

Amicus Newsletter

Winter 2016

In This Issue

3 Jennie Mitchell
Kellogg Attorney of
Achievement Award

4 Books From
the Bar

5 UMKC Pre-Law
Event

6 Women in the
News

7 KWAA Board

8 Membership Form

President's Message

By Gaye Tibbits, Hite Fanning & Honeyman, Wichita

Dear Colleagues,



Where did 2016 go? No matter our political leaning, I am sure we all agree that the national election overshadowed much of the fall and has motivated all of us to promote our shared values of inclusiveness and promotion of women in the legal profession.

I am proud of our members Justices Beier and Luckert and Judges Leben and Arnold-Burger for their tireless work during the retention campaigns. They sometimes did as many as 3 events a day and their hard work as well as the hard work of many of our members—notably arm-twisters extraordinaire Linda Parks and Rachael Pirner—helped Kansans to understand and vote to support an independent judiciary.

The association will be promoting the adoption of the language of ABA Rule 8.4(g), which explicitly provides that discrimination and harassment are “attorney misconduct,” sanctionable by the disciplinary system. The ABA rule provides that it is attorney misconduct to:

engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status or socioeconomic status in conduct related to the practice of law. This paragraph does not limit the ability of a lawyer to accept, decline or withdraw from a representation in accordance with Rule 1.16. This paragraph does not preclude legitimate advice or advocacy consistent with these Rules.

The proposed comments can be found at http://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/final_revised_resolution_and_report_109.authcheckdam.pdf.

Continued on next page.

President's Message

Continued from page 1.

I have been disappointed and surprised at the opposition to the proposed adoption of the language of this rule, which includes concerns that it violated the First Amendment, that it would prevent Catholic attorneys from attending Red Mass, that it would require attorneys to represent people who could not afford to pay, that it could make a Kansas City Chiefs sign discipline-worthy.

There is ample precedent for state supreme courts to regulate the speech of attorneys if the reason for doing so is to protect the public or the integrity of the judicial system. Consider attorney advertising regulations. Surely protecting attorneys, witnesses, litigants and jurors from discrimination and harassment based on their protected statuses is as important as protecting potential clients' financial interests threatened by unfair commercial speech.

Were there a valid constitutional challenge, one would think that the twenty-two states that already have similar rules that forbid discrimination and harassment by attorneys would have had their rules successfully challenged. They have not.

In Kansas, though attorneys do not have the restriction above, judges may not "...manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so." Also the judge must "...

require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, based upon attributes including but not limited to race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, against parties, witnesses, lawyers, or others." Kansas Canon of Judicial Conduct Rule 2.3(B)-(D). There has been no constitutional challenge there.

I hope you will take time to review the proposed language and the ABA's description of their multi-year vetting of the Rule. I am sad to say that I have heard much misinformation, including that the ABA vote was anything other than unanimous. This is an issue on which we should do our own research and be well-informed and be a resource in our communities.

Because of the importance of good information about this Rule, I have appointed a task force headed by Bethany Roberts of Lawrence to provide education and advocacy about the Rule. If you are interested in learning more or in teaching others or in advocating for its adoption, please contact me or Bethany.

I hope you have enjoyable holidays. I am proud to lead this amazing group and look forward to announcing more activities and initiatives in the spring and to attending our beloved Lindsborg conference July 20-22.

*Proud to be your president,
Gaye*

Calling All Authors!

Our next newsletter will be published in the spring of 2017, and the newsletter committee is currently seeking article proposals. If you would like to write an article, contact the newsletter chair, Danielle Hall at daniellehall0705@gmail.com.



Kathy Webb wins Jennie Mitchell Kellogg Attorney of Achievement Award

At the annual Lindsborg Conference, KWAA presented the Jennie Mitchell Kellogg Attorney of Achievement Award to Kathy Webb. This award is KWAA's highest honor, and is presented annually to a member who has: "achieved professional excellence in her field, influenced other women to pursue legal careers, opened doors for women lawyers in a variety of job settings that historically were closed to them, and advance opportunities for women within a practice area or segment of the profession."

Kathy Webb, a Wichita lawyer, has mentored many lawyers throughout her career and has been a leader in the bar and in Wichita. She is a past-president of the Kansas Women Attorneys Association and of the Wichita Women Attorneys Association. She has served on the Kansas Bar Association Board of Governors, and is a Fellow Gold in the Kansas Bar Foundation. She served two terms on the Kansas Supreme Court Nominating Commission and in such service, was active in the appointment of many of our sitting Court of Appeals and Supreme Court Justices. She is a Past Chair of the Kansas Board of Indigent Defense Services, and served as Chair of the IOLTA Committee. As she has been active in the bar, she has also been a leader in the community. She served on the Wichita YWCA Board of Directors. She served on the Kansas Public Television station Board of Directors and as Chair. She presently serves on the Board of Directors

of both the Wichita Symphony and Wichita Music Theatre. She has been a principal organizer and committee chair for various fundraisers for the many non-profits that she has been involved with over the years. Kathy is a person who can be counted in to take the oar and steer the ship.

"When we first met, she was well respected among her peers in KWAA, as well as the local and state bar associations. I am certain her respect was earned as a result of her dedication to the advancement of women in the legal community."



In her letter nominating Kathy, Judge Gwynne Birzer wrote: "When we first met, she was well respected among her peers in KWAA, as well as the local and state bar associations. I am certain her respect was earned as a result of her dedication to the advancement of women in the legal community. Despite the demands of her firm, she still found time to help

me, an African American attorney new to the legal community. She met with me regularly for lunch or breakfast to mentor me, she invited me to join her at events so I could be exposed to other influential women and she encouraged me to become active on community boards. She opened a door for me by calling a friend who was a managing partner at one of the most prestigious law firms in Kansas and recommended me for an interview. This firm is a great law firm but was basically an all-white firm lacking a track record with regard to racial diversity but about a month after the interview I was hired."

In her remarks introducing Kathy as the recipient of the award, Judge Sally Pokorny said: "Early on she encouraged me to pursue a judicial position and she was unwavering in her support even after I received several rejections. She personally encouraged me and always wrote glowing letters of recommendation. We have all written

Continued on next page.



Jennie Mitchell Kellogg Attorney of Achievement Award

Continued from page 3.

those letters, right? This person is so smart, so dedicated, works hard, blah blah blah. She writes a letter recounting her high school junior initiation ritual at my hands. We call it hazing today and I am sure it is against the law, but that is another story. She told the governor I would be a good judge because I had the good sense at the age of 17 not to do anything that would physically harm her or psychologically scar her, but most importantly I refrained from spreading limburger cheese on her armpits. Now that is a letter of recommendation that will get read."

In introducing Kathy Webb as the award recipient, Laura Ice quoted lines from the musical "Wicked:" "I've

heard it said that people come into our lives for a reason, bringing something we must learn; And we are led to those who help us most to grow if we let them; And we help them in return; Well I don't know if I believe that's true, but I know I'm who I am today because I knew you."

Kathy Webb has a wicked sense of humor and is a great friend to many, and the embodiment of the goals of KWAA.

Books From the Bar

The Douglas County Women Attorneys Association hosted a Books from the Bar event. Members donated new or gently used books for a local preschool and elementary school. The books for older youths or adults were donated to the new The Dwayne Peaslee Technical Training Center. Members wanted to encourage a love of reading and learning in local youths. We collected over three hundred books.





UMKC

Pre-Law Event

On September 22, 2016 the University of Missouri-Kansas City School of Law, in partnership with the Kansas Women Attorneys Association and the Association for Women Law Students, hosted a prelaw program on the UMKC campus.

This program was created for high school and college students interested in pursuing a career in law. Family members were encouraged to attend along with the students. The program included a tour of UMKC Law School, a panel discussion with women attorneys, and a networking reception.

In addition to being a sponsor of the program, KWAA had great representation during the panel discussion thanks to those members who volunteered.

Women in the News

Honorable Karen Arnold-Burger received the V. Robert Payant Award for Teaching Excellence presented by The National Judicial College.

Kathy Bailes has been elected President of the State Line Service League, a not-for-profit engaged in service projects throughout the Kansas City metropolitan area. Bailes was also nominated by the Dean of the Arts, Humanities and Social Sciences Division, for the Lieberman Teaching Excellence Award for Adjunct Faculty at Johnson County Community College. The nomination itself is an honor recognized at a banquet in the Spring.

Susan Berson was again recognized in the 2016 Best of Bar published by the Kansas City Business Journal for Tax Law.

Lara Blake Bors was recently appointed by Chief Justice Nuss to be on the Juvenile Justice Oversight Committee.

Natalie Haag was honored by the Washburn Alumni Association as a 2016 Alumni Fellow.

Kathy Kirk will be awarded the Arthur C. Hodgson Award by the Kansas Association of Justice at its December meeting.

Mira Mdivani was again recognized in the 2016 Best of Bar published by the Kansas City Business Journal for Immigration Law. Mdivani was also recently featured on the cover of Super Lawyers.

Brenda Stoss was honored as a Woman of Achievement. Women of Achievement is a biennial event that recognizes the outstanding contributions of women in Salina and Saline County in a variety of fields. Women of Achievement also honored the organization, Women Helping Women, which was co-founded by KWAA member **Janice Norlin**. Norlin is currently the president of Women Helping Women and accepted the award on behalf of the organization. To read more about this event go to http://www.salina.com/news/local/five-salinans-to-be-honored-at-women-of-achievement-luncheon/article_ff9b6329-b11f-534f-8ffd-77d7ebd7d2b4.html.

Michelle Wade, an aviation lawyer in private practice and **Dawn Rogers**, an in-house lawyer with Spirit AeroSystems had a series of articles on business aviation published on ACCDocket, an online resource for in-house counsel which is published by the Association of Corporate Counsel. See one of their articles here: <http://www.accdocket.com/articles/compliance-structuring-company-jet-operations.cfm>.

Angel Zimmerman received the GoTopeka Women of Influence Mentoring Award. She was also recently named Vice President of Strategic Planning for the National Council of Women Bar Associations and JRCLS women in law committee international chair.

If you have news you wish to share in the Women in the News section, please send submissions to Newsletter Chair, Danielle Hall at daniellehall0705@gmail.com.



Your 2016-17 KWAA Council

Executive Committee

President - Gaye Tibbets

President-Elect - Mary Beth Blake

Past President - Marilyn Harp

Secretary - Kimberly Honeycutt

Treasurer - Niki Piskuric

Assistant Treasurer - Ellen O'Leary

Standing Committees and Ad Hoc Committees

Annual Conference Chair - Jennifer Hill

Archives Chair - Marie Landry

Awards Chair - Laura Ice

Career Development Chair - Martha Hodgesmith

Membership/Website Chair - Whitney Casement

Mentorship Chair - Deena Hyson Bailey

Newsletter Chair - Danielle Hall

Publicity Chair - Sarah Morse

Small and Solo Co-Chairs - Malissa Walden, Cassie Pfannenstiel Rodriguez

Women in the Law Co-Chairs - Katherine Bailes, Patricia Hamilton

District Representatives

District 1 – Johnson County

District 2 – NE Kansas

District 3 – SE Kansas

District 4 – E. Central KS/Emporia

District 5 – Shawnee County

District 6 – N. Central KS

District 7 – Sedgwick County

District 8 – W. Central KS

District 9 – SW Kansas

District 10 – NW Kansas

District 11 – Wyandotte County

Gabrielle Beam, Malissa Walden

Sally Pokorny, Bethany Roberts

Lisa Montgomery

Sharon Gordon, Tamara Niles

Alison St. Clair, Jennifer Hays

Brenda Stoss, Ann Zimmerman

Kellie Hogan, Linda Parks

Dell Swearer, Rita Sunderland

Lara Blake Bors, Shirley Calvin

Etta Walker

Rae Sedgwick, Amy Walters



DUES NOTICE AND MEMBERSHIP FORM
DUES OF \$50.00
FOR AUGUST 1, 2016 TO JULY 31, 2017

If you have not joined KWAA for the coming year, complete this form and mail it with your check for \$50.00 made payable to the Kansas Women Attorneys Association to:

KWAA
PO BOX 598
Topeka, Kansas 66601

NAME: _____

FIRM/AGENCY: _____

MAILING ADDRESS: _____

City: _____ State: _____ Zip: _____

Work Phone: _____ Fax: _____

E-Mail: _____

Home Phone: _____ (will be included in the directory)

AREAS OF PRACTICE, check all that apply:

Administrative	Family	Real Estate
Appellate	General Practice	Social Security
Arbitration/Mediation	Government Counsel	Tax
Bankruptcy	Insurance	Utility
Business/Corporate	Judiciary	Workers Compensation
Collections	Juvenile	Other: _____
Corporate Counsel	Labor	_____
Criminal	Legal Education/Professor	_____
Disability	Legislation	_____
Education	Litigation	_____
Elder	Medical Malpractice	
Employment	Non-Traditional/Non-Legal	
Estate Planning	Personal Injury	