressful; stress and exhaustion undermine good decision-making. Leaders must take the time to step back, reassess, and take care of themselves. By doing this, you set the example for your team to do the same.

In times of crisis, people crave information, transparency, and thoughtful guidance. Keeping a people-centered frame is paramount at every stage.

In closing, I'd like to extend a heartfelt thank you to the devoted staff, Board, and volunteer leadership throughout the SDCBA, and to our valued members. Together as a community, I am optimistic we will get through this crisis and will rise to meet the challenges ahead. 🙏

---

**Johanna Schiavoni**

*(johanna.schiavoni@calapplaw.com) is a certified specialist in appellate law, and her practice at California Appellate Law Group LLP focuses on civil appeals in state and federal courts.*

# SAN DIEGO LAWYER®

# DIVERSITY

**PLUS:**

**Latina Equal Pay Day —  
There Is Still Work to Be Done**

**California Bar Examination —  
A Journey of Change, Hope,  
and Success**

**Working for Myself  
During COVID-19**



President's Column by Johanna Schiavoni

## 2020: REFLECTING ON A YEAR OF CHALLENGES AND OPPORTUNITIES

**W**e began 2020 brimming with optimism. Organizations everywhere were discussing their plans and "2020 Vision." Little did we all know the multi-layered crises that would strike our local and global communities. From the COVID-19 pandemic and associated economic downturn, to the movement for racial justice, the recent elections, and a degradation of our civil discourse, at times 2020 has felt overwhelming and unending.

Yet, reflecting on this year, I am reminded of how we at the San Diego County Bar Association developed and sustained a different kind of "2020 vision." After defining our Core Values in 2018 (Community, Inclusion, Innovation, Leadership, Growth, and Celebration), in January of this year, our Board and Staff mapped out six ambitious strategic goals to guide the Association's work for the next three years. Our execution of these goals looks and feels different than we anticipated in January — but we are proud that the goals remain salient. **And we have worked hard to turn 2020's challenges into opportunities.**

The SDCBA's top priority in 2020 was to connect our members with one another and with the courts, and to provide the tools and resources lawyers need to achieve success and fulfillment. Indeed, that is the heart of our new mission statement.

### Goal 1. Sustain, grow, and engage our membership

Though we haven't been able to gather in person or at our Bar Center since March, we have sought to engage our membership through enhanced communications and online resources.

These include providing COVID-19 Court Updates from across California's state and federal courts, adding new features to *This Week at the Bar* focused on Leadership Opportunities and a Legal Community Calendar, updating members about the SDCBA's response to COVID-19 every month, expanding and diversifying the content on the SDCBA *Blawg*@401 blog, enhancing our social media presence, and continuing to bring you thoughtful content through *San Diego Lawyer* magazine.

In the Spring, we launched our *Why I Belong* campaign, featuring members across our Association. We recently rolled out a new add-on *CLE Annual Pass* that provides members with unlimited access to our library of educational content — newly branded as the *SDCBA CLE Center*<sup>™</sup>.

### Goal 2. Provide unique, relevant, and targeted programming

Upon closing our Bar Center in early March, the organization immediately became a fully virtual operation. Reaching an ever-broader audience, we have offered more than 180 programs and events this year. And so much of that programming is driven by *you*.

Our *State of the Courts Addresses* with the state and federal trial and appellate courts drew the highest attendance of any programs in SDCBA history — reaching nearly 6,000 attendees. We reimagined our "Bench-Bar" luncheons as a virtual *Breakouts with the Bench* series, examining how each department of the San Diego Superior Court has evolved its operations, with Zoom breakout rooms for judges, lawyers, and law students to network.

We took our Awards Ceremony and Celebration of Community Service virtual and honored nine attorneys, judges, and organizations for their distinguished service. We also continued our tradition of hosting our Law Week poster and video contest for K-12 students around San Diego County — recognizing the winners for their work to celebrate the theme of the 100th anniversary of the 19th Amendment.

Our re-launched *Court Practice Series* has been a hit — helping hundreds of new attorneys navigate areas ranging from civil practice to family law. We also hosted Town Hall events about COVID-19 and to help small firm and solo attorneys, and just wrapped up our Annual Membership Meeting, reporting back on this year's activities.

Our Sections produced 61 programs, including 48 topical and timely CLEs and a number of networking events. Our New Lawyer Division hosted a dozen events, including a Halloween Mask-erade and a bar-wide ethics CLE focused on civility that drew more than 200 attendees.

Our Committee on Diversity and Inclusion presented our annual Dialogue on Diversity focused on voting rights, hosted a creative Holidays Around the World in partnership with our diversity and specialty bars, and published an electronic cookbook featuring recipes from contributors across our legal community. 2020 also saw the launch of our Anti-Racism Subcommittee and its monthly Exchange on Equity roundtable series, supporting our legal community's efforts to better educate ourselves and learn how to be anti-racist.

### Goal 3. Keep our membership at the forefront of technology

We've produced an extensive series of *Tech Tuesday* webinars (34 and counting!) focused on technology and law practice management. They cover essential topics from how to use various online presentation platforms and court e-filing systems to leveraging Word, Excel, Outlook, Adobe, and more. We also produced our first ever Member Benefit Expo (MEMBO!), as well as a week-long *Marketing May* series, our second annual *Truly Madly Solo* conference, and a recent 4-part series on building your law firm website.

You can easily find our content library (most of which is free for members) on the SDCBA's website under the "For Members" tab. And our resident Technology and Practice Management Advisor continued providing free one-on-one consulting, which has proved an invaluable resource for our members.

### Goal 4. Promote and provide wellness offerings

The Wellness Subcommittee formally launched this year to actively support well-being in the legal profession. In addition to offering free daily yoga early in the pandemic and a monthly Mindful Meditation session, we presented programs focused on professional self-assessment, the five dimensions of well-being, and addressing workforce worries.

In November, we delivered a mindfulness series, including Mindful Minute videos and articles — all now available on the SDCBA's website under "For Members" and Wellness. And combining wellness and advocacy, the SDCBA is advocating that the State Bar expand competency credits.

### Goal 5. Build lawyers as leaders

Heading into 2020, we revamped the structure of our 29 Committees and Subcommittees, and for the first time, solicited an open call for committee self-nominations. This resulted in a significant expansion of committee involvement by new members, and an opportunity for our members to further hone their leadership skills. Our dedicated committee members worked with our staff to advance significant profession-focused, governance-focused, and community-focused projects throughout the year, and they are a huge reason the Association made so much progress on its goals.

Our *Leadership Speaker Series* soared to new heights, with record interest and attendance at our sessions about virtual presentations, serving on government boards and commissions, and how to be a TV legal commentator. We have more program ideas in the hopper for 2021 and welcome your input.

After careful vetting through our Public Positions Advisory Committee, the SDBCA took more than a dozen public positions this year, including condemning racist and xenophobic descriptions of COVID-19, condemning racism and violence against communities of color, and supporting the formation of an independent Commission on Police Practices within the City of San Diego. We also hosted two virtual *Community Building Luncheons*, inviting the leaders of the 46 other law-related organizations in San Diego to join in strategic dialogue and idea-sharing — particularly beneficial in this time of crisis.

### Goal 6. Ensure financial sustainability to meet the needs of our members

By meticulously managing our revenue and expenses, the SDCBA will finish 2020 in a positive financial position —

without raising membership dues for 2021. We also have been working diligently on medium and long-range planning to ensure the SDCBA's financial sustainability.

### An Extraordinary Team Effort

As with any effort in an organization like ours, this is a team effort. It has been an honor and privilege to serve alongside our dedicated Board of Directors. Each member has brought vision, creativity, collaboration, and fortitude to help lead this Association and our legal community this year. We also are grateful to our innovative and talented staff. This capable and resilient team made it possible for us to deliver high caliber programs, services, and resources to our membership and the community this year.

We also are immensely grateful for the more than 500 volunteers who serve within the SDCBA — in our Sections, Committees and Subcommittees, New Lawyer Division, and in other capacities including as volunteers through our *Wills for Heroes*, *Guardian ad Litem*, and *Access to Appellate Justice* programs. Their willingness to innovate and continue to serve our members and the public has been remarkable.

Without a doubt, this year has been challenging for our profession and our community. Nevertheless, we believe this year's successes are cause for optimism. Despite being physically distant, we hope you have continued to feel connected to the SDCBA and to one another. And, as we say farewell to 2020, we want to celebrate and thank you — our members. We very much look forward to seeing you in 2021!

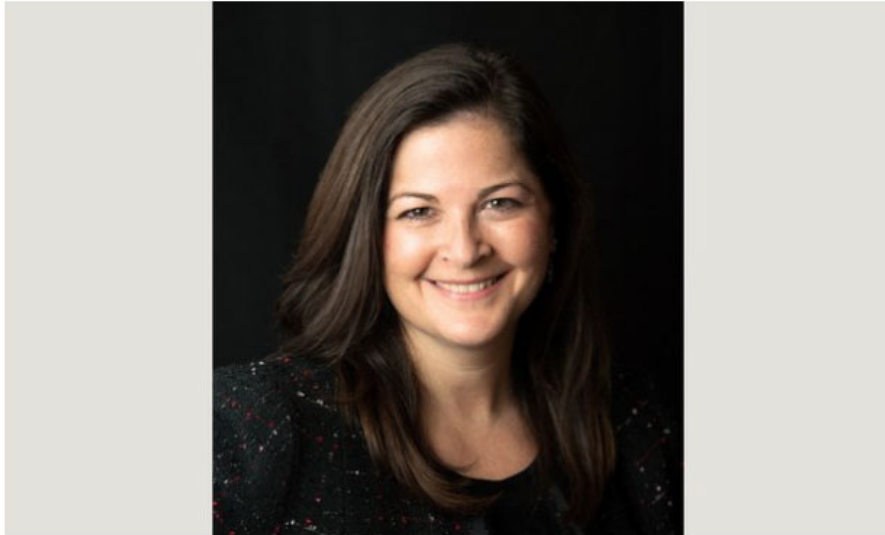
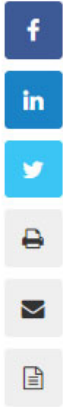
---

**Johanna Schiavoni** ([johanna.schiavoni@calapplaw.com](mailto:johanna.schiavoni@calapplaw.com)) is a certified specialist in appellate law, and her practice at California Appellate Law Group LLP focuses on civil appeals in state and federal courts.

# On Appeals: Incivility Is Killing Your Argument

Lawyers litigating an appeal seek to persuade a panel of judges that their argument and client should win the day. Telling your client's story can make your case. But, telling that story in an uncivil way undercuts your ability to persuade.

By **Johanna Schiavoni** | March 02, 2021 at 05:09 PM



Johanna Schiavoni of the California Appellate Law Group

## Trending Stories

- 1 **Fifth Circuit Sanctions Democratic Election Lawyer Marc Elias in Texas Voting Case**  
THE AMERICAN LAWYER
- 2 **DC Circuit Shuns 'Garamond,' Setting Lawyers Abuzz Over Favorite Fonts**  
NATIONAL LAW JOURNAL
- 3 **Latham, With High Demand Across Practices, Posts Double-Digit Revenue, Profit Gains**  
THE AMERICAN LAWYER
- 4 **Elon Musk Is Out of Control: It's the General Counsel's Fault, Suit Alleges**  
CORPORATE COUNSEL

Hyperbole. Invective. Ad hominem attacks on the trial judge, opposing counsel, or opposing parties. What do each of these things have in common in legal writing? They are not persuasive. And they're killing your argument.

There's been much talk lately about the demise of civility in public discourse, whether on social media, in neighborhood forums, in news commentary, or in the rhetoric employed by political candidates or even elected officials.

In his inaugural address on January 20, 2021, President Joseph R. Biden noted an "uncivil war" raging in America, and implored us to bridge our divides and to take more care in how we deal with one another. These are valuable lessons for a functioning society at large, and particularly for anyone trying to persuade others of their point.

Lawyers litigating an appeal seek to persuade a panel of judges that their argument and client should win the day. Telling your client's story can make your case. But, telling that story in an uncivil way undercuts your ability to persuade.

Numerous articles and even judicial opinions have noted the rise of incivility in the legal profession. In a 2011 decision by the First District Court of Appeal, *In re Marriage of Davenport*, the court reminded counsel that "[z]eal and vigor in the representation of clients are commendable. So are civility, courtesy, and cooperation. They are not mutually exclusive."

Lest we think incivility impacts only lawyers and clients, here's a reminder that this impacts how appellate judges persuade each other, too. This point came to a head recently in a Fifth Circuit case, *Hewitt v. Helix Energy Solutions Group, Inc.*, where Judge Ho authored a separate concurring opinion to lament the derisive — and ultimately unpersuasive — tone taken by his dissenting colleague.

Judge Ho noted that the dissent “begins by expressing ‘due respect’ to the majority — and then ends with a well-known literary quote about idiots.’ It concludes that my opinion in this case is worth ‘nothing.’”

Analyzing the lack of persuasive effect of the dissent’s attacks, Judge Ho observed: “As the adage goes, the loudest voice in the room is usually the weakest.” His concurrence then analyzed how the dissent’s hyperbolic points failed to carry the day.

In his own lament about the uncivil attacks on fellow judges by a colleague in the Eleventh Circuit, in an opinion dissenting from the denial of rehearing en banc in *Keohane v. Fla. Dep’t of Corrs. Sec’y*, Judge Newsom similarly pointed out: “More often than not, any writing’s persuasive value is inversely proportional to its use of hyperbole and invective.” He advised that it would be more persuasive to “turn down the volume and provide a little perspective.”

While it’s more typical for judges to chastise counsel for such transgressions, the commentary in these judicial decisions drives home the point: judges are people too. And when they are making decisions, language that injects hyperbole or attacks people rather than arguments isn’t compelling — whether it comes from counsel or from their judicial colleagues.

So, the bottom line is that *incivility in legal writing is unpersuasive*. And, if your goal on appeal is to win, why would you do things that undermine your chances?

Harkening back to the basics of rhetoric, focus instead on Aristotle’s three pillars: ethos, pathos, and logos. These are the fundamental elements of how to persuade your audience.

Ethos is the persuasive technique that relates to ethics. To make an ethical appeal, a writer or speaker seeks to convince the audience that they are a credible source. Audiences want to listen to and believe those who are ethical. Being uncivil in your legal writing undermines your credibility, thus tarnishing your message in the eyes of your audience.

Logos is the persuasive technique that relates to logic and reasoning. The writer or speaker cites facts and authorities supporting their point and makes logical analogies. The use of hyperbole or ad hominem attacks undermines your argument, even if you offer other elements of logic and reasoning. This is because you have diminished the focus on — and distracted from — your well-argued points.

Pathos is the persuasive technique that relates to an emotional or sympathetic appeal. Speakers and writers rely on pathos to gain the audience’s sympathy for your point. But if your audience is recoiling from your hyperbolic or hostile language, you undermine your ability to gain sympathy for your argument.

I’m not advising that your writing needs to be bland to be persuasive. Quite the contrary. Vivid and compelling storytelling is vital in crafting persuasive appellate briefs. But drama, vitriol, and attacks are not.

*On Appeals is a monthly column by the attorneys of the California Appellate Law Group LLP, an appellate boutique with offices in Los Angeles, San Francisco, and San Diego. Johanna Schiavoni (johanna.schiavoni@calapplaw.com) is a certified specialist in appellate law, and her practice at California Appellate Law Group LLP focuses on civil appeals in state and federal courts. She has been the principal brief writer in over 80 cases, has argued more than 30 appeals, and previously served as a law clerk to Ninth Circuit Judge M. Margaret McKeown and Central District of California Judge Christina A. Snyder. She also was the 2020 President of the San Diego County Bar Association. Find out more about Johanna and the California Appellate Law Group LLP at [www.calapplaw.com](http://www.calapplaw.com).*

# **Panel III: Building Your Business**

## **San Diego Non-Profit Organizations**

Sources that compile non-profits in San Diego:

- Great Nonprofits: <https://greatnonprofits.org/city/san-diego/CA>
- San Diego Reader: <https://www.sandiegoreader.com/places/charities-community-groups/all/>
- Non Profit List: [https://www.nonprofitlist.org/CA/San\\_Diego.html](https://www.nonprofitlist.org/CA/San_Diego.html)

Sources that identify opportunities to serve on boards of directors:

- Hands on San Diego: <https://www.handsonsaniego.org/communityresources>
- Nonprofit Board Exchange: <https://npboardexchange.org/board-listings/>

Other individual organizations:

- San Diego Federal Bar Association: <https://www.fbasd.org/>
- Rotary: <https://www.sandiegorotary.club/>

## **Social Media Business Growth**

Anabella Bonfa previously presented for Continuing Education of the Bar on social media: LinkedIn for Attorneys. Below are the available resources.

- Video - “LinkedIn for Attorneys – Creating Your Personal Brand and Writing Highly Visible Posts”:  
[https://www.youtube.com/watch?v=WdPv\\_t6Z0C4](https://www.youtube.com/watch?v=WdPv_t6Z0C4)
- CEB Guidebook on “LinkedIn for Attorneys”:  
[https://calaw.ceb.com/linkedin\\_for\\_attorneys.html](https://calaw.ceb.com/linkedin_for_attorneys.html)