

Amicus

Newsletter of the Kansas Women Attorneys Association

Fall 2005

Katherine J. Bailes, Editor

President's Message - Making Time for What's Important by Patricia Hamilton

We've received a series of wake-up calls lately. Mother Nature delivered some. Others came from political sources. Some may have come from friends and family. But the consistent message seems clear: figure out what's important and tend to it!

For many years we enjoyed a certain level of stability in regards to the environment, politics in our country and the economy. As a result, we may have grown less mindful of how critical it is to know what's important AND to make the commitment of time and energy to nurture and protect the important things in our lives. But the recent events in our world can serve a beneficial purpose if we use them as an opportunity to refocus our attention, and our commitment to the things in our lives that are important to each of us.

I hope as you read this that you will agree that the Kansas Women Attorneys Association is on your list of important things in your professional life. We are truly blessed to be part of an organization that grew from the dreams and hard work of talented women who shared a common goal of creating an organization that would serve and inspire Kansas women attorneys. They backed that commitment up with lots of energy, creativity, resourcefulness and perseverance. Their work created the organization. It's our work to sustain it. Thankfully, there are numerous ways to show your support and to participate in this unique organization.

One of KWAA's most remarkable and sustaining events is the annual Lindsborg conference. Professionally rejuvenating, personally invigorating, it's an amazing combination of learning and laughing, sharing and

commiserating, savoring and yearning. It's about who we were, who we are and who we want to be. Even if you don't need the CLE (though it will fulfill your annual requirement), and even if you don't think you've got the time, PLEASE consider finding a way to make the time to join us. Additionally, there are numerous opportunities to be involved in the preparation for the annual conference and we invite you to consider how you can contribute your talents and energy to making the 2006 conference a success.

We'll also be publishing our annual directory after the first of the year. Please be sure to provide us with your current contact information so that it can be included in the directory. Staying in touch is simplified through the use of the listserv, but the directory continues to be a tremendous resource for contacting women attorneys across the state in a variety of practice areas and specialties.

Additionally, KWAA offers members a number of on going committees to address issue of interest to our members. The list of committees and their respective chairs follow this message. You are encouraged to get involved in any of these committees, and we hope to have reports from each committee for the Spring newsletter and also at the annual conference.

At the end of this calendar year, KWAA's contract with Kearney & Associates will expire. Kearney & Associates had indicated that renewal of the contract under the existing terms was not an option. In light of the Treasurer's report that KWAA revenues fell approximately \$6,000 short of covering the costs of the conference, and in light of an IRS penalty assessment in September of approximately \$5,500, the Board voted not to seek renewal of the contact with Kearney & Associates.

After meeting with Kearney & Associates following the Board meeting, we are formulating a transition plan that will allow members to continue to enjoy the benefits and services of the organization while lowering costs to provide those services. We are also working on a long-term strategic plan that will allow KWAA to position itself to provide years of service and opportunities to members. If you are interested in being part of the short-term transition team or the long-term strategic planning committee, please contact me immediately. As always, the need for members to remain committed to what's important is essential to the success of any long-term plan. If KWAA is important to you, please make time to enjoy the benefits of this wonderful organization!



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Defending the Independent Judiciary

by the Honorable Janice Russell

Third Branch Under Attack

The judicial branch is under siege, both nationally and in Kansas. We are all aware of the threats to the independence of the Kansas judiciary arising out of the school finance case and the death penalty case, but make no mistake about it: this is part of a larger, national agenda to erode the constitutional authority of courts, making them mere rubber stamps for other branches of government.

Here are some examples of statements made by political leaders across the nation:

- Pat Robertson stated on national television in May: "Over 100 years, I think the gradual erosion of the consensus that's held our country together is probably more serious than a few bearded terrorists who fly into buildings." He went on to explain that, in his opinion, an out-of-control liberal judiciary is the worst threat America has faced in 400 years—worse than Nazi Germany, Japan and the Civil War.
- A member of Congress, speaking in April, said, "These are not the dictates of a mature society but a judiciary run amok. The failure is to a great degree Congress's. The response of the legislative branch has mostly been to complain. There is another way, ladies and gentlemen, and that is to *reassert our constitutional authority over the courts.*"
- A governor of a Midwest state said, "I think judges should attempt to craft decisions that *reflect the values of the taxpayers that they work for.* . . . I think it is dangerous when courts overstep their bounds and really delve too deeply into whether or not measures are constitutional and create arbitrary rights that don't truly exist in the constitution."

These are only a few of the statements that state and national leaders have been making over the last few months. Their proposals for curtailing the authority of the courts generally fall into two categories: court stripping and changing the way judges are selected and/or retained. Court stripping measures would take away the authority of courts to decide certain issues.

Court Stripping Measures Proposed

Here in Kansas, two court stripping measures were proposed during the special session this summer.

One is fairly narrow in its scope. It would prohibit the courts from closing schools. The other is breathtaking in its scope: it would prohibit the courts from interfering with *any* appropriations decisions made by the legislature.

Additionally, two measures were also introduced that would change the way Supreme Court justices are selected. One would put the justices back on the ballot and the other would give the Senate the authority to approve the Governor's choice for appointments to the Supreme Court. It is easy to see the problems with putting the Supreme Court back on the ballot: the huge costs of running a statewide campaign, the loss of public confidence in the impartiality of justices inherent in a system that requires fundraising and time away from working on their dockets that campaigning would necessarily require.

The arguments against the second proposal are that it would shift the appointment process from the Governor to the Senate; seats on the Supreme Court would presumably remain empty while the legislature is in recess for three-quarters of the year; and it is really unnecessary, given the careful scrutiny given to applicants by the Supreme Court Nominating Commission. In the federal system, the scrutiny of nominees takes place in Senate confirmation hearings, while in the Kansas system, a much more thorough scrutiny happens during the Nominating Commission's selection process. Thus, Senate confirmation is simply unnecessary under the Kansas system.

Combating Attacks on the Judicial Branch

Efforts are underway to combat the attacks on the independence of the judicial branch. The first tier of the counterattack is a grassroots effort to 1) educate Kansans on the vital importance of maintaining an impartial court system, and 2) to encourage lawyers and other concerned citizens to write to their legislators asking them not to support these measures aimed at stripping power from the third branch or altering the way that Supreme Court justices are chosen.

Each of you is urged to get out there and start speaking to civic groups about this important topic. If you feel you need help in putting together a speech, please contact me and I will send you materials that you can use. It is easier than you might think to get invited to speak to Rotary groups, Optimist groups, etc.

Most of these groups have regular meetings with guest speakers, and the program chair is generally delighted to have someone volunteer to speak about topical matters. The hardest part of getting on their program is tracking down the name of the program chair.

Even if you feel for some reason you cannot go out and make speeches, at least write to your own senator and representative and any other legislators that you personally know. A letter now and another when the legislature goes back into session would be good.

I cannot stress this too much: this attack is serious. It is an attack on our constitutional democracy, and it is an attack on the constitutional form of government that has served this country well for over 200 years. We must act now to protect the court system.

MEMBER NEWS

Personal News

Kellie Hogan recently returned from a three week trip to Italy.

Kathleen Harvey recently returned from a five city tour in China.

Professional News

Glenda Cantrell joined the corporate legal department of ONEOK, Inc., the parent company of KGS, in Tulsa, Oklahoma.

Susan Berson has formed a new firm, Tax Litigation Group, LLC. Her firm specializes in negotiating, defending and litigating tax issues against the IRS, and is located in Kansas City, MO.

Wendy Tatro has left the Kansas Corporation Commission and accepted a position as Associate General Counsel with Ameren, a natural gas electric utility located in St. Louis, MO.

Terri Bezek was appointed Chair of The Journal Board of Editors for the KBA.

Amy Fellows Cline was appointed to the Salvation Army Advisory Council Board in Wichita, KS.

Sara Beezley was appointed the KBA delegate to the ABA.

Kathleen Harvey was a speaker at the October meeting of the Kansas Association of District Court Clerks and Administrators on immigrant visa issues and the Courts.

Patti Petersen-Klein joined the Kansas Corporation Commission as Advisory Counsel after her recent position as research attorney for Chief Justice Kay McFarland.



KANSAS WOMEN ATTORNEYS ASSOCIATION
NEW/RENEWAL MEMBERSHIP APPLICATION

August 1, 2005 ~ July 31, 2006

Name _____

Firm/Agency _____

Mailing Address _____

City _____ State _____ Zip Code _____

Day Time Phone # _____ Home Phone # _____

Fax # _____ E-Mail Address _____

Areas of Practice _____

County of Residence _____ County in which office is located _____

Areas of Practice: (Check all that apply.)

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

- New/Membership Dues: \$50.00
- Renewal/Membership Dues: \$50.00
- Law Student Membership Dues: Complimentary

Make checks payable to the: **Kansas Women Attorneys Association**

Mail payment and membership application form to:

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save the date

KWAA'S ANNUAL LINDSBORG CONFERENCE 2006 July 20-22, 2006

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Conference Committees

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Logistics Chair: Susana Valdovinos
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Social Chair: Laura Ice and company
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Plans for the 2006 Lindsborg conference are underway! Mark your calendars now to be at Bethany College in Lindsborg, Kansas July 20, 21 and 22, 2006.

Please contact any of us by e-mail or contact Carol Boorady, conference chair, at (316) 264-3300, 200 W. Douglas, Suite 300, Wichita, KS 67202 if you have any questions, comments or would like to help with planning the conference.

Are You A KWAA Member? You Should Be.

by Chelsey Langland and Amanda Kiefer, Co-Chairs, Membership Committee

Once again, it's time to renew your KWAA membership. The benefits of membership include:

- admittance into the KWAA listserv. This allows members to have thoughtful discussions, share job openings, advertise social and career-building opportunities, and keep in touch during the year;
- a newsletter, which has substantive articles, news on career development opportunities, personal updates on other members, and important information about KWAA happenings;
- a membership directory, so you can keep in touch with other members;
- discounted registration for our annual conference in Lindsborg, which has some of the best CLE around and is an outstandingly good time; and
- the chance to be a part of something good.

With all that we have on our plates, it's easy to get caught up in our daily lives. It's easy to forget that there is a network of other women attorneys out there, and that it hasn't been that long ago that we had to fight for acceptance in law firms and other bar associations. Membership in KWAA can keep you connected to a network of bright, capable women, as we all work on advancing our careers while remembering from where we came.

There is a membership form included in this newsletter. Please return it to the address indicated on the form.



KWAA Member Rescues Hurricane Katrina Victims

by Martha Coffman

Mary Prewitt answered the call to help victims of Hurricane Katrina find food and shelter and to assist in reuniting lost loved ones. Many of the stranded she helped were abandoned in the flight to leave flooded homes. After loading her car with food, bowls, and cages, Mary headed for Louisiana. Working with the Humane Society of the United States and the American Society for the Prevention of Cruelty to Animals (ASPCA), Mary spent two weeks working in temporary shelters and helping rescue animals left behind after floods ravaged the area. During her stay in Louisiana, Mary got first hand experience with a hurricane while sitting out Hurricane Rita in her car.

Mary has lots of stories from her adventure. One is about a little dog named Sylvester. Before Katrina, Sylvester lived with his owners, a single mom and her 8-year-old daughter, in the lower 9th Ward of New Orleans. This was the area hardest hit by flooding. After locating his lost owners, Mary drove Sylvester to Memphis for a happy reunion with mother and daughter. A week later, the mother called to ask Mary if she could take back Sylvester because he was not allowed to live in housing she had arranged through FEMA. Sylvester (a/k/a Syllly) returned to Kansas with Mary and now resides on her farm in Jefferson County. Mary hopes to maintain contact with Syllly's first family.

At this time, Mary has returned to the more mundane task of practicing law as General Counsel of the Kansas Board of Regents. However, she and Midge Grinstead, Director of the Lawrence Humane Society, have started a 501(c)(4) organization, called Humane Kansas, to work for passage of animal welfare laws in Kansas. Their primary focus during the 2006 legislative session is a felony penalty for animal cruelty. You can find out more about Humane Kansas by contacting Mary at (785) 766-0260.

Has your information changed?

If any of your information has changed, please contact Danae at the Association office. We need your help to keep our membership records as current as possible. Danae can be reached at (785) 290-2717 or by e-mail at djohnson@kearneyandassociates.com.

What is the Purpose of a Women's bar?

by Justice Carol Beier

Honorable Carol Beier noticed that some bar members were still experiencing some challenge from attorneys who do not understand the purpose of a women's bar association. She offers the following thoughts to assist in such situations (slightly modified by the editor).

"Women bar associations have always had and continue to have multiple purposes:

Probably first and foremost, they are organizations dedicated to the advancement of women in the legal profession. As such, the membership is not limited to women alone, unlike too many organizations in our profession who, for many years, limited their membership to men.

For example, KWAA has always welcomed the membership and active participation of any lawyer who shared this primary goal. When we live in a perfect world, there will be no need for organizations dedicated to the advancement of any particular segment of our profession. Until then, KWAA and other women's bars have an important role to play.

KWAA also is a networking and mentoring organization. I think I can safely say that I am among many who have been able to capitalize upon contacts made initially through KWAA to advance my career. I think I can also safely say that many of us have been mentored by and provided mentoring to fellow members of KWAA.

These intergenerational connections between and among women lawyers are vital, and they are not always available in our workplaces.

KWAA also serves as a leadership training ground for other, larger bar associations. Look around you. Many women who have been and are now leaders in the KBA and local bar associations were first active in the KWAA. From the beginning and throughout their histories, the women's bars have encouraged active and meaningful participation in other bar associations and have given women opportunities to develop leadership skills that they ultimately employ in these organizations.

KWAA also can be a conscience of the community. It has been a leader on many issues affecting women and their families, e.g., as a provider of pro bono representation for petitioners at PFA dockets, as a supporter of Dress for Success and other worthy causes. KWAA members have also been at the forefront of efforts to increase the racial and ethnic diversity of the Wichita and Kansas bars.

KWAA is a source for high-quality, inexpensive CLE, including annual last-chance ethics seminars by the Regional groups and at Lindsborg.

Finally, KWAA gives its members opportunities for fun and fellowship. It is, in the best of times, a sisterhood, a source of mutual support and encouragement to its members. Ask anyone who has ever attended even one Winter Reading program or even one Lindsborg conference. Women's bars are not just professional. They are personal. And, of course, the personal is political."

KWAA CALENDAR

Mindfulness in Law and Dispute Resolution and Advanced Skills for Mediators and Mediation Advocates

December 14, 2005 at the Offices of Blackwell Sanders Peper Martin, 4801 Main, Ste. 1000, Kansas City, MO. For registration information visit www.law.missouri.edu/cle/programs.html or call (573) 882-2052. The workshop is approved for 9.0 hours MCLE credit. The tuition fee is \$250.

Defending the Independent Judiciary: The importance of an independent judiciary in a constitutional form of government.

Presented by the Honorable Janice Russell
November 10, 2005 at 4 pm at the Johnson County Courthouse, Courtroom Division 4, Olathe, KS. Registration is \$10 prior to November 3, 2005 and \$15 at the door. This event is sponsored by the Kansas Women Attorney Association and is approved for 1 hour of CLE in Kansas and Missouri. For registration questions, please contact Elizabeth Sweeney-Reeder at elizabethsreeder@yahoo.com or at (913) 826-7405.

KWAA Annual Conference

July 20th - 22nd, 2006 - Lindsborg, KS.

