

LAW MATTERS

August 2020

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"I have never yet met a man or woman who denied that taxation without representation is tyranny. I have never yet seen one who was such a traitor to our form of government that he did not believe that the government rests upon the consent of the government. This is a government of, for, and by the people, and only the law denies that women are people."

- Anne Dallas Dudley, February 20, 1913



Photo courtesy of Abby Sparks, LAW President 2015-2016

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PRESIDENT'S MESSAGE

by Sara Anne Quinn



I had the pleasure of joining this quarter's Lean-In Circle meeting, and I am so glad I did. For those of you who have not participated in the Lean-In Circles before, the Circles are small group discussions on issues facing women attorneys. Usually attendees split into small groups by practice type – defense work, plaintiffs' work, in-house counsel, etc. This time, however, we stayed in one large group to discuss systemic racism, especially as it relates to women in the workplace, and how we can each be advocates for change.

First, let me say thank you to each individual who attended the Circle. The conversation was made richer and more effective by each person there. I continue to

be impressed by the drive and participation of LAW members to better our profession, even in these times where we are doing that from a home office with a glass of wine in hand.

The conversation was inspired by an episode of the *Harvard Business Journal's* Women at Work podcast called, "Sisterhood is Critical to Racial Justice." In that podcast, author Ella Bell Smith said that black women do not face a glass ceiling, they face a concrete one. She said,

We came up with a concept, a concrete wall because of the fact, glass you can shatter. So much had been written about the glass ceiling in terms of women's advancement in the corporate world, and the shattering of it. And what would it take to shatter it. Having a good sponsor, having job visibility. Getting the right assignment. Coming in and really proving yourself as a team player and having the right relationships could hopefully shatter the glass ceiling. Concrete, you can't shatter concrete. You can't see what's on the other side. Concrete, you either have to dig under, or find a way to climb over, or find a way to get around it. And if you don't have the right sponsorship, if you don't have good allies, if you don't have the opportunity, you're not seen. That's the other thing. At least with glass the other side can see. Concrete, nobody can see you. You're an unknown entity, and you're invisible in terms of the worth and the contributions, and the innovation that you can bring to the table.

So much of our conversation that night centered around this concept of the concrete ceiling. People asked questions about and shared their own experiences of encountering both glass and concrete barriers at work. But more than just talk about experiences and the concept of the concrete wall, the Circle charged everyone with taking real steps and action to break down – or at least get around – those barriers. We discussed how much of a difference honest conversation can have in shedding light on what's on the other side of that barrier to people on either side of it. We also discussed the importance of building true friendships and sisterhood with your work colleagues.

So, what can you do in your own workplace or our legal profession to be an active ally to others and to work around this concrete barrier? This is frankly harder to do at the moment and more important than ever, when so many of our meetings, decisions, and conversations are happening virtually. Instead of conversations behind closed doors, there are now virtual meetings and phone calls that are impossible to see from home offices. The glass has gotten cloudier and the concrete thicker. Are you making sure people of color can see the path to success by sharing information with them? When you meet a client, join a networking group, have lunch with someone down the hall, who are you including in that meeting and conversation? Are you amplifying voices that otherwise may not be heard? LAW members have the opportunity to continue building a true sisterhood and to be agents of change. I challenge each of you to take action where you can.

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A LOOK BACK



As LAW – Marion Griffin Chapter prepares for the celebration of its 40th anniversary in 2021, we are taking a look back at previously published newsletter articles. This month, we are highlighting the Early Truancy Program, which was established in 1993. The program, designed to prevent truancy among children ages 6 to 12, was developed after Attorney General Janet Reno (the first woman Attorney General and the second-longest serving Attorney General in U.S. history) advocated that social service components in youth service programs were better linked with courts. She believed if the courts had a say in the programs, the entire juvenile service system would work better and be more accountable for communities.

LAW's Early Truancy Program received the 1998 ABA Partnership Award for Public Service. The Program also received the 1999 Liberty Bell Award from the Nashville Bar Association.

[Click Here](#) to read about the Early Truancy Program! We are still unable to gain access to the LAW archives at the library, and thank Past President Kate Stephenson for providing copies of newsletters from 1998 and 1999.

CONNECTING WITH MEMBERS ACROSS GENERATIONS - A THREE-PART SERIES -

LAW values that its membership is intergenerational and has active members in various stages of their career paths. LAW strives to appeal to its members across multiple generations and to form connections between those generations.

Plan to attend this three-part series at during our Morning Check In as we examine and learn from those in different career phases. LAW seeks your input in designing its future outreach by keeping in mind the generational characteristics and career phases of its members.

August 26 at 9:00 am: Life After Law School: Perspectives of Newly Practicing Women Lawyers / Building a Bridge Across the Multigenerational Bar

September 9 at 9:00 am: The Halftime of Your Career

October 7 at 9:00 am: Looking Toward Retirement or Keep Working?

For more detailed program information and to register [Click Here](#).

All programs will offer one hour of dual credit CLE.



**Thank you to all of the Suffragists
who supported
100 Years of Woman Suffrage:
Honoring the Past, Looking to the Future**

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Local 19th Amendment Events

You have one more day to ring the bell!

When the 19th Amendment was ratified right here in Nashville nearly 100 years ago, cities across the country rang bells in celebration — but Nashville did not.

Break this historic silence now: join "I Ring the Bell" to make your mark for a cause you care about.

Here's how: 1) Shoot a cell phone video, selfie-style; 2) In the video, state your name and what cause you're ringing a bell for today — and ring an actual bell; 3) Share your video on social media; and 4) Tag Nashville Public Library (NowAtNPL) and use #IRingTheBell.

Virtual Grand Opening

August 18, 2020 - 11:30 AM Central Time

On the 100th anniversary of the ratification of the 19th Amendment, join a celebration of inclusion, inspiration, and voice, featuring our special guest Rosanne Cash — singer, songwriter, author, and narrator of the PBS documentary *By One Vote: Woman Suffrage in the South*.

This virtual experience will culminate with neighbors, universities, and other institutions citywide ringing bells, big and small.

[TUNE IN ON NPL's YOUTUBE Channel](#)

SAINTS OR MONSTERS: POLITICAL CARTOONS OF THE 19TH AMENDMENT

Although you can't visit the exhibit at the Main Library just now, you can see the pieces online, below.

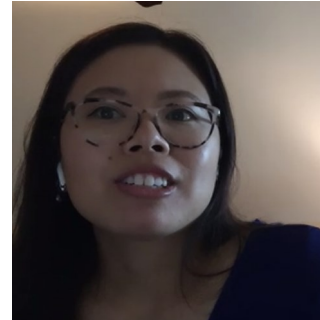
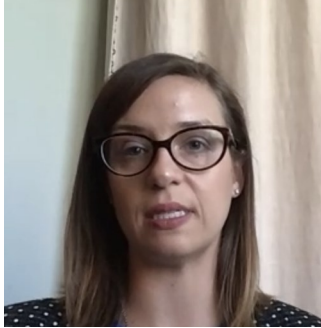
Visit the album [on NPL Flickr](#) to discover the details of each cartoon.



July Meeting Recaps

A Review of LGBTQ Supreme Court Decisions of 2015 & 2020 with Judge Martha Craig Daughtrey, followed by What Employers and Employees Need to Know About the New Decision

LAW's Morning Check Ins are up and running and well-attended! On July 7th, we were privileged to have Judge Daughtrey join us for a historical discussion of the LGBTQ Supreme Court Decision of 2015, and an update on the recent decision this year. Sara Anne Quinn and Maria Campbell discussed recommendations to make to your clients, and what employees and employers should know regarding policies and practices under Title VII.



Making It Work-How Employment & Childcare Policy Impact Women in the Workforce

By: Caroline Sapp

“The situation is hyper-fluid and constantly changing. What may have been illegal yesterday is suddenly legal today. What was not a problem yesterday is a problem today. We can no longer predict the future with any certainty. Thanks, Corona.”

- Rachel Rosenblatt

On Tuesday, July 21, 2020, LAW held its virtual one-hour general credit CLE, “Making It Work – How Employment and Child-care Policy Impact Women in the Workforce” and heard from Gwen Laaser, Director of Child Care Services, Division of Child Care and Community Services for the State of Tennessee, Indira Dammu, Senior Policy Analyst at Bellwether Education Partners, and Rachel Rosenblatt, Shareholder and Employment Attorney at Littler Mendelson P.C.

The first speaker, Gwen Laaser, discussed how the State of Tennessee’s Division of Child Care and Community Services for the State of Tennessee (the Division) is working to support and provide resources for families and childcare providers to promote sustainability during the pandemic. She provided examples that the Division had implemented since the pandemic, including disaster/emergency response and recovery grants, relaxed childcare rules, daily communications for child care providers, assessed re-entry plans with providers who had temporarily closed their childcare facilities, provided technical assistance, provided

provided essential employee child care payment assistance, extended eligibility periods for childcare payment assistance, and continued childcare subsidy payments.

Ms. Laaser also discussed the potential challenges that the State faces as it begins to reopen businesses and families begin returning to work, including capacity issues since many of the childcare facilities are still closed. She explained that the Division is focusing its efforts on supporting the child care facilities as they prepare to reopen, and that the Division is continuing to engage with childcare providers to understand the pandemic's impact on their operations, along with using this data to create and provide strategies for supporting childcare providers and families.

The second speaker, Indira Dammu, spoke about her experience as a former mayoral advisor, a policy analyst, and a former teacher. She also discussed education policy and the needs of parents, teachers, and students during the pandemic.

Ms. Dammu discussed her research on COVID-19 and its impact on students, including that school closures will exacerbate inequities within Metro Nashville Public Schools (MNPS). For example, according to her research, approximately 31% of MNPS students do not have a computer at home, approximately 20% of students live in homes without Internet access, multiple students rely on in-person schools for breakfast and lunch, and for some children, home is not a safe place. While she explained that research on distance learning was mixed, her research did reveal that learning plans for English language learners and students with disabilities are difficult to support virtually.

Along with the impact on students, Ms. Dammu also discussed how women have experienced the brunt of COVID-19 and school closures, because women are typically caregivers and employees in healthcare, child and social services, cashiers, and retail workers. Additionally, her research revealed that women also reported higher levels of stress and working longer hours as a result of school closures.

The third speaker, Rachel Rosenblatt, spoke about employment law implications of the pandemic, focusing on two perspectives: (1) what employers should do for their employees; and (2) what employees should expect from their employers. During her presentation, Ms. Rosenblatt explained the Families First Coronavirus Response Act and offered advice about how to support employees with children.

Ms. Rosenblatt went over where we are now and that, absent a small handful of state or local orders (none in TN) related to COVID-19, employers are generally not obligated to provide accommodation to employees for childcare. She also explained the Emergency Paid Sick Leave (EPSL) and the Family and Medical Leave Act (FMLA); presented an overview of paid leave provisions under EPSL and FMLA; discussed reasons an employee may take EPSL; and explained how much EPSL is provided, how it is actually paid to the employee, and the employer coverage/employee eligibility under FMLA.



As the Lawyers Association for Women – Marion Griffin Chapter celebrates its 40th anniversary this year, we are looking back on and honoring our past. As part of that celebration, we plan to highlight a former LAW founder and president each month, finding out what drew them to LAW, what they remember most about their time as president, and their reflections on LAW’s role in the community now and in the future.



Founder’s Spotlight **Abby Rubenfeld**

How did you become a founder of LAW? Because I am old and was around when women were not taken very seriously by the bar, so we had to organize - when a meeting was called about organizing something, I would not have missed it for anything.

What do you consider to be the greatest accomplishment of LAW? Becoming a credible, respected force in the Nashville legal community and giving women attorneys the voice we deserve.

What is your favorite memory of LAW? Honestly, I think the recent statement supporting black lives matter is one of the things about which I am most proud. Those of us who are marginalized, left out, ignored, silenced all need to stand together, and I am really proud that the leadership of LAW recognizes this - change only happens when people stand up together.

What has changed about LAW and/or the Nashville legal community since LAW was first formed? The legal community and our organization, have become so much more diverse, which is great. When I started practicing law in Nashville, in 1979, it seemed like all we had in terms of judges and bar leaders were older, white, Christian men. Now, we have so much more diversity and more equitable representation across the board, and we need that since our clientele reflect the reality of the community – so too should our legal organizations, our judges, and our profession.

What do you hope LAW’s role is in the Nashville legal community going forward? I hope we can remain a force with which the legal establishment and local government have to reckon. Women represent a majority here, and a growing percentage of the legal community. We need to be heard, and we need to be in positions of power.

What woman (or other LAW founder) inspires you and why? Cissy Daughtrey. She never backed down. She stood up for all of us. She showed what women can do and do well. Through it all, she remained nice, pleasant, positive, and proud, much nicer than I would have been given the things that were thrown at her. I am also really inspired by Ruth Bader Ginsburg - not just all she has accomplished as a lawyer and a jurist – but also how mentally alert she has stayed and all that she does every day to continue to protect our constitution.



Past President’s Spotlight **Jackie Dixon** **2003-2004**

Why (and how) did you first get involved in LAW? I became involved in LAW by attending the New Admittees’ Breakfast before I was sworn in to practice law. I was seated at a table with Judge Barbara Haynes. She encouraged all of those at the table to be involved in bar associations and the community, which was excellent advice. Judge Haynes was a wonderful role model.

What other LAW committees did you serve on before becoming president? I have served on quite a few LAW committees. One of the most satisfying was one called the Early Truancy Intervention Project. LAW provided volunteers who were matched with elementary and middle school aged children whose parents had been cited to appear in Juvenile Court due to chronic truancy issues. Our role was to work with the child and family to find resources to help solve the truancy issues and enable the child to be successful in school.

What is your favorite memory of serving as LAW's president? It is hard to pick a specific memory, being LAW president was fun! At the time, the notion of writing the President's Message was one of the most intimidating aspects of being LAW President. Someone suggested that I write what I know. One of my passions then was cooking, and it still is. So partly to fill my allotted space in the newsletter and partly because it was a way to write about what I know, I included a recipe at the conclusion of each column. I still occasionally run into someone who tells me how much they enjoy my recipe for Spicy Baked Shrimp or White Bean Soup!

What has changed about LAW and/or the Nashville legal community since you first got involved in LAW? The Nashville legal community has certainly grown and become more diverse. I do litigation. Technology has had a huge impact on how we practice law from e-discovery to electronic filing and most recently Zoom hearings. A fun change has been in our typical work-day attire. When I first became a LAW member, it was a rare day that most of us didn't dress in a suit to go to the office, no matter what was going on that day. Now, many of us only feel the need to put on a suit to go to court.

What do you hope LAW's role is in the Nashville legal community going forward? I hope LAW continues to advocate for more women in elected and appointed positions including judicial positions. LAW has been very effective at that. I can also see LAW working for more diversity in our profession. LAW should continue to provide a nurturing, mentoring, and networking environment for women, especially those new to the bar. The monthly programing is perfect for that.

What woman inspires you and why? I have been fortunate to get to know many women who were "firsts" in various areas of the law and judiciary, and who have paved the way for those who followed behind them. One such woman who stands out is Judge Cissy Daughtrey of the 6th Circuit Court of Appeals. She was a true trailblazer and is known for helping other women. She has continued to be involved by serving as a role model and inspiration to woman attorneys.



Board Member Spotlight LaTonnsya Burney

Where are you from? Tell us about your path to practicing law. Born and raised in Nashville, Tennessee. I have lived in East Nashville my entire life, with the exception of undergrad and law school. In middle school, I participated in the YMCA Bridge summer program and one summer we prepared for a mock trial and presented at the Metro Courthouse. I had never met any lawyers, judges or been to the courthouse. It was my introduction to the practice of law other than Clair Huxtable and Matlock reruns. I have been on the path to law practice ever since I finished my closing argument in that mock trial.

What do you do professionally, and what is your favorite part of your job? I am currently the Assistant Dean of Student Conduct and Judicial Affairs at Tennessee State University. My favorite part of my job is not even in my job description. I really enjoy mentoring students, specifically ones interested in becoming lawyers that do not necessarily have the same access to information or the profession as some of their counterparts.

What leadership roles have you had with LAW? I have been co-chair of the Diversity and Mentorship committees, Treasurer, First Year Director, and now Second Year Director.

What is your favorite part of LAW? My favorite part of LAW is seeing the potential this organization has to do good work and contribute something meaningful to the legal profession and greater Nashville community.

Describe yourself. Someone else shared this description with me and it is stuck since then. Shy, but confident.

It's a Saturday night in Nashville (pre-COVID-19) - what are you up to? My favorite things don't happen every Saturday, but one of the following: 1) I am a concert enthusiast and COVID-19 has been responsible for many cancellations recently; 2) At a sporting event. I frequent Nashville college and professional sporting events, attend Memphis Grizzlies games, and sometimes travel to Atlanta to watch the Atlanta Dream WNBA team.; or 3) Somewhere in Midtown on an extended brunch outing.

What is your favorite quote, piece of advice, or motto you try to live by? I am no longer accepting the things I cannot change. I am changing the things I cannot accept. ~ Angela Davis #JusticeForBreonnaTaylor



New Member Spotlight Madeline Gomez

Where are you from? Tell us about your path practicing law. I grew up in Texas and, before moving to Nashville, spent almost 15 years living in New York, where I went to college and law school. I decided to go to law school after spending a few years working for a company involved with immigration law, and after becoming involved with the movement for reproductive rights and justice. I realized that studying and practicing the law was both intellectually challenging and interesting to me, and would allow me to affect change and be a help in my community.

What brought you to Nashville? I moved to Nashville in 2018 to clerk with LAW mainstay Judge Martha Craig Daughtrey on the Sixth Circuit (the best job ever!). I fell in love with the city and the community here, so decided to stick around.

Tell us about your family. My family—my parents, brother, and sister—mostly live in Texas. My Nashville family consists of my perfect, adorable dog Francine (Franny), and some dear friends.

What books are you reading right now? I just finished Brit Bennet’s fabulous [The Vanishing Half](#), and am now splitting my leisure reading time between [Circe](#), by Madeline Miller, and the [Turnaway Study](#), by Dr. Diane [Greene](#) Foster.

What is your favorite quote, piece of advice, or a motto you try to live by? My favorite quote comes from my favorite poem, which is by Rosario Castellanos and called (in translation) “Meditation on the Brink.” It is a reflection on the struggles of being a woman in a society that constrains us. In the final lines, the narrator wishes for “Another way to be human and free / Another way to be.” For me, *another way to be*, is not just a wish, but a mission—to help build a world that embraces everyone’s humanity, and where we can all—regardless of race, ethnicity, gender, or sexuality—be more free.

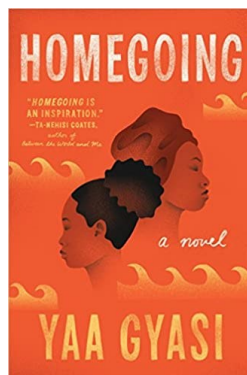
Any other fun facts that LAW members don’t know about you? I ran the New York marathon a few years ago, am an avid swimmer, and I love to bake pies!

What woman inspires you most and why? Well, my mother, naturally. She is one of the hardest working and most generous women, and I’m so lucky to have her. And, of course, Judge Daughtrey, who has achieved so much and very literally changed the lives of women in Tennessee (and elsewhere), and who taught me more than I can say during my year clerking for her.

I also take a lot of inspiration from the women (especially the women of color) who are leading grassroots movements all over the United States, whether for farmworkers rights, or access to healthcare, or fair wages for domestic workers, or better immigration policies, or any number of other issues. So many women are fighting for justice for their communities, and receiving no fanfare or national recognition. I think about them when I get tired or worn down, and it is always rejuvenating.

Health & Wellness Book Club – Virtually – September 17th – 6:00 pm

Read or Listen or Both



“1619” New York Times audio series.

For more information about the series, visit

[nytimes.com/1619podcast](https://www.nytimes.com/1619podcast)

State Parks & Natural Areas: One Way to Social Distance & Combat COVID-19 Stress?

By: Caroline Sapp

As we all have witnessed and experienced, the pandemic has changed the way we work and the way we live, even our daily or weekly household activities like going to the grocery store. Being inside a house all day, whether at work or even on the weekends, and staying safe and healthy by socially distancing one's self, along with the other CDC recommendations, can be stressful, draining, and maybe even gloomy. One way that I have been able to socially distance myself, be active, and out of the house is visiting state parks and natural areas – with 10,000 acres + at some of the locations, I have been able to keep a safe distance from others, be outdoors, and enjoying some of Tennessee's beautiful and public lands. Some of my favorite Tennessee state parks and natural areas are listed below.



Rock Island State Park¹

Rock Island State Park (Rock Island) is located in White and Warren Counties, Tennessee, and has been one of my favorite swimming and waterfall-viewing spots since I was in high school. Rock Island consists of approximately 883 acres, multiple waterfalls, whitewater sections, scenic overlooks, and hiking and kayaking spots.

The park also contains a gorge area, including Great Falls, Twin Falls, the Blue Hole, the Cold Hole, and Warm Hole. My favorite waterfall is Twin Falls, which is sourced by underground runoff from the Collins River, and is beautiful any time of year, but particularly in the fall.

On top of its natural beauty, Rock Island also has the Tennessee Valley Authority Powerhouse at Twin Falls and a nineteenth-century cotton textile mill, which one of the waterfalls located in Rock Island, Great Falls, powered 100 plus years ago, located on the property.



Burgess Falls Natural Area / Window Cliffs State Natural Area²

Less than a two-hour drive from Nashville, Burgess Falls Natural Area is located in White and Putnam Counties, on the Falling Water River. The Burgess Falls' hike has approximately four waterfalls – the hike's last waterfall plunges approximately 130 feet into the gorge and is absolutely beautiful.

Close to Burgess Falls Natural Area, Windows Cliffs State Natural Area is 275 acres, and in 2017, it was opened to the public. Located in Putnam County, Tennessee, this natural area contains a hiking trail, waterfalls, and the main attraction, Window Cliffs – cliff tops, which were formed by a geological process, and resembles natural windows.



Fall Creek Falls³

Located in Bledsoe and Van Buren, Counties, Tennessee, Fall Creek Falls State Park consists of approximately 29,800 acres and contains multiple gorges, waterfalls, streams, a swinging bridge, etc. At 256 feet, Fall Creek Falls is one of the highest waterfalls in the Eastern United States. On top of hiking and camping, there are also multiple swimming areas and additional waterfalls to see, such as Cane Creek Cascades, Cane Creek Falls, and one of my favorite waterfalls at the park, Piney Falls.



Bridgestone-Firestone Centennial Wilderness Area / Virgin Falls⁴

Located in White County, Tennessee, and approximately a two-hour drive from Nashville, Bridgestone-Firestone Centennial Wilderness is a 10,000-acre wildlife management area; it consists of approximately nine waterfalls and multiple caves, and the public can hike, fish, canoe, camp, and kayak.

Virgin Falls, which is located in Bridgestone-Firestone Centennial Wilderness Area, is my favorite place to hike and view multiple waterfalls. With 1,157 acres, Virgin Falls contains the following waterfalls: Big Laurel, Sheep Cave Falls, Big Branch Falls, and the main attraction, Virgin Falls. Virgin Falls is a waterfall with a 110-foot high cliff with an underground stream that emerges from a cave, drops over a 110-foot cliff, and then disappears into another cave. Virgin Falls is a beautiful waterfall to see, and sometimes, one can see multiple rainbows as the water is cascading from above.

Virgin Falls is a nine-mile, and some would deem strenuous, hike – the trail can be rocky and uneven and does descend in elevation. This hike took me around six hours, a majority of the day, and I always need all the extra water and snacks I pack.

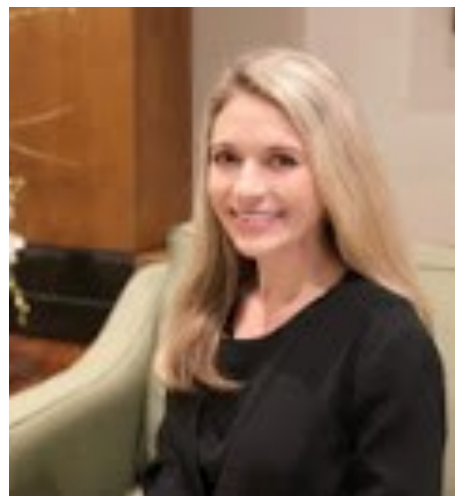
There are also a few shorter hiking spots and scenic view of the natural area and the Caney Fork River, such as Martha’s Pretty Point and Welch’s Point.

¹ Specific facts in this Article are from the following link (where one can also find additional information on the area/park and other warnings, risks, type of hikes, etc.): <https://tnstateparks.com/parks/activities/rock-island>.

² Specific facts in this Article are from the following link (where one can also find additional information on the area/park and other warnings, risks, type of hike, etc.): https://tnstateparks.com/parks/burgess-falls_region/na-na-window-cliffs.html.

³ Specific facts came from the following link (where one can find also find additional information on the area, warnings, risks, and type of hike, etc.): <https://tnstateparks.com/parks/fall-creek-falls>.

⁴ Specific facts in this Article are from the following link (where one can also find additional information on the area/ park and other warnings, risks, type of hike, etc.): <https://www.tn.gov/environment/program-areas/na-natural-areas/natural-areas-middle-region/middle-region/na-na-virgin-falls.html>.



Caroline is a 2020-2021 Newsletter Editor.

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