



#WETOO IN THE LEGAL WORKPLACE

*An Exploration of Sexual Harassment
in the California Workplace*

A National Association of Women Judges Program
presented in collaboration with the
California Women Lawyers and the **California**
Legislative Women's Caucus

MARCH 21, 2019

11:30 am -3:30 pm

Stanley Mosk Library and Courts Building
Room 500 | 914 Capitol Mall | Sacramento

PROGRAM CHAIRS

The Honorable Paula S. Rosenstein,
Superior Court of California, County of San Diego

The Honorable Joan P. Weber
Superior Court of California, County of San Diego

PROGRAM AGENDA

11:30 am **LUNCH SOCIAL**

12:30 pm

WELCOME REMARKS

12:30 pm **Judge Tamila E. Ipema**

12:45 pm President, National Association of Women Judges

Attorney Ameer A. Mikacich

President, California Women Lawyers

Senator Connie M. Leyva

Chair, California Legislative Women's Caucus

FIRESIDE CHAT

12:45 pm Introductions, Moderator: **Judge Joan Weber**

1:30 pm Superior Court of California, County of San Diego

Speakers:

Chief Justice Tani G. Cantil-Sakauye

State of California

Senate Pro Tempore Toni G. Atkins

California State Senate

The fireside chat with Chief Justice Cantil-Sakauye and Senate Pro Tempore Toni G. Atkins will explore what steps the judicial and legislative branches have taken in recent years in response to the #MeToo movement to protect workers in those branches from sexual harassment and assault. Both branch leaders will discuss how barriers to reporting these types of acts can be eliminated. The chat will also cover how both branches have dealt with the issue of ensuring judicial officers and legislators who have been found to have committed acts of sexual harassment or assault will be identified to the public. Finally, the chat will discuss how both branches can improve training and education of employees, judicial officers and legislators so that this type of conduct can be substantially reduced and eventually eradicated from the California workplace.

1:30 pm

FIRESIDE CHAT Q & A

1:45 pm

PROGRAM AGENDA

1:45 pm
2:00 pm

Break

ADDRESSING SEXUAL HARASSMENT IN THE CALIFORNIA LEGAL AND LEGISLATIVE WORKPLACE

2:00 pm
3:00 pm

Introduction of the Speakers:

Judge Paula S. Rosenstein

Superior Court of California, County of San Diego

Moderator: **Judge Wendy McGuire Coats**

Superior Court of California, County of Contra Costa

Panelists:

Kelly M. Dermody, Managing Partner

Lieff, Cabraser, Heimann & Bernstein, LLP

Jerrilyn T. Malana

Chief Deputy District Attorney, Human Resources
San Diego County District Attorney's Office

This panel is designed to look at sexual harassment in the legislative and legal workplaces where there are many people committed to appropriately addressing these issues. The panelists will discuss prevention, basic law in the area and what legislators, judicial officers and lawyers can do to improve our work environments. Best practices will be explored on how supervisors, coworkers and bystanders should respond to reports of harassment or inappropriate conduct, or after witnessing such conduct; and best practices for the target of such conduct. The discussion will detail how the California workplace can make use of the accountability systems the legislative and judicial branches have recently put in place to ensure a safe and healthy work environment for all Californians. Additionally, the panelists will discuss what further steps could or should be taken to address this important issue.

3:00 pm-
3:15 pm

ATTORNEY PANEL Q & A

CLOSING REMARKS

3:15 pm

NAWJ President Judge Tamila E. Ipema

SPEAKER BIOGRAPHIES

SENATOR TONI G. ATKINS was elected by her colleagues in the California State Senate as Senate Pro Tempore in January, 2018. In March 2018, she was sworn in, becoming the first woman and the first openly LGBTQ person to lead the California State Legislature's upper house. She represents the 39th Senate District located within San Diego County, which includes most of the City of San Diego north of SR-94, the coastal cities of Coronado, Del Mar and Solana Beach, and parts of unincorporated Rancho Santa Fe. She was an aide to San Diego City Councilmember and LGBT trailblazer Christine Kehoe, and was elected to the council in 2000. During her eight-year tenure, then Councilmember Atkins provided leadership as interim Mayor of San Diego amid a challenging and tumultuous time at City Hall. Elected by voters to the state Assembly in 2010, she served there for six years. In 2014, her colleagues elected her Speaker of the Assembly, becoming the first San Diegan and the first lesbian to hold the position. Then Speaker Atkins counts as major accomplishments a \$7.5-billion water bond, and the creation of the state's first Earned Income Tax Credit. In 2016, she was elected state senator for the 39th District.

CHIEF JUSTICE TANI G. CANTIL-SAKAUYE was sworn into office on January 3, 2011, and is the first Asian-Filipina American, and the second woman, to serve as the state's chief justice. She chairs the Judicial Council of California, the administrative policymaking body of state courts, and the Commission on Judicial Appointments. Prior to her appointment she served for more than 20 years on California appellate and trial courts. In 1997, she established and presided over the first court in Sacramento dedicated solely to domestic violence issues. In addition, then-Judge Cantil-Sakauye chaired the court's criminal law committee and was a member of the presiding judge's task force on domestic violence and the Home Court committee. In 2005, Governor Schwarzenegger nominated her to the Court of Appeal, Third Appellate District. Born in 1959 in Sacramento, Chief Justice Cantil-Sakauye attended C. K. McClatchy High School (1977) and Sacramento City College (1978) before receiving her BA from the University of California, Davis, graduating with

honors in 1980. After taking a year off to visit her ancestral homeland, the Philippines, the Chief Justice entered the UC Davis, Martin Luther King, Jr. School of Law in 1981. After receiving her JD in 1984, she worked as a deputy district attorney for the Sacramento County District Attorney's Office, where she prosecuted a variety of criminal offenses. From 1988 to 1990, she served on the senior staff of Governor Deukmejian in two capacities: first as deputy legal affairs secretary and later as a deputy legislative secretary.

JUDGE WENDY MCGUIRE COATS was been appointed by California Governor Edmund G. Brown Jr. to serve as a Superior Court Judge in Contra Costa County in December, 2018. She is a certified specialist in Appellate Law by the California Board of Legal Specialization, a distinction held by fewer than 400 California attorneys. Before joining the court, she was a partner in the San Francisco office of Fisher Phillips where she led the firm's California Appellate Practice representing clients in all aspects of appellate litigation in state and federal appellate courts, particularly in navigating questions of first impression or rapidly evolving labor and employment issues. Before entering private practice, she clerked for the Honorable Ronald S.W. Lew of the United States District Court, Central District of California. Prior to law school, she taught high school English, studied at the American Academy of Dramatic Arts, lived in London, and trained as a Writing Fellow with the Missouri Writing Project.

KELLY M. DERMODY, ESQ. is Managing Partner of the San Francisco office of Lief, Cabraser, Heimann & Bernstein, LLP. She chairs the firm's Employment Practice Group and specializes in class and collective actions on behalf of employees. In 2012, she served as President of the Bar Association of San Francisco. She is a member of the College of Labor and Employment Lawyers and the American Law Institute. She is a past member of the ABA Labor and Employment Law Section Governing Council, where she also previously served as Co-Chair of the Section's Annual Conference, Committee on Diversity in the Legal Profession, and Equal Employment Opportunity Committee. She received a B.A. degree from Harvard University and a J.D. degree from Berkeley

Law School, UC Berkeley. She clerked for the Hon. John T. Nixon, U.S. District Court for the Middle District of Tennessee, before joining Lief Cabraser.

JUDGE TAMILA E. IPEMA has served as a judicial officer for nearly 14 years. She has experience in family, criminal, and civil courts. She previously practiced as an immigration defense attorney; Assistant District Counsel with the U.S. Department of Justice in immigration matters; judicial research attorney; and a supervising research attorney for the Los Angeles Superior Court. She also served as a California Superior Court Commissioner in both Los Angeles and San Diego Counties prior to her appointment as a Judge to the San Diego Superior Court. Judge Ipema has served on the California Judicial Council's Access and Fairness Advisory Committee and the California Judicial College Curriculum Committee and has participated in workshops to incorporate fairness into all judicial education materials. On October 6, 2018, Judge Ipema took the oath of office to lead the National Association of Women Judges as President for the 2018-2019 year. Judge Ipema received her Bachelor's Degree from Damavand College in Tehran, Iran. She received her Master's degree from the University of Louisville, and her J.D. degree from Brandeis School of Law in Louisville, Kentucky. She received an LL.M. Degree in International and Comparative Law from Georgetown University School of Law.

CALIFORNIA STATE SENATOR SENATOR LEYVA is the Chair of the Legislative Women's Caucus. She represents a district that includes the communities of Bloomington, Chino, Colton, Fontana, Grand Terrace, Montclair, Muscoy, Ontario, Pomona, Rialto and San Bernardino. She is serving her second term in the California State Senate. Senator Leyva is committed to improving California's schools, environment and communities, as well as creating quality jobs throughout her district, and California. Her goals are to ensure California families benefit from the investments the state can make in strengthening small businesses and other job drivers that create good paying jobs in our local communities.

JERRILYN T. MALANA, ESQ. is a “citizen lawyer” who has dedicated her career to helping others. She serves as a Chief Deputy District Attorney with the San Diego County District Attorney’s Office, where she manages its Human Resources Division and advises on civil matters. Prior to joining the DA’s Office in 2016, she spent more than 16 years as an employment law attorney and shareholder with the global employment law firm of Littler Mendelson. In 2018, she was inducted into the San Diego County Women’s Hall of Fame as a Trailblazer. She received a B.A. in Psychology from UC San Diego, an M.B.A. from Chaminade University, and a J.D., *magna cum laude*, from California Western School of Law.

AMEE MIKACICH, ESQ. was appointed President of the California Women Lawyers at its Annual Dinner in San Diego, on September 13, 2018. She is a partner in the San Francisco, California office of Hinshaw & Culbertson LLP. Attorney Mikacich advises clients in product and premises liability, labor and employment, and commercial litigation matters. She defends matters throughout California and in Oregon and Texas. Before joining Hinshaw, she practiced at a San Francisco-based international firm for nearly five years. She also spent over two decades practicing at a litigation firm in Oakland, CA. She is a graduate of San Francisco Law School (J.D.) and the University of California, Berkeley (B.A.), and is admitted to practice in California. Her association with California Women Lawyers began in 2012: Board of Governors, Member, 2012–Present; President-Elect, 2017–2018; President, 2018–Present. As president she advocates for women in and out of the legal profession.

JUDGE PAULA S. ROSENSTEIN was appointed to the bench by Governor Jerry Brown in November, 2012. She was assigned to the Family Law Division for five years and during that time served downtown, South Bay, and then in the central Family Law courthouse on 6th & Cedar until December, 2017. At that point, she was assigned to the criminal division and for the last year has served in a moving misdemeanor department. As of January 22, 2019, Judge Rosenstein is assigned to a criminal trial department.

Judge Rosenstein is a graduate of University of California, San Diego and University of San Diego School of Law. She was a civil litigator for more than 25 years. For the 15 years prior to her appointment, she was a shareholder in the law firm of Rosenstein, Wilson & Dean, P.L.C., focusing primarily on advisory and litigation matters related to employment law.

JUDGE JOAN P. WEBER has been a trial judge in San Diego for over 28 years. She currently serves as Vice President of the California Judges Foundation. She was President of the California Judges Association (CJA) from 2014-2015 and served on the CJA Board from 2012-2016. She also recently served a one-year term as an advisory member of the California Judicial Council. She sits as a trial judge doing primarily criminal trials. On the San Diego Superior Court, she has served as the Supervising Judge of the Criminal Courts, Supervising Judge of the North County Court and Presiding Judge of the Appellate Department. She is a frequent instructor for California Judicial Education programs with an emphasis on death penalty trials, how to preside over high-profile cases, and jury selection issues. She is also a member of the American Law Institute. Prior legal experience before becoming a judge includes serving as an Assistant U.S. Attorney for San Diego, and as an associate for a civil litigation law firm in Phoenix, Arizona. She started her legal career as a law clerk for Ninth Circuit Judge J. Clifford Wallace from 1980-1981. Judge Weber received her J.D. with highest distinction from the University of Arizona in 1980 and her B.A. cum laude from the Ohio State University in 1977. She is a member of NAWJ, California Women Lawyers and the Lawyers Club of San Diego.



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