



ASSOCIATION
FOR
WOMEN LAWYERS

AWL *IN MOTION*

Dates and data of interest and importance to AWL members

December 2005

Upcoming Meetings & Special Events

Tuesday, December 13

Holiday Luncheon with
entertainment by the Pius XI
High School Vocal Jazz Group

Tuesday, January 17

Joint luncheon meeting with the
National Association of Women
Business Owners—Greater
Milwaukee chapter. Speaker will
be futurist David Zach. At the
Radisson Hotel on Hwy 100
& North Ave.

Tuesday, February 14

Paul Trout of Akina Corporation
on making the most of your
business contacts

Holiday Luncheon

Tuesday, December 13

Noon – 1:30 p.m.

Italian Community Center

631 E. Chicago St. *(free parking in rear lot)*

Take time out of your hectic schedule to spend a few moments with your friends and colleagues. Enjoy great food and a wonderful atmosphere at the ICC. Listen to your favorite holiday melodies sung by the Pius XI High School Vocal Jazz Group. Get into the spirit of giving by donating to our Toy Drive and treating your hardworking support staff to a festive lunch. We look forward to seeing many old and new faces!

Please RSVP with payment by Friday, December 9 at 5 p.m. using the form below.

The price is \$25 for AWL members and \$30 for non-members.

Registrations after the deadline will be \$30 for members and \$35 for non-members.

Registrations that are made and not kept will be billed.

HOLIDAY MEETING

Member Name(s) _____ Daytime phone _____

Guest Name(s) _____ E-mail _____

Use additional page for more names if necessary

Please RSVP by Friday, December 9. Pre-registration is necessary. "No shows" will be billed.

Make checks payable and mail to: The Association for Women Lawyers
c/o 11609 Elmhurst Pkwy
Wauwatosa, WI 53226

or e-mail to: danarobb@bizwi.rr.com with the number of people attending and their names
and membership status, then bring your check made payable to AWL to the meeting

or fax to: Dana at 414/778-0607 with the number of people attending and their names
and membership status, then bring your check made payable to AWL to the meeting

WHAT'S GOING ON

SOLO/SMALL FIRM GROUP

The AWL Solo & Small Firm Group invites you to join them on the first Wednesday of every other month. The next meeting will be held on **Wednesday, December 7** at noon at Joan Bartels Farrell's office, 826 N. Plankinton, Suite 600. Please bring a bag lunch, along with your questions, issues and news.

Thoughtful discussions cover a range of topics from practice management to procedural issues. Can't come to the December meeting? Mark the Wednesday, February 1 meeting on your calendar. E-mail Beth Eisendrath at bethmark@execpc.com to join the e-mail list for information on future gatherings.

STATE BAR CLE PROGRAMS

The State Bar of Wisconsin has scheduled the following CLE programs in December. For more information or to register, call 800/728-7788 or sign up online at www.wisbar.org/cle/seminars.

- ◆ **Tax School:** full day; Dec. 2 in Milwaukee; Dec. 20 Statewide (video)
- ◆ **Securities Law for Wisconsin Practitioners:** full day; Dec. 9 Statewide (video)
- ◆ **Ethics Telephone Seminar:** noon-1 p.m.; Dec. 9, Dec. 16, Dec. 21
- ◆ **Estate Planning Update:** full day; Dec. 13 Statewide (video)
- ◆ **Institute of Trial Practice:** full day; Dec. 14 Statewide (video)
- ◆ **Legal Ethics:** half day; Dec. 15 Statewide (video)

WOMEN OF INFLUENCE SOUGHT

The Business Journal is seeking nominations for their Women of Influence Awards. Perhaps you know an AWL member, or have a client or associate, who might deserve to be honored in one of the following categories:

- ◆ **Innovation:** Created a new product, offered a new service, or gave an established enterprise a new twist.
- ◆ **Entrepreneurship:** A CEO/president succeeding in a business venture she has built or significantly grown herself.
- ◆ **Mentor:** Enriching the lives and careers of others by sharing the benefits of her knowledge and experience.
- ◆ **Nonprofit Leadership:** Bringing her energy and skills to a non-profit organization or social service agency.
- ◆ **Public Policy:** Making a difference in the arena of government and public policy.

- ◆ **Behind the Scenes:** A businesswoman who, without the big title or corner office, is a driving force in the success of her employer.
- ◆ **Inspirational Leader:** A businesswoman whose words, attitude and actions inspire those who work with her.
- ◆ **Community Supporter:** Going above and beyond to devote her time, energy and resources to her community.
- ◆ **Family Business:** Helping create a legacy within the environment of a family business.
- ◆ **Corporate Executive:** A woman who, while not the CEO, is making her mark in a large corporate environment.
- ◆ **Start-up:** Making strides in a business that is less than two years old.

The deadline is April 2006. Nomination forms are available at www.bizjournals.com/milwaukee/networking/nominations/914.

MEMBER PROFILE



Joe Kearney

Joseph D. Kearney, dean of Marquette University Law School, is on a mission. He wants to ensure that the law school expands its institutional commitment to the pro bono work to which his predecessor, Howard B. Eisenberg, was so personally committed. Kearney

joined AWL in part because AWL has lent key leadership to the school's pro bono efforts.

As Kearney says, the law is a learned and helping profession. It's the "learned" part that first attracted him. Upon finishing at Harvard Law School, Kearney clerked for Judge Diarmuid F. O'Scannlain at the Ninth Circuit. He then practiced in litigation at Sidley & Austin in Chicago, and in 1995 took a "sabbatical" to serve as a clerk to Supreme Court Justice Antonin Scalia. Kearney returned to Sidley, until another facet of the "learned" profession beckoned. He joined the faculty at Marquette in 1997 and became dean in 2003.

Over the years, the "helping" aspect of his career began to take more shape. Applying for the deanship, Kearney told his interviewers that the law

school's mission was "to produce highly competent and ethical lawyers." Forming graduates interested in practical ways to advance social justice is a charism of Jesuit universities including Marquette. But the means towards this end are not always clear. For example, in recent years the Marquette faculty debated, and ultimately rejected, adopting a pro bono requirement. While some students sought this, others, including then-Dean Eisenberg, were not in favor. Kearney agrees with Eisenberg, pointing to colleague Mike McCrystal's observation (itself taken from Plato), "No forced labors reside in the soul."

The question, then, became how to expand available opportunities for students to be involved in the profession. Part of the answer was to increase internships and field placements.

Under the guidance of Tom Hammer, many more students now undertake internships for credit than was possible just five years ago. Placements include the public defender's clinic, the District Attorney's office, the AIDS Resource Center, Centro Legal, and Catholic Charities.

The flagship of volunteer opportunities remains the Marquette Volunteer Legal Clinic. Typically, the Clinic's innovative program links lawyers and students to meet with walk-in clients at the House of Peace. The teams counsel clients during these single sessions, help with various forms and often make referrals to other agencies. Partly due to the constraints of school semesters, the Clinic does not assume on-going matters for clients. Overall, the Clinic helps instill in students the palpable idea that as they

(Continued on page 3)

Make a Child's Holiday By Donating to the AWL Toy Drive

Once again, AWL has organized a toy drive in conjunction with the Holiday Luncheon on **December 13**. The recipient organization for the toys is Community Advocates.

Community Advocates is a community-based non-profit organization founded in 1976 whose mission is to work with low income and destitute persons and families to gain and ensure access to programs and services which they need to live in dignity. The organization assists homeless families, espe-

cially women and children in shelters as a result of domestic violence, in locating permanent housing. The organization also assists families in finding health-care, employment, resolving landlord/tenant issues, applying for social security, obtaining counseling and child abuse prevention. Community Advocates currently serves more than 12,000 individuals and families in the City of Milwaukee.

The children benefited by our drive are, for the most part, in the system as a result of a

domestic violence situation and most come from single parent households. They are primarily African-American and most are between the ages of 5 and 10. However, Community Advocates needs toys for all ages from infants to 16 years. They suggest educational toys, handheld games and sports equipment for those hard-to-buy-for teenage years.

We have always asked that the toy donations be left unwrapped to enable the staff to better allocate the gifts. AWL is

historically the primary source of donated toys for Community Advocates and its families during the holiday. So please be generous!

If you cannot attend the luncheon but would still like to donate, feel free to drop off your gifts before December 13 at Schott, Bublitz & Engel, s.c., 16655 West Bluemound Road, Suite 270, Brookfield, or to make alternative arrangements, contact Kristin Fredrick at 262/ 827-8916.



Member Profile, *cont. from p. 2*

become lawyers, they can make a true difference, whether their role is paid or pro bono.

One evolving avenue of expanded service has been a series of bi-monthly networking lunches at the House of Peace, sponsored by the Clinic. Legal service providers meet to better coordinate referrals. Recently the law school has offered personnel support to develop and maintain a web-based resource that legal service providers can access readily. The hope is that this cyber-clearinghouse will allow providers to share information about caseload capacity and resource needs.

All of these efforts by volunteer lawyers and students complement strategic planning by law school faculty to promote an abiding service-ethic within students. When Dean Kearney spoke at graduation most recently, he pointed to late Dean Robert F. Boden as a prime example of the learned lawyer and to late Dean Eisenberg as a model of the helping lawyer. Kearney notes that the theme of his annual speech has tilted more toward service thanks to the influence of his immediate predecessor, Janine Geske. Her

work in Restorative Justice not only has provided students new service opportunities, but has also added to the law school's national reputation. Kearney says that his central task as dean is to create and preserve an environment where Geske and others can carry out their work.

Kearney tries to keep his hand in the practice, not as dean, but as counsel to Appellate Consulting Group, the practice of his wife, Anne Berleman Kearney. Although there is not much time for law practice, Kearney occasionally works on United States Supreme Court matters (typically at the certiorari stage), and he has argued several times to the Wisconsin Supreme Court.

A disclaimer before closure. While Kearney has done much to preserve and expand upon the work of Howard Eisenberg, he has respectfully declined one observance. Kearney, his wife, and their sons prefer to enjoy the sweet redemption of October baseball from the South Side of Chicago. Eisenberg kept to the North Side. "Howard was a great dean," Kearney says, "but even he was not perfect."

Thanks for Your Generosity

At the November luncheon meeting, the Community Involvement Committee held its annual clothing drive to benefit the Bottomless Closet. The organization's representative, who attended the luncheon, expressed appreciation for the many donations collected.

Last year, the Bottomless Closet assisted over 1000 needy women

enter the workforce by providing them with five outfits. The women are referred by over 90 organizations throughout the Metro Milwaukee area. The clients receive one outfit for interviewing and four additional outfits after they secure employment. Thank you so much for your continued generosity to this organization.



October Meeting Offered Information, Discussion

On October 18, AWL hosted its a CLE Luncheon on the State Bar Fee Arbitration and Lawyer Dispute Resolution Programs. The presenters were the Honorable Patricia J. Gorence and State Bar Fee Arbitration Administrator Kris Wenzel.

Judge Gorence spoke primarily about professional and economic disputes that arise between attorneys. Ms. Wenzel discussed fee disputes that arise between a lawyer and his/her client. Both speakers emphasized the benefit of utilizing a

fee dispute resolution program when faced with any kind of fee dispute.

As the audience for this program was a little smaller than usual, not only were attendees treated to informative and insightful presentations by the guest speakers, but also to an intimate atmosphere where friendly conversation was plentiful.

The October 18 CLE luncheon has been approved for 1 CLE credit, including 1 ethics credit.

BOARD MEMBER PROFILE



Margo Kirchner

What is your current position in AWL?

Treasurer.

What positions have you held in the past?

Last year I was Director of Programs, and the year before that I served as an Assistant Director of Programs. From 2002-04 I wrote the "Member Profile" column for the newsletter, as the assistant to the Secretary.

What are your goals for this year?

AWL holds some money in reserve to fund key operations – such as the newsletter or directory – in a down year. Last year, the Board of Directors formed a committee to look into whether those funds were invested as well as they could be and whether better options for our checking account existed. One result already has been to change to a checking account with fewer bank fees. One of my goals for this year is to continue the inquiry into the best investment options for the reserve funds and to present the Board with a proposal in the event a change should be made.

What would you like people to know about this position that they may not know?

Each year AWL's President, Past President and Treasurer plan and finalize a budget for the year, which the Board then

modifies or approves. In addition to signing checks and being responsible for AWL's banking, the treasurer monitors expenses against the budget and reviews monthly and year-end financial reports. During my time on the Board, Board members have been very conscientious about staying within budget.

What made you decide to join AWL?

I joined AWL in 1999 following a behind-the-scenes tour of County Stadium. I liked the women I met. In addition, I was impressed by the selection and planning of such a non-traditional type of event for women. It indicated to me that I would fit in well.

What prompted you to serve on the Board?

Two specific personal requests. First, back in early 2002 I received a phone call from then-Secretary Susan Lovern, who asked me to write the Member Profile column. Until then I had attended AWL events but did not otherwise participate in the organization; Susan's phone call changed that.

Second, after I had written the column for a couple of years and had some familiarity with AWL programs from my position as an assistant director, Cathy Priebe Hertzberg asked me to join the Board. Had I not been asked directly by those two women to increase my participation and commitment to AWL, I would not be on the Board today.

Why did you choose the position that you are in?

I definitely wanted to continue on the Board, but I wanted a change from Programs. The Treasurer position appealed to me because I wanted to be more involved in the overall operations of AWL. Also, because my job as a law clerk in the federal courts is governed by a code of conduct prohibiting solicitation of funds and the appearance of impropriety, I

could not consider the Membership and Special Events positions.

What have you found the benefits of Board service to be?

The Director of Programs job is a great networking position. While attending so many events and often running the check-in tables, I met many AWL members and matched names with faces. In addition, I have enjoyed getting to know the other Board members better; they are wonderful people to work with.

Tell us about yourself, professionally and personally.

I am a career law clerk working for U.S. District Judge C.N. Clevert, Jr. in the Eastern District of Wisconsin. I graduated from the University of Michigan Law School in 1991 and first moved to Milwaukee right after school to clerk for then-Chief Judge Terence T. Evans.

After three years as an associate at a Phoenix law firm, I moved back (husband in tow) to work for Judge Evans at the Seventh Circuit. Since then I transformed what is usually a term position into a long-time job, sometimes by switching judges. I've worked for Judges Warren, Adelman and Griesbach as well.

Outside of work, my two kids and their many activities keep me busy. I also play viola with the Concord Chamber Orchestra, serve on the board of Milestones Programs for Children (I firmly believe that I could not do my job without good child care backing me up), and am a member of my parish's religious education committee. I watch too much late-night Food Network and HGTV (and usually have a home-improvement project in progress because of such inspiration), and cheer on the Notre Dame Fighting Irish whenever possible.



Legal Position Open at UWM

UW-Milwaukee is accepting applications for the position of Legal Research Associate. The position is a professional, fixed-term academic staff position, with an initial appointment term ending June 30, 2006. Prior to that date, UWM will evaluate whether to continue the appointment.

Duties will include: Performing legal research and preparing initial drafts of legal memoranda for clients in all substantive areas handled by the office; preparing initial drafts of legal documents, including contracts, settlement agreements, and pleadings; assisting in the preparation of cases for hearing or trial, including interviews of witnesses, drafting of exhibits and testimony outlines; gathering facts about legal matters and organizing and preparing case

files, and other miscellaneous work as assigned.

Candidates must have received a law degree from an accredited law school and possess at least one year of experience performing legal research in a professional legal environment.

To apply, contact Robin Van Harpen, Office of Legal Affairs, P. O. Box 413, Milwaukee, WI 53201. To learn more about UWM or the Office of Legal Affairs, visit www.uwm.edu/Dept/legal.

Review of applications will begin December 2 and continue until an acceptable candidate is selected. It is expected that the person selected will begin work as soon as possible, preferably by January 2, 2006.

A WORD FROM THE PRESIDENT

At the November 15 AWL lunch and CLE meeting, I had the pleasure of meeting a returning AWL member, Katie Delahunt. This is what she had to say about the meeting:

"The November AWL meeting was extremely worthwhile for me. It was my first AWL event since returning to the practice of law after taking a hiatus to raise my five children. At the luncheon, I was able to connect with someone who is well-versed in an area of my new practice, and she happily gave me some instant guidance. Additionally, the ethics program not only provided some needed CLE credits, but was chock-full of emerging pitfalls to avoid so that I continue to stay clear of the OLR."

Chock-full was the best way to describe it! Three presenters -- Diane Diel, Hannah Dugan and Gwen Connolly -- gave us up-to-the-minute updates on three hot ethical issues that will affect you and your practice. For example, the change in the rules of managing a trust account has "drastically changed the way you do business," according to Diane Diel.

Diane took the time to provide a short summary of her presentation, an update of the work of the State Bar's "Working Group on Trust Accounts." The committee, which was appointed in late fall of 2004, recently com-

pleted its work and presented the Executive Committee of the State Bar with a series of proposed revisions to amend the rules governing trust accounts. The working group included Keith Sellen, the director of the Office of Lawyer Regulation (OLR); Mary Hoeft Smith of the OLR; Tim Pierce of the State Bar Ethics hotline and lawyers representing the Family Law, Criminal Law, Bankruptcy, Real Property and Probate & Environmental Law Sections of the State Bar.

If the Board of Governors approves their work, a Petition to the Supreme Court will be filed asking the Court to make a series of amendments that will allow clients to charge their advance fees to a lawyer's trust account, shorten the waiting time between billing and transferring funds from trust to the general account and even, providing that certain conditions are met in the written fee agreement with the client, allow the lawyer to place advanced fees directly into the lawyer's general business account.

The OLR will join the petition providing that the Board of Governors approves its filing. For more information, contact ddiel@diellaw.com. And please ask your representative on the State Bar Board of Governors to support this measure.

Gwen Connolly also shared a

summary of her presentation. The Supreme Court will consider a recent proposal as it relates to the assessment of costs in OLR proceedings against putative attorneys. At present, if OLR prosecutes an attorney for violations of the Rules of Professional Conduct and the attorney is found to have violated the rules, among other damages the attorney will be assessed the entire cost of OLR's prosecution. This has been the subject of much discussion in recent disciplinary decisions, as this rule can work unfairly in punishing attorneys. In order to address the unfairness, the State Bar of Wisconsin and the OLR have worked together on a proposal to change the language of SCR 22.15 and SCR 2224 regarding the assessment of costs. These changes would allow a referee or the Supreme Court to exercise discretion in awarding all or some of the OLR costs. For more information, contact Gwen at ggc@connolly-law.com

Hannah Dugan gave us an update on the Wisconsin Supreme Court Ethics 2000 Committee. Hannah presented three proposed amendments to the Rules that have generated substantial controversy: SCR 20:1.8, SCR 20:4.1 and SCR 20:6.1. She then presented three proposed rules not previously included in the Rules: SCR 20:1.18, SCR 20:4.5 and SCR 20:6.1. Finally, Hannah presented three



proposed amendments that have not generated controversy, but substantially affect legal practice: SCR 20.1.0, SCR 20.1.10 and 20.8.4. Overall, Hannah stated that all of these issues deal with the reality of practice in regards to conflicts of interest. She encourages us to review the topics outlined in her handout and offer our opinions to the State Bar. To get a copy of her handout, e-mail Hannah at hannah.dugan@marquette.edu.

Thank you to each of the speakers, who also repeated their presentations on Wednesday evening, and to Natalie Remington, AWL Director of Programs.

We hope to see you all at our holiday party, and I wish you a safe and peaceful holiday season.

Ann M. Devine



Membership Corner

Welcome new members:

- ♦ **Rena W. Aldana**
Quarles & Brady LLP
- ♦ **Susan B. Bauer**, Reinhart Boerner Van Deuren s.c.
- ♦ **Rebecca Blemberg**, Marquette University Law School
- ♦ **Faye D. Boom**, Alan C. Olson & Associates, sc
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- ♦ **Deborah J. Phillips**
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- ♦ **Mary Tollander**
Rose & DeJong, S.C.

- ♦ **Blia Vang**
Recka & Joannes, s.c.
- ♦ **Lynette Zigman**
Foley & Lardner LLP

All current members have received a renewal packet in the mail. If you have not renewed your membership, this will be the last newsletter you receive.

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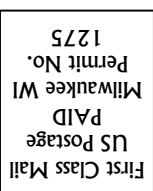
Contact AWL by phone at 414/778-0602 or by e-mail at awlwi@yahoo.com. Visit the AWL website at: www.wisbar.org/bars/awl

Members should submit address changes in writing to our administrator, Dana Kader Robb via fax at 414/778-0607 or e-mail at danarobb@bizwi.rr.com.

If you've changed jobs, won an award, are hosting an event, have committee news or a topic of interest to AWL members, this is your forum. Please submit information to Dana using the above contact details. We reserve the right to edit for length and content. Deadline is the 16th of each month prior to the issue. Newsletters will be in members' hands within the first week of the month.

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FOR
WOMEN LAWYERS
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