

Now Accepting Nominations for the 2014-2015 CWBA Board of Directors

by Advocate Staff

The nominating committee for the 2014-2015 CWBA Board of Directors will soon be formed, so now is a great time to consider Board service.

Serving on the CWBA Board of Directors offers a great way to promote the mission of the CWBA, which is to work to advance the interests of women in the legal profession and women and children generally. Board service also provides an excellent opportunity to enhance leadership skills by chairing one of the CWBA's committees.

Visit our website at www.cwba.org/committees to learn more about CWBA committees and their activities. If you have an interest in serving as Chair of a particular committee, consider attending committee meetings and volunteering to help with committee work. Nominations for the 2014-2015 Board are due by December 31, 2013. To submit a nomination, or if you have questions, contact the CWBA office at (303) 831-1040 or execdir@cwba.org. ♦

"Save the Date" for the 2014 CWBA Convention

by Advocate Staff

The CWBA's Convention Committee is busy at work planning the 2014 CWBA Convention! You will want to "save the date" and plan to join us for a great weekend - May 16-18, 2014, The Sebastian - Vail, Vail, Colorado. ♦

▶ Save the Date ◀

37th Annual CWBA Convention

May 16-18, 2014



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President's Letter: by Shannon Wells Stevenson Bridging the Gap, Part II: Women Lawyers Across Generations

At our Convention this past May, Caroline Turner of Difference Works presented to a packed room on a topic that clearly struck a chord with our membership - dealing with the different needs, styles, strengths, and weaknesses of the different generations currently in the workplace. From the traditionalists, to the Baby Boomers, to the GenX-er's to the millennials, it appears that lawyers across the board are struggling to manage these disparate groups.

Caroline enlightened us on the reasons for many of the differences among the generations, and in particular, how the characteristics of one generation tend to create the characteristics of the following generations. While Baby Boomers felt compelled to achieve the American Dream and justify the sacrifices made by their parents during World War II, GenX-ers watched their workaholic parents betrayed by their employers and financial institutions, and resolved to strive for more independence and more work-life balance. Then came the millennials - with their high expectations for flexible work schedules and immediate respect - and shook the workplace up even further.

The differences among these groups are even further exacerbated for women lawyers. Over these four generations, the experience of women lawyers in the workplace has changed dramatically - from a time when women barely existed in the profession, to a time when they did everything possible to conceal their femininity, to a time when women became half of law school graduates (though

still not breaking through to the highest levels of practice in nearly that proportion). These differences can cause significant barriers between these different generations that hurt women lawyers, their communication with each other, and their chances for success.



Shannon Wells Stevenson
CWBA President

To try to make a dent in this problem, I've asked some of our most successful and respected members to chip away at these barriers by hosting small, cross-generational dinners of our members in their homes, where some frank conversation can be had about the perspectives of the different generations and how we can help each other.

Patty Jarzowski and Emily Anderson hosted the kick-off dinner in October with 11 attorneys ranging from law school up to the highest levels of practice. The group took on the tough issues of work life balance, differences in expectations and priorities, communication styles, and what women can do better to support each other. By all accounts, there was an extremely lively and honest discussion that led to the important conclusion - we need to be talking to each other about this more!

To keep the conversation going, CWBA member and Brownstein partner Martha Fitzgerald will host the next dinner in her home in late January. If you or someone you know would like attend, please let us know.

Let's keep talking and bridge this gap!



CWBA's Annual Legislative Appreciation Breakfast Honored Reps. Levy and Duran

by Mary Jo Lowrey and Monica Rosenbluth, Public Policy Committee Co-Chairs

The CWBA's Public Policy Committee is preparing for another busy legislative session. This upcoming session we expect to be involved in a wage theft bill, bills on rights of employees to access their personnel files, human trafficking legislation, restorative justice measures, parental notification in cases of adoption, child care assistance program reforms and possibly gender equity legislation. The Public Policy Committee has also been invited to sponsor a Legislative Women's Caucus event that will focus on past and present women legislators. This event will take place on January 9, 2014 at the Ralph Carr Judicial Center.

The Public Policy Committee followed the great fundraising event at Stir Cooking School in August with the CWBA's Annual Legislative Appreciation Breakfast and Lobbyist Fundraiser on November 21st. Held at the offices of Holland & Hart LLP, over 80 people braved the snowy November morning to hear from and visit with Colorado legislators about issues important to our community and around our state.

The event was also a wonderful occasion to honor Representatives Claire Levy and Crisanta Duran.



Claire Levy

Speaker Pro Tempore Claire Levy announced in September that she was resigning from the Colorado House of Representatives to become Executive Director of the Colorado Center on Law and Policy, a Denver-based research and advocacy organization that promotes economic

security, access to health care and sound fiscal policy. Rep. Levy (D-Boulder) was originally elected to House District 13 in 2006. Due to term limits, the 2014 legislative session would have been her last. Her resignation took effect Oct. 31st. Rep. Levy has been a prolific legislator. She has been chairwoman of the

House Judiciary Committee and the House Appropriations Committee as well as vice chair of the powerful Joint Budget Committee. She most recently served as Speaker Mark Ferrandino's speaker pro tempore. She has focused on a wide range of issues, especially criminal justice reform, civil liberties, energy and budget policy.



Crisanta Duran

Representative Crisanta Duran is beginning her second term representing House District 5 in central Denver. She is a member of the Joint Budget Committee and vice chair of the Appropriations Committee. Rep. Duran is a native of Colorado. She graduated from Arvada West High School with

honors and was fortunate to receive a scholarship to attend the University of Denver, where she earned a double major degree in Public Policy and Spanish. After graduating from the University of Denver, Rep. Duran began her study of law at the University of Colorado. She now works as an attorney with Smith, Shellenberger & Salazar in Westminster, Colorado. Rep. Duran was recently recognized in a Denver Post article titled, "Women Who Broke Political Barriers," and received The Denver Business Journal's "Forty Under 40" Award.

Both of these Representatives have been great advocates of legislation that supports women. While Rep. Levy will be missed, we look forward to watching Rep. Duran continue to be a champion for women's causes at the Capitol. ♦

The Legal Services Committee Is Up and Running in 2013

by Robbie Barr and Shelly Dill Combs
Legal Services Committee Co-Chairs

The Legal Services Committee is excited to kick off our new board year! Shelly Dill Combs will continue in the role of Co-Chair and welcomes Judge Robbie Barr as her new Co-Chair. Judge Barr comes to the Board with a host of experience and an interest in the activities of the CWBA. Together we hope you will join us in providing legal services to the citizens of Colorado, especially women and children.

We are committed to continuing our effort to increase legal services. Our legal night partners are the Colorado Lawyers Committee and the Denver Bar Association's Access to Justice Committee. Over the summer, we received a big thank you from these partners for the additional volunteers we bring. Our efforts make a big difference! The remaining legal nights are February 5th, March 5th, and June 4th. Please mark your calendar and plan to join us. We will also continue to volunteer for two Law Line 9 sessions; the next one is December 18th.

This year, we are also offering Protection Order Training in partnership with Colorado Legal Services and Project Safeguard. The training will be held February 6th from 8:30 a.m. to 4:30 p.m.

We are also committed to community service and continued relationships with our partner organizations, CWEE, the Gathering Place, and new this year, Colorado Legal Services. We plan to host a Fashion Show Fundraiser in April to help raise money for these three fantastic organizations.

In addition, we provide a host of other volunteer opportunities and information about access to justice through regular e-mails that we send out to the legal services committee. In order to provide all of this great volunteer assistance- we need you! Please consider joining our committee. E-mail Shelly Dill Combs at sdill-combs@jaginc.com to be added to the Legal Services Committee's listserv. ♦

CWBA's 2013 Holiday Party Set for December 5, 2013

by Ann T. Lebeck
Programs Committee Co-Chair

On Thursday, December 5, 2013, the CWBA will host its annual holiday party at the offices of Haddon, Morgan, and Foreman, P.C.



Each year the CWBA reaches out to offer support to a local charitable organization as part of its holiday celebrations. This will be the second year in a row that the CWBA's holiday party will benefit non-profit Rocky Mountain Children's Law Center (RMCLC), an organization that is changing the lives of abused and neglected children through compassionate legal advocacy, education, and public policy reform.



Admission is free for current CWBA members and only \$25 for non-members. For details or to register, visit us at www.cwba.org/cwba-calendar. Holiday party guests are invited to bring a gift for the RMCLC's holiday gift drive. This year the number one item on Rocky Mountain Children's Law Center's gift list is Gift Cards (gift cards for Target, Wal-Mart, family-friendly restaurants, and movies are especially appreciated). Bring your gift card for RMCLC's clients and we'll have festive envelopes for you to put your card in and hang on our "Gift Tree." In addition to gift cards, the RMCLC has a wish list that we have posted on our website at www.cwba.org/cwba-calendar. No time to shop? Bring your financial donation for RMCLC with you to the Holiday Party and our elves will make the magic happen!

"Thank You!" to Holiday Party sponsors: Holland & Hart LLP, Ogletree Deakins, Sweeney & Bechtold, LLC, Gibson Arnold & Associates, Inc., Hunter + Geist, Inc., King & Greisen LLP, Perkins Coie LLP, and Wedgle & Spahn PC. ♦

CWBA Foundation's "Raising the Bar" Dinner Honored Advocates for Children

by Advocate Staff

On September 12, 2013, the CWBA Foundation held its 8th Annual "Raising the Bar" Dinner at the historic Brown Palace Hotel & Spa. Almost 400 attendees helped us honor women who have "raised the bar" protecting and advocating for children. Honorees included: Judge Kathy Delgado (District Court Judge, 17th Judicial District); Kathy Gebhardt (CEO, Children's Voices, Inc.); Wadine Gehrke (retired professor, University of Denver Sturm College of Law); Diana Goldberg (Executive Director, Sungate Kids); Theresa Spahn (Partner, Wedgle & Spahn PC, and founding Executive Director of the Office of the Child's Representative); and Stephanie Villafuerte (Director, The Rocky Mountain Children's Law Center).

Our thanks to Emcee and Videographer Tamara Banks, as well as to everyone who attended the event. We offer special thanks to event sponsors, whose support was vital to the event's success as well as to the ongoing work of the CWBA Foundation. The CWBA Foundation was established in 1988 and works to implement the charitable and educational work of the CWBA, that is, to promote the advancement of women in the law, and to protect and promote the welfare of all women. ♦



Judge
Kathy Delgado



Kathy
Gebhardt



Wadine
Gehrke



Diana
Goldberg



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Bridging the Wage Gap: New Approaches

by Patricia M. Jarzowski, CWBA Immediate Past President

"The gender pay gap is not a result of discrimination; it's simply a matter of women's choices."

Wrong.

"The reason for the wage gap is that women don't negotiate."

Wrong again.

Do some women's choices around education, job choice, work hours, and family responsibilities affect their pay? Yes. However, studies repeatedly confirm that even when these factors are accounted for, the gender pay gap remains.¹

Do some women fail to negotiate their salaries or request a raise? Yes. However, bridging the wage gap does not boil down to negotiation skills.²

For female attorneys in Colorado, the wage gap translates to women earning 85.2% of the median income earned by men: \$98,200 vs. \$117,475.³

The good news: Fresh approaches to help bridge the wage gap are on the way from some of the best thought leaders, innovators, and change agents in the area.

Identify Patterns Of Gender Bias

Before we can cure gender bias, both men and women need to be able to recognize it. Law professor Joan Williams, from the UC Hastings College of Law and director of the Center For Worklife Law, is publishing her much anticipated book, *"What Works for Women at Work: Four Patterns Working Women Need to Know."*

Distilling over 35 years of research and studies, Professor Williams identifies the four primary barriers that affect women at work:

▶ **Prove It Again** - men are judged on their potential, while women are judged on what they have already accomplished. As a result, women need to perform better than men merely to be judged competent.



Patricia M. Jarzowski

▶ **The Tightrope** - walking the fine line between being liked, but not respected (too feminine) and being respected and not liked (too masculine).

▶ **Maternal Wall** - mothers are less likely to be hired, only half as likely to be promoted, offered less salary, and held to higher performance and punctuality standards.

▶ **Tug of War** - when there is only room for one woman or a few at the top, gender bias against women can lead to women not supporting other women.

Professor Williams' guide then offers a multi-generational perspective of nuanced and in-depth new strategies, specific advice, and comeback lines that go beyond the traditional one-size-fits-all approaches of most career guides for women.

Publication date is January 2014.

Measure Fairly: Unbiased Attorney Evaluations

Raising the consciousness of the ways that hidden gender bias can impact performance reviews is an important tool in bridging the wage gap. The ABA has two publications designed to help law firms ensure that their systems do not unintentionally bias women in compensation decisions. An objective, job-related evaluation system ensures that development and advancement opportunities for every lawyer are determined by qualifications and merit and not gender."⁴

The ABA Commission on Women in the Profession has published a step-by-step guide to implement and conduct an attorney evaluation program free from hidden gender bias: *"Fair Measure, Toward Effective Attorney Evaluations."*

This guide provides training material, checklists, model performance policies, evaluation forms, tips, sample questions, along with chapters discussing the hidden biases that affect traditional attorney performance evaluations.

The guide can be purchased online at the ABA Web store.

In 2013, the ABA Presidential Task Force on Gender Equity and the Commission on Women in the Profession published, *"Closing the Gap: A Road Map for Achieving Gender Pay Equity in Law Firm Partner Compensation."*

Continued next page

Bridging the Wage Gap: New Approaches (*continued*)

by Patricia M. Jarzowski, CWBA Immediate Past President

This guide describes key studies that provide a research-based lens through which the gender compensation gap can be viewed and better understood. "The Task Force report then provides specific, detailed recommendations that law firms can incorporate into their compensation system to ameliorate, if not eliminate, the gender pay gap."⁵

Download this free publication at http://www.americanbar.org/content/dam/aba/administrative/women/closing_the_gap.authcheckdam.pdf.

Develop Negotiation Strategies

To help overcome the gender pay gap, as in most things, it is important for women to be even better than men. Fortunately, it is easier than ever to become a better negotiator. Victoria Pynchon, attorney, negotiation expert, and the keynote speaker at the CWBA 2013 Convention, is offering free monthly live Google hangout sessions to answer your negotiation questions and to discuss strategy.⁶ Her website www.shenegotiates.com offers a wealth of invaluable information on negotiation techniques for women attorneys.

In 2013, the ABA Presidential Task Force on Gender Equity and the Commission on Women in the Profession published a guide titled, "*What You Need to Know About Negotiating Salary Compensation.*" Download this free publication at www.americanbar.org/content/dam/aba/administrative/young_lawyers/negotiations_guide_task_force.authcheckdam.pdf.

Teaching women to negotiate better may help - but this alone is not enough. More is needed.

"Research suggests that gender differences in the initiation of negotiations cannot be resolved simply by encouraging women to speak up more. Addressing this issue requires an understanding of the situational circumstances that motivate gender differences in the propensity to initiate negotiations and a set of prescriptions that alter the behavior of evaluators as well as negotiators."⁷

New systems for setting starting salaries are being implemented. For example in academia, "some universities fix the problem by having the department chair negotiate start-up packages for all incoming professors." Another suggestion is telling both the candidates and those hiring them "that incoming candidates are supposed to negotiate their salaries, along with a brief reference to the research on bias-

es sometimes triggered when women do negotiate."⁸

Sponsor Women Attorneys

If you're a partner in a law firm, with power and rank and significant influence on the decision-making process, ensure that a high-performing woman's work is noticed, ensure that she is put on key projects or client engagements, advocate for her promotion, and most importantly (if pay is not "lock step"), push for her pay equity. Women need to support one another if we are to make any real progress towards eliminating the pay gap. And we need to encourage our male colleagues to join the cause and support women, too.

To be sure, the gender pay gap is a complicated problem tied to culture, tradition, and politics. Our work continues with new approaches focusing on solutions. ♦

¹Coukos, "Myth Busting the Pay Gap," (2012), United States Department of Labor, available at <http://social.dol.gov/blog/myth-busting-the-pay-gap/>.

Corbett and Hill, "The Earnings of Women and Men One Year After Graduation," (2012) American Association of University Women, available at <http://www.aauw.org/research/graduating-to-a-pay-gap/>.

²Bowles, Babcock and Lai, "Social Incentives for Gender Differences in the Propensity to Initiate Negotiations: Sometimes it Does Hurt to Ask," (2006), available at <http://www.cfa.harvard.edu/cfawis/bowles.pdf>.

Williams, "Women Don't Negotiate Because they are Not Idiots," (2013), available at http://www.huffingtonpost.com/joan-williams/women-dont-negotiate_b_2593106.html.

³CBA, "2010 Economic Survey," available at <http://www.cobar.org/repository/LPM%20Dept/2010EconSurvey.pdf>.

⁴ABA Commission on Women in the Profession, "Fair Measure: Toward Effective Attorney Evaluations," (2008) at p. 10.

⁵Rikleen, ABA Presidential Task Force on Gender Equity and the Commission on Women in the Profession, "Closing the Gap: A Road Map for Achieving Gender Pay Equity in Law Firm Partner Compensation," (2013), at p. 14.

⁶Link to Victoria Pynchon
Google hangouts: <http://shenegotiates.com/blog/2013/9/23/join-us-for-ask-the-negotiators-hangout-october-2>

⁷Bowles, Babcock and Lai, *supra*, note 2 at 42.

⁸Williams, *supra*, note 1.

The Advocate is published quarterly by the Colorado Women's Bar Association. The deadline for articles is the 1st day of the month prior to the publication month. *The Advocate* staff reserves the right to edit any material submitted for publication.

Submit articles or comments to the CWBA, Attention: *Advocate* Editors, 6870 W. 52nd Avenue, Suite 125, Arvada, CO 80002, or to execdir@cwba.org.

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The Colorado Women's Bar Association's Annual Holiday Party

Join us to celebrate the holiday season, enjoy drinks and hors d'oeuvres, and to share holiday spirit with friends and colleagues

When: Thursday, December 5, 2013; 6:00pm to 8:00am

Where: The Offices of Haddon Morgan and Foreman PC
150 E. 10th Avenue, Denver

Registration: Register online at www.cwba.org/cwba-calendar.
Admission is free for CWBA members!

Learn more on page 4 in this issue, or visit www.cwba.org/cwba-calendar for details.

Contact the CWBA office at (303) 831-1040 or execdir@cwba.org should you have any questions.

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