

EMBRACING CHANGE – MOVING FORWARD WHILE HONORING OUR PAST

As was so aptly demonstrated at the wonderful reenactment today, after decades of struggle, women were finally afforded the right to vote. As we here in Nashville celebrate the Centennial of the 19th Amendment (a year late), we look back on those brave Suffragists and their legacy. Since the ratification of the 19th Amendment, women have not only taken their rightful place in the voting booth, but also in the judiciary.

The founding mothers of NAWJ shared a determination similar to that of the Suffragists, namely, that the judiciary should accurately reflect our diverse population and that justice be not only equal but available to all.

My theme for this year is Effecting Change, Drawing from the Past and Embracing the Future, for it is only in looking back for inspiration, the inspiration of the Suffragists and that of our founding mothers that we can move forward and effect change.

When NAWJ was formed in 1979, I was in my second year of law school. I had grown up with a close knit, loving and eccentric family with strong female role models including my grandmother and my trailblazing aunt, Judge Isabella Horton Grant of the San Francisco Superior Court. She graduated from Columbia Law School as 1 of 4 women in the 1950's. But upon attaining her JD, she was offered a

job as an Office Manager in San Francisco. Thankfully, she turned it down and became a well-respected family lawyer and ultimately a Judge of the San Francisco Superior Court.

Graduating as a French major at UCLA, my grandmother foresaw my future as a ne'er do well dilettante headed to France without a visa or work permit and an ill-defined future. She wisely directed me to the newly created UCLA Paralegal Program where, armed with a certificate and my BA from UCLA, I worked in a large downtown Los Angeles law firm. The word boredom does not accurately describe that year summarizing depositions and handling document productions. When Isabella scolded me and said, "you'll neither fish nor fowl, go to law school!" I obeyed and besides, my 22-year-old self thought, I could be an international lawyer, speak French and argue cases before the Hague!

My naivete was appalling, but Isabella was pleased! Barely into my second year, and struggling with my evidence course, I got a call from Isabella. "I'm coming to Los Angeles to attend the First Conference of the newly created National Association of Women Judges. You must attend the reception."

On the appointed evening, I dragged myself from my studies, put on a suit and walked in. What I experienced that evening changed my life. There was Joan Dempsey Klein and Vaino Spencer chatting amiably with Isabella. They were the essence of confidence and grace. Isabella proudly introduced me and while I don't

recall what I said to them, they without mincing words, told me to soldier on and be the best lawyer I could be because there was work to be done and women needed to do it. My visions of France and the Hague were dissipating. I wanted to be just like them.

40% of my law school class were women, but when I graduated and got my first job in downtown LA, only the male associates were sent to court. That is until a calendaring glitch meant that no one was available to argue a motion. “You do it” said the partner, “it’s not an important motion anyway!” Wow, I thought, if I was going to argue before the Hague, this might be my entrée! So, I argued the motion over and over before my grandmother and, when the day came, with butterflies in my stomach, I arrived at the courtroom and took a seat. When the case was called, I presented my argument. The accoutrements of the courtroom disappeared and with it my nervousness. My mind was engaged and I loved it. I wanted more. The law firm, despite my victory, didn’t offer me another chance and so I left, opened up my own firm, joined the French American Chamber of Commerce, and got my own French speaking clients. I was self-actualized. When I needed more help, I joined a firm in Century City that had the resources I needed to litigate cases against Euro Disney and take depositions in France pursuant to the Hague Convention! I also handled many race and sex discrimination cases where my French was not required.

I'd been a lawyer for 15 years when Isabella issued another order: "You must apply to the bench." Not wanting to be held in contempt, I complied. I was most honored when the Governor appointed me in 1997. Upon my appointment, Isabella issued yet another order: "you must join NAWJ!" Compliant as always, I joined. Since then, Isabella and I happily went to many of the annual conferences and receptions together, including Los Angeles, Houston, and Washington DC.

My 23 years on the bench of the Los Angeles Superior Court were eye opening. I spent the first three years in criminal courts. With no criminal background, I looked to my colleagues and NAWJ friends for support. They helped me to handle the overwhelming calendars in my arraignment and felony preliminary hearing courts.

The criminal courts were a far cry from the Hague. NAWJ's Conferences offered a respite from the stress of those high-volume courts. But what I observed in those courts impacted me more than any appearance at the Hague ever could. The population was disproportionately black and Hispanic. Was it selective arrest? Selective prosecution? The problem was bigger than me and, as one Judge, I alone had no ability to effect change. Enter NAWJ. Our Pipeline to Prison webinar this year and next addresses this problem and our participation in the Council of Chief Justices and Council of State Court Administrators Blueprint for Racial Justice seeks to identify and remedy it. For it is only when the judiciary mirrors that of the

population that we can begin to address the systemic racism in our criminal justice system.

When I transitioned to a general jurisdiction civil court, the need for NAWJ became even more apparent and my motivation to become involved with the organization grew even more as I observed problems for minority populations, our LGBTQ population and self-represented litigants.

As I walked down the hallways of my courthouse, I pondered would justice be better if we had a more diverse bench? I've discussed this problem with my friends at NAWJ and studies have confirmed our conclusion, YES!

My retirement and transition to arbitration and mediation with JAMS has given me more flexibility and time to devote to NAWJ's mission.

When Isabella died in 2011, I promised her that I would continue my involvement in NAWJ. I stand here this evening to fulfill that promise.

As my path has converged with that of NAWJ, I can't help but think of the changes effected since 1979. While 40% of my graduating class were women, I saw fewer and fewer of them in the courtroom. As a trial lawyer, I was a rarity. When I joined the bench, only 20% of the bench were women, and the percentage of minorities was paltry. Despite the fact that state courts do 90% of the judicial business in the country, only one third of the judges are women. The percentage is the same at the Federal District and appellate court level.

Likewise, minority representation does not mirror that of our population. It is only recently that courts even started keeping demographic data on race, gender and sexual orientation. As your President, I will continue to work with the Council of Chief Justices and Council of State Court Administrators in the Blueprint for Racial Justice's Working Group to Increase Diversity of the Bench Bar and foster diversity throughout the state court system.

The pandemic has been difficult to say the least. But it has been particularly hard on women and minorities. More than 10 million working women rely on childcare and schools to keep their children safe while they work, but schools and childcare centers were forced to shut down. At our midyear conference, NAWJ plans to feature members of the White House Gender Council who will showcase their strategic plan to assist working women with childcare and early childhood education.

So how do we effect change?

Under my presidency, we will continue to stress our alliance with the International Association of Women Judges. As you are aware, we host many international judges at our annual conferences so that we can learn from one another and create bonds. We are fortunate that the State Department INL's Senior Officer Shibani Malhotra along with our Embassies have made it possible for us to have 56 international judges with us here tonight. NAWJ and IAWJ's former

President Vanessa Ruiz spoke to us at this Conference about the 270 Afghan women judges who with the fall of the Taliban now face death both because of their gender and their occupation. An ad hoc group of NAWJ and IAWJ judges in the U.S. and around the world has been laboring night and day to help their Afghan sisters make their way out of the country.

I want to encourage our members to continue their amazing work through our committees and Districts. Under the leadership of our VP of Districts, Pam Washington, our District Directors have come together to put on Color of Justice programs in schools and Mentor Jet programs in our law schools, many of those programs delivered virtually. Pam's enthusiasm is infectious and our District Directors have succeeded in increasing our membership during a pandemic!

Change is effected through the work of our committees :Women in Prison, Informed Voters Project, Domestic Violence, Human Trafficking, Juvenile Justice & Child Welfare, LGBTQ Committee, and Self Represented Litigants Committee, to name a few. Together we will continue to work tirelessly to address access to justice and the inequities that women, diverse people and people of limited means face daily.

As the immediate past Chair of the Education Committee, I am pleased to report that our members pivoted to virtual this year by developing and producing webinars and podcasts on a variety of subjects including Post Pandemic Justice,

Disrupting the School to Prison Pipeline, Racial Disparities in our Justice System, and a podcast on “Technology in the Courts and in ADR” addressing the new virtual means of administering justice. I know that our President Elect Toni Clarke will do an amazing job chairing this committee as we continue to develop cutting edge educational programs.

Many of you were fortunate enough to attend both our Day at the UN and our annual Congressional Women’s Caucus offered virtually and featuring judges and Congresswomen addressing areas of concern to women and the judiciary. We look forward to this inspiring event next year.

The Counter Balance with which you are familiar features cutting edge articles of interest not only to our members but to the public at large. It is with great excitement that I announce that our publication along with our conference materials will continue to be housed and archived at the Schlesinger Library at Harvard University to be a resource for those interested in studying gender and diversity in the judiciary.

We will continue to dedicate ourselves to our strategic plan and we are well positioned to do so.

At this time, I want to extend my gratitude to all NAWJ members our Board, and particularly our outgoing President Karen Donohue (please stand.) Also, our Executive Director Laurie Denham, and staff, Brian Gorg, and Janelle Mihoc. It

takes money to effect the change that NAWJ is pursuing, and our new Development Director, Francie Teer will work to obtain grants and contributions to fund our work. I want to thank them for their tireless efforts in pursuing the work of NAWJ. I would not be standing here but for the work that you do.

I also want to thank my dear friends from the Los Angeles Superior Court who are here to enjoy the Conference and support me and NAWJ.

Thank you to JAMS with whom I am affiliated as an arbitrator and mediator. I have so appreciated their continued financial support of this organization as I undertake my role as President.

There are others whom I must thank, most importantly, my husband, fighter pilot Captain Robert White, USN Ret. who has stood by me in all my years of being a lawyer, judge and advocate, not to mention time devoted to NAWJ. We've had a busy life, raised 3 amazing children, Robert, a lawyer in San Diego, Kristin, a nurse in Henderson, Nevada whose given us 3 wonderful grandchildren and our youngest daughter, Alex, an art curator in London. I'm thrilled that my Indiana and Ohio family, namely my brother and sisters in law are here with us tonight. Also, my wonderful niece, Chrissie White, a lawyer in Chicago, who came to help with the Los Angeles Conference in 2019 and is with us again here in Nashville.

I humbly accept the Presidency and pledge to make myself available to you and work with you to effect change, draw from our past and embrace our future.