

LAW MATTERS

December 2018/January 2019

Volume XXX No. 8

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LAW CALENDAR OF EVENTS

January 15, 2019 11:15 am - 1:00 pm
Membership Luncheon and One Hour CLE

January 24, 2018 6:00– 8:00 pm
Mentoring Lean In Circles Meeting

January 30, 2018 5:30–7:30 pm
Networking Happy Hour

February 12, 2019 11:30 am
Board Meeting

February 19, 2018 11:15 am - 1:00 pm
Membership Luncheon

February 28, 2019 6:00–8:00 pm
Health & Wellness Book Club

For a complete listing of LAW events
and registration details
check out www.law-nashville.org/events

*Retirement Reception for
Chancellor Claudia Bonnyman
January 15, 2019 3:00 PM
4th Floor, Metro Historic Courthouse*

PRESIDENT'S MESSAGE

by Ashonti Davis



LAW's Self-Evaluation of 2018

As I reflect on the past year, I am grateful for the hard work of our LAW Board Members and Executive Director as well as the engagement of our members. LAW has offered various types of activities and events this year hoping to provide our members with ways to connect, engage, grow, and serve. I hope we continue that momentum into 2019.

With 2018 ending soon, many of us go through self-assessments and evaluations either personally or at work; but, it is equally important for us as an organization to take a moment and assess where we are and where we would like to go. What did we accomplish? What can we do better? How can we better serve our members and the larger community? These are just a few questions that I have asked myself over the last few weeks.

From my perspective, our programs committee has done an amazing job creating thoughtful content for our monthly lunch programs on diverse topics including an update on issues impacting Metropolitan-Nashville government, breast cancer awareness, the #metoo movement, and ethical quandaries for government lawyers. The co-chairs of the Practicing Parents Committee have planned events to allow lawyers to engage with their children while simultaneously connecting with other lawyers. The Newsletter Editors have created and published superb editions of our monthly newsletter, *LAW Matters*, and, our Networking Committee and Health & Wellness Committee have coordinated a variety of happy hours and book club meetings around Nashville providing further opportunity for us to connect and have fun.

As I reflect on the year and going forward, I ultimately keep asking myself – what's next? As we embark on a new year, I anticipate our Diversity Committee and Community Relations Committee will provide opportunities for engagement with the larger community, which has always been a central tenant of LAW. And, ideally, we will continue to build upon the great work of the women leading the Mentoring and Member Development Committee and the momentum of the Lean-In Circles by continuing to offer professional and leadership development training. Ultimately, I want our organization to be one that adapts to the needs of its members and addresses issues that affect women in and outside of our profession. To do that, we rely on you – our members – to tell us what is working, what needs tweaking, and what should be scrapped. I, personally, welcome your feedback and assure you that we will listen thoughtfully and make changes, where appropriate. Thank you for being a part of LAW. Thank you for being willing to offer honest and constructive feedback. I look forward to tackling 2019 with all of you.

Save The Date

Annual Meeting & Awards Banquet

April 11, 2019

2018-2019 LAW BOARD OF DIRECTORS

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LAW Matters is a monthly publication of the Lawyers' Association for Women, Marion Griffin Chapter, P. O. Box 210436, Nashville, Tennessee, 37221-0436. Voicemail: 615.708.1827; Fax: 888.834.7370; www.law-nashville.org.

UPCOMING EVENTS 2019

JANUARY

Tuesday, January 15, 2019

January Membership Meeting and One Hour CLE

“What We Can Learn About Genetic Privacy from the Golden State Killer Case”



Elizabeth Warren



Kendall Stoner

Inspired by the Golden State Killer case, this program will explore how blood and DNA evidence is used to investigate crimes in Tennessee and the laws that govern such evidence and investigations. The program will also discuss current health privacy laws and practices and how you can better protect your personal genetic and health information.

Speakers Elizabeth S. Warren of Bass Berry and Sims, who advises clients on transactional and operational issues, including Health Insurance Portability and Accountability Act (HIPAA) compliance, and Kendall Stoner with the Tennessee Bureau of Investigation.

11:15 am—Noon Registration/Buffer Opens

Noon—1:00 pm CLE

BB King’s Jazz Club, 152 2nd Avenue North, Nashville, TN 37201

For more program information and to register go to www.law-nashville.org/events

JANUARY CONTINUED

Thursday, January 24, 2019

Lean In Mentoring Circles

6:00—8:00 pm

**Branstetter, Stranch & Jennings, PLLC
223 Rosa L. Parks Avenue, Suite 200, Nashville, TN 37203**

Open Mic Night

Come join us for a relaxed Circles program where we invite all members to share and discuss their own personal experiences in the workplace. As we look forward to this event, think back on moments in your career where you succeeded or struggled with, for example:

- Negotiating a raise
- Saying no
- Getting desired case assignments
- Going for your ideal job
- Making a career change
- Advocating for your work-life balance

Wednesday, January 30, 2019

Networking Happy Hour

5:30—7:30 pm

**Tennessee Brew Works
809 Ewing Avenue, Nashville, TN 37203**

LAW will provide cheese boards and other snack food, and the bar will be open for attendees to purchase beer and wine.

To register for all other LAW events go to www.law-nashville.org/events

Annual New Admittees' Breakfast

By Callie Hinson

On November 6, 2018, LAW hosted more than 225 attendees at its Annual New Admittees' Breakfast.* The event is designed to honor new members of the Tennessee bar prior to their swearing-in ceremony and affords the opportunity for new members to be congratulated and welcomed by local lawyers, judges, and dignitaries. The breakfast began with LAW President, Ashonti Davis acknowledging the admittees and their guests. Ms. Davis highlighted some great benefits of LAW membership and extended free LAW membership to new attorneys. Following Ms. Davis, Tabitha Robinson, a recent new admittee, provided her reflection over the last year as a new attorney and active member of the LAW board. She encouraged new admittees to meet other local attorneys and shared how LAW has impacted her professional growth. After Ms. Robinson's reflection, DarKenya Waller, Executive Director of the Legal Aid Society of Middle Tennessee, presented about the critical impact of offering pro bono work in our local community. Ms. Waller was directly echoed by Mayor David Briley who shared his experience with public service and described how he used his law license as a tool to give back to the community during his legal practice. Mayor Briley ended by encouraging new admittees to use their law licenses to improve our Nashville community as a whole. LAW Past-President Patricia Head Moskal introduced the keynote speaker, Chief Justice Jeffrey S. Bivins of the Tennessee Supreme Court. Justice Bivins addressed the new admittees by discussing the importance of humility in the practice of law. He emphasized the importance of communicating with others, even when we disagree, and drew a connection to the current political climate, a timely reminder on Election Day.

For more than 40 years, the LAW New Admittees' Breakfast has welcomed new members to the bar and introduced them to opportunities within the legal community. This year's event continued the tradition of getting new members of the bar off to a great start in their careers by encouraging them to use their new careers to positively impact our community.



Callie serves as co-chair of the 2018 New Admittees' Breakfast Committee. She is an associate at Leitner, Williams, Dooley & Napolitan, PLLC.

**Breakfast photos will be in the February issue of LAW Matters.*

November Membership Meeting Recap: "Ethical Quandaries for Government Attorneys"

By Tabitha Robinson

On November 13, members convened at B.B. King's for LAW's November Membership Meeting. In conjunction with the meeting, LAW hosted a panel of distinguished and renowned legal professionals for a CLE entitled "Ethical Quandaries for Government Attorneys." The panelists were Bob Cooper, current member of the Compliance & Government Investigations practice group at Bass, Berry & Sims, PLC and former Tennessee Attorney General; Sandy Garrett, Chief Disciplinary Counsel for the Tennessee Board of Professional Responsibility; Alberto Gonzales, current Dean of Belmont University College of Law and former United States Attorney General and Counsel to President George W. Bush; and Clark Milner, current Assistant Deputy Counsel to Governor Bill Haslam and former associate of Bass, Berry & Sims, PLC. Junaid Odubeko, a Partner at Bradley Arant Boult Cummings LLP, moderated the panel.

The panelists began by exploring the unique dynamic of the government attorney-client relationship and the inherent ethical responsibilities associated with such a relationship. Mr. Milner discussed that as Deputy Counsel to Governor Haslam, his sole

client is the Governor. Mr. Cooper delved into the Tennessee Constitution to examine the Attorney General's (AG) attorney-client relationship. He explained that while the Tennessee Constitution does not explain whom the AG represents, it grants the AG broad authority regarding matters of public interest. Dean Gonzales explained that during his time as White House Counsel, President George W. Bush was his client, while as Attorney General he had an obligation to the Department of Justice to enforce laws passed by Congress. Ms. Garrett then reviewed the Rules of Professional Conduct regarding the attorney-client privilege and emphasized the differences between the privilege rules for government and private practice attorneys.

The panelists also explored other rules of professional conduct pertinent to governmental practice. Ms. Garrett highlighted important rules such as Rule of Professional Conduct ("RPC") 1.13, the rule regarding lawyers representing an organizational client. Ms. Garrett explained that government attorneys must always be vigilant to ensure that they comply with RPC 1.7, the rule about conflicts of interest. Ms. Garrett warned about the potential conflict between governmental attorneys' duties to citizens versus their duties to governmental entities.

The panelists discussed the relationship between the Department of Justice and the White House, including the duty of loyalty and how it differs on the federal and state level. Dean Gonzales stated that even though he was a member of the President's team, he had a duty to remain independent, unbiased, and avoid influence by the White House. Mr. Cooper discussed the many duties of the AG and explained how these duties played into the AG's loyalty. He explained that along with providing legal guidance to the state's officials, the AG could also decline the Governor's laws and appeal criminal convictions, demonstrating that the AG's loyalty did not lie with one particular governmental entity.

The panelists also discussed common ethical situations facing government attorneys, including how to maintain confidentiality and privilege protections. Mr. Cooper raised the unique issue of having to provide legal advice to state officials from both political parties. Mr. Cooper stated that he has to be careful to make sure any inquiries from state officials remain private unless he has the express permission of the official or until an opinion is released. Dean Gonzales explained that the federal AG's office must maintain unique privileges that other government attorneys may not have, such as the presidential communication privilege. Dean Gonzales then explained that federal officials must be particularly vigilant to protect sensitive information due to the ramifications of an accidental dissemination of information.

Finally, the panelists explored how to handle renegade clients. Mr. Cooper stated that in these situations, the AG might have more independence, as duties of loyalty and confidentiality erode when criminality is involved. Ms. Garrett brought up the exceptions to the confidentiality requirement as listed in the Rules of Professional Conduct.

LAW's November Member Meeting CLE proved to be an informative and engaging event for all attendees. Thank you to our panelists for providing us with a great CLE.



(From Left) Clark Milner, Bob Cooper, Dean Alberto Gonzales and Sandy Garrett.



Tabitha Robinson is a 2018-2019 Newsletter Editor and Staff Attorney for Nashville Electric Service.

You, Me and RBG

By Jenny Bonilla Moreno

A sold out crowd descended upon Butler Snow, LLP for a panel discussion and screening of *RBG* on December 3. The documentary's opening features dramatic classical music and prominent Washington D.C. landmarks overlaid with audio clips of some of the insults Supreme Court Justice Ruth Bader Ginsberg has fielded:

"This witch, this evildoer, this monster..."

"An absolute disgrace to the Supreme Court..."

"One of the most vile human beings..."

"Very wicked..."

"The woman's a zombie!"

Justice Ginsberg, like most powerful women, has faced her fair share of criticism over the years, but recently she has also evolved into a pop culture icon. Judge Alistair Newbern, who moderated the panel discussion, observed in her opening remarks that no one owns any "swag" inspired by any other judge or justice. Indeed, in 2018 alone Justice Ginsburg was the subject of the hit documentary, *RBG* and a biopic, *On the Basis of Sex*, which was just released on Christmas day.

As such, it was certainly fitting for LAW and the Nashville Bar Association to co-host an ethics CLE featuring a screening of *RBG* along with a lively panel of judges to discuss the ethical, personal and professional challenges raised in the film. The panel of self-described "sister judges" included:

[The Honorable Cornelia A. Clark](#), *Justice, Tennessee Supreme Court*;

[The Honorable Anne C. Martin](#), *Chancellor, Davidson County*;

[The Honorable Camille R. McMullen](#), *Judge, Tennessee Court of Criminal Appeals*;

[The Honorable Alistair E. Newbern](#), *Magistrate Judge, United States District Court, Middle District of Tennessee*; and

[The Honorable Aleta A. Trauger](#), *District Judge, United States District Court, Middle District of Tennessee*.

The panelists reflected on their paths to the law and the bench, and on the advice Justice Ginsburg's mother gave her, to simultaneously be a lady and be independent. Justice Ginsberg interpreted that to mean not allowing yourself be "overcome with useless emotions, like anger" and also "being able to fend for yourself." Chancellor Martin identified that advice receiving similar words from her own mother, and appreciating that it was unusual advice to give a daughter in the 1950s. Judge Trauger remarked her mother did not directly give her such advice, but lived it by example. Justice Clark said her mother "assumed she always could and would do her best," and never put any limits on her based on gender, which gave her a lot of freedom she did not appreciate when she was younger.

Like Justice Ginsburg, Judge Trauger remembered female law students like herself being a tiny minority. When she started at Vanderbilt Law School in 1973 there were only three women in her class. They found out years later that there was a quota of three women per class. Then-professor, now Judge, Cissy Daughtrey, was the first female full-time professor at Vanderbilt Law at that time and mentored all of the women in Judge Trauger's class. With the help of then-Professor Daughtrey's help, they started the women's law student association and took on their first project: taking over a centrally-located men's restroom because there were insufficient facilities for female students and staff members.

As late as 1976 Justice Clark heard the same message Justice Ginsburg had heard in law school in the 1950s: why are you women taking up student spots that could be going to men? Justice Clark also reminisced that when she was in law school, big Nashville firms were starting to interview women, but the two main lunch clubs where they took interviewees prohibited women in the main dining rooms. As such, women attorneys and interviewees were relegated to the back, "Jane Crow" rooms.

Judge McMullen noted when she was at UT for law school in the mid-1990s, it was still under a consent decree. There were only three women of color in her class, and only 2 of them graduated. Law school was a very isolating experience, and retention of women of color was still very much a struggle.

Interestingly, no one seems to have learned about the cases RBG argued before the Supreme Court in law school, even in gender or employment discrimination courses. Nonetheless, Judge Trauger highlighted that it was very unusual and strategic for Ginsburg to take on a gender discrimination case centered on a male client, *Weinberger v. Weisenfeld*, 420 U.S. 636 (1975) (in which her client contested his ineligibility for Social Security survivors' benefits that were made available to widows, but not to widowers.) Judge Trauger related this strategy to the same debate LAW had during its formation in the late 1970s, whether LAW would be an organization "for" women or "of" women. Ultimately, the founders decided against making the organization separatist or isolationist, and instead framed it as a new addition to the legal community, open to both men and women.

The panel closed out the seminar by reflecting on whether it was good or bad for judges and/or justices to be celebrities, especially at a time when young people are seeking different types of icons. The consensus was that it is a double edged sword. Judge McMullen felt the main benefit is the promotion of public engagement with legal issues, but on the other hand, TV judges,

for example, can trivialize the importance of the legal system. Justice Clark commented that we, as a society, do not grow up knowing the importance of the judiciary branch, and having judges be more well-known can strengthen belief in the rule of law. Judge Trauger's perspective was that it is fun, but overall not productive, because we do not want people to think that Courts are political. She also commented was very proud of Chief Justice Roberts for standing up to President Trump's labeling of some judges as "Obama judges," even though he took some criticism for speaking out against the political labeling of judges.

As attendee Laura Baker, former LAW president and current NBA president-elect, commented, "the RBG screening was a wonderful opportunity not only to learn about Ruth Bader Ginsberg's distinguished career, but also the background and careers of the impressive panel of women judges."



Jenny is a 2018-2019 Newsletter editor. She is an Assistant Metropolitan Attorney, Metropolitan Government of Nashville. She was the 2018 recipient of the LAW Rising Star Award.



Leadership Spotlight

Mariam Stockton Mentoring/Member Development Committee Co-chair

Tell us about your path to practicing law. I knew I wanted to be a lawyer at the age of 12 after I spent some time in court during my parents' custody proceedings. I never doubted it was the right path for me, which is why I majored in Political Science/Pre-Law at MTSU. I worked my way through college by waiting tables full-time and graduated in three years. I went on to attend Nashville School of Law where I took courses at night while working full-time as a paralegal. I always wanted to be a litigator, which is why I chose to work at Neal & Harwell. I recently completed my LL.M. in Advocacy from Stetson University College of Law.

Where did you grow up? What brought you to Nashville? I grew up all over the Midwest and made my way to Nashville for college. I wanted to attend school closer to where my mother lived.

Tell us about your family. My husband, Erik, and I have two pugs, Ziggy and Dudley. We adopted and "refurbished" our boys back to health, and they are the lights of our life. My mom lives close by and my sisters and dad live in Ohio. Despite our distance, we are all very close.

What do you do professionally and what is your favorite part of your job? I am an attorney at Neal & Harwell where I practice civil litigation and white-collar criminal defense. I absolutely love the breadth of my practice, which ranges from entertainment litigation to products liability and everything in between. The favorite part of my job is taking a case to trial – it's such an exhilarating and rewarding experience.

If you weren't a lawyer, what would you be and why? If I had to change careers, I would study viticulture and enology. I would love to learn the science behind winemaking.

What is your favorite thing about being a LAW member? One may say that I am biased; however, my favorite part about being a LAW member is the opportunity to plan and participate in LAW's lean-in circle events. These events allow members to cultivate relationships by providing a network of professional and personal mentoring and support. If you have not attended a lean-in chapter meeting, please send me an email – we'd love to have you!

What do you like to do in your spare time (if you have any)? I love experimenting in the kitchen (ask me about my 20-pound parmesan wheel!), practicing yoga, and spending time with my pugs.

What books are you reading right now and what is the last book you read? I am rereading *Set to Music a Wildfire*, my sister's award-winning poetry collection, which depicts my father's experience during the Lebanese Civil War and transition to America. I am also working on Hanif Abdurraquib's collection of essays, *They Can't Kill Us Until They Kill Us*. I recently finished Bryan Stevenson's *Just Mercy*.

What is your favorite quote, piece of advice, or a motto you try to live by? I have a quote on my desk by Jim Neal that I look at every morning, which states, "1. Work hard. 2. Don't screw up. 3. Refer back to Nos. 1 & 2."

Any "fun facts" about you that other LAW members don't know? I am obsessed with makeup and recently took a day trip to LA to get my eyebrows microbladed.

What woman most inspires you and why? Right now, I am feeling super inspired by the record-setting number of women who were just elected to Congress – so many "firsts" at long last.

It's a Saturday in Nashville, what are you doing? On a perfect Saturday, I am catching up on my sleep, meeting friends for Yoga on Tap, spending time with my pugs while contemplating a home-improvement project, opting for a pedicure in lieu of said home-improvement project, and heading to one of our favorite restaurants for a date night.

What LAW Members Love:

Running in the U.S.A.

By Raquel Bellamy

Why would anyone want to run 13.1 miles, or even 26.2 miles, in each of the 50 states? Will I ever accomplish this wild goal? Will I destroy my knees, ruin my work ethic, and deplete my savings account in the process? These are just a few of the (very valid) questions I have asked myself since 2016 when my running journey began. But, the most important question keeps me running – what life-changing treasures will I find along the way?

Why I'm Running

As many of you can relate, I approached my 30s with excitement. I accomplished several goals, built a family, and began to feel settled in my career. Ever the over-achiever, I was on the hunt for a new challenge. So, I decided to train for the Rock-and-Roll marathon in Las Vegas, Nevada, scheduled a month before my 30th birthday in December of 2016. Prior to setting that goal I had not run more than a mile or two.



Turns out, in order to train for a marathon as a complete beginner I needed to first train for a 5k, 15k, half-marathon, and finally break 20 miles. Thanks to fellow LAW members Kathryn Barnett and Kay Caudle, I found community among a group of inspiring women who meet every weekend for a long run. I would never have stuck with my training schedule without these women, now called the Per-sisters.

The strength and endurance that I developed in 2016 easily translated to my personal and professional life, and I knew I needed to find a way to stay interested in running. So I decided to run a half/full marathon in each of the 50 states before my 50th birthday. My favorite part of the journey is knowing that I have inspired other people to try for a half or full marathon (and the great vacations).

Where I've Been

In just over two years I have completed races in 10 states! I ran half marathons in Tennessee, Ohio, Kentucky, Alabama, Louisiana, Pennsylvania, California, and Georgia. I ran my first full marathon in Nevada and my second in Florida dressed as the Little Mermaid. Do you recognize the LAW member dressed as Ursula? That's right, it's Kathryn Barnett, and she crushed her first full marathon in January 2018.

Where I'm Going

Next up, I will run half-marathons in Mississippi, Texas, and North Carolina. For running season 2019/2020, I selected half-marathons in West Virginia, Oregon, South Carolina, Arizona, and a full-marathon in my home state New York.

Tips for Beginners

I am no certified running coach, but I believe these tips may help anyone interested in setting this goal:

- *Find your community.* Harken the proverb – “If you want to go quickly, go alone. If you want to go far, go together.”
- *Pace yourself.* It is not important to be the fastest. As long as you are running, you are a runner.
- *Invest in proper running shoes.* I experienced a lot of back pain before I let go of the idea that I could wear cute workout shoes on long runs. Just get over it. Real running shoes are (usually) not cute.
- *Most importantly, enjoy the journey!* Eat all the pasta. Take in all the sights. You earned it!





(From L) Raquel Bellamy with fellow LAW members Susan Neal Williams and Kathryn Barnett



(From L) Raquel with LAW members Kathryn Barnett, and Liz Sitgreaves, along with friends Jennifer Davis and Adrienne Kepler.



Raquel Bellamy is an attorney with Bone McAllester Norton, PLLC.

LAW COMMITTEE CORNER

Health & Wellness Book Club

By Rebekah Baker, Co-Chair

LAW's Health and Wellness book club met on November 8, 2018, at the home of Joyce Safley to discuss John Meacham's book *The Soul of America: the Battle for Our Better Angels*. Book club members had an interesting and spirited discussion around the principles in the book, and how our country has previously overcome trying times. The book chronicles various periods in America's history when racism and hatred have led the country. But, as Meacham discusses, every time, America has overcome such hatred and divisiveness, allowing its "better angels" to eventually prevail and carry the day. The discussion of the book led to an engaging discussion regarding the most recent election results, and the impact such results would have on the country and on Tennesseans.

**Thank you to our Sustaining Members who support the programs,
mission and purposes of LAW above and beyond the Sliding Income Scale categories.**

Blind Akrawi	Dana Haas	Andrea Perry	Elizabeth Washko
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