

Hawai'i Women Lawyers

June 2002

You can also find us at: <http://www.hsba.org/sections/HWL/hwl.html>

Upcoming Events

HWL July brownbag luncheon "What Do Our Legislators Think? How Did Women Fare This Past Legislative Session?"

Hawai'i Women Lawyers would like to invite you to attend HWL's next monthly brown bag luncheon, on Thursday, July 11, 2002, from 12:00 noon - 1:15 p.m. at Carlsmith Ball Conference room, 1001 Bishop Street, Pacific Tower, 22nd floor.

Because HWL strives to play an active role each legislative session in providing advocacy for women in the legislature, July's brown bag luncheon will be entitled, "What Do Our Legislators Think? How Did Women Fare This Past Legislative Session?" and will include a small panel of Hawai'i legislators who have agreed to offer insights and practical advice on how HWL or any other entity or person could better communicate with our legislators, and could more successfully and credibly conduct themselves in the legislature.

ELECTION OF HSBA POSITION ON JUDICIAL SELECTION COMMISSION

by Joanne L. Grimes

The six-year term of Judicial Selection Commissioner James Kawashima, who was appointed by the Hawaii State Bar Association, will expire April 1, 2003. The HSBA will elect his replacement from a ballot consisting of HSBA members who have submitted their nomination and consent forms to the HSBA on or before August 9, 2002. The ballots are to be mailed to HSBA members in early to mid-October, with ballots due back to HSBA in mid-November.

The HSBA, by election, fills two of the nine positions on the Judicial Selection Commission (Sidney K. Ayabe fills the other HSBA position). The remaining eight positions are made by appointment, subject to a maximum of four licensed attorneys on the Commission. The governor appoints two members, the president of the senate appoints two members, and the speaker of the house appoints two members. The chief justice of the

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A note from David M. Louie: HSBA Candidate for the Judicial Selection Commission

"We must never forget that the only real source of power that we as judges can tap is the respect of the people."

—Thurgood Marshall

Please consider supporting me for HSBA representative to the Judicial Selection Commission. I want to see that the best and the brightest are selected and retained as judges. I want to see that women and others from under represented community segments are encouraged to apply and that they receive fair and equal consideration on their merits. I believe I can make a contribution in this regard.

Last year I served as President of the HSBA. Before that, I was Vice-President, and was an HSBA Director for four years. I nominated and appointed many women to serve in responsible positions within the HSBA. For the past four years, I have been Co-Chair of the Hawaii Supreme Court Rule 19 Committee on Judicial Performance. I am a current member of the HSBA Bench-Bar Committee, a committee composed of lawyers and judges who meet regularly to discuss sensitive concerns and problems. Last year I served on the U.S.D.C. (Hawaii) Merit Selection Panel to assist the Ninth Circuit in selecting a new bankruptcy judge.

I have served in other positions in our legal community, including the Hawaii Defense Lawyers Association (Vice-President, Secretary-Treasurer, Director), the National Asian Pacific American Bar Association (Hawaii Chapter) (President, Treasurer), Hawaii State Judicial Conference Delegate, and U.S.D.C. Judicial Conference (Hawaii) Delegate. I am a member of Hawaii Women Lawyers and have actively participated in fund raisers for the Hawaii Women's Legal Foundation. I am a member of the American Judicature Society and served this past year on an Ad Hoc Committee to evaluate the One Tier Judiciary proposals. I have been a faculty member in numerous legal seminars for HSBA, HICLE, PESI, NBI and the Pacific Law Institute.

I have also served in other community activities. I am the current Chair of the Aloha Tower Development Corporation, and have worked in the past with the ACLU Amicus Club Campaign Committee (Co-Chair), and Junior Achievement of Hawaii (Director).

I hope you will support me. I believe my experience has given me a unique perspective to help select judges who are strong, independent, intelligent, honest and hardworking. In short, judges are powerful, not because they wear a robe, but because they command the respect of the people who come before them.

ELECTION OF HSBA POSITION ON JUDICIAL SELECTION COMMISSION

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supreme court appoints one member. All members serve for staggered, six-year terms.


Members serving on the Judicial Selection Commission are prohibited from running for or holding any other elected political office, or from taking an active part in political management or political campaigns. During their terms of service, and for a three-year period thereafter, members of the Judicial Selection Commission are ineligible for appointment to judicial office.

When there is a vacancy in the office of the chief justice, supreme court, intermediate appellate court or circuit court, the governor (with the consent of the senate) fills the vacancy from a list of nominees (between four and six) presented by the Judicial Selection Commission. When there is a vacancy in the district court, the chief justice (with the consent of the senate) fills the vacancy from a list of not less than six nominees presented by the Judicial Selection Commission.

Because of the extremely important role that the Judicial Selection Commission plays in shaping Hawaii's judiciary, the HWL Board believes that it is vital for its membership to be informed of the choices of candidates for this important election. HWL has allocated space in this newsletter to print the statements of the candidates running for the HSBA position. Candidate Rosemary Fazio's statement was printed in HWL's May 2002 newsletter. Candidates who have submitted their nomination and consent forms to the HSBA prior to the August 9th deadline are invited to submit their statements to HWL for publication in our newsletter. Please send your statements to Joanne Grimes (jgrimes@carlsmith.com) or Yvonne Lau (ylau@hawaii.rr.com).

HWL encourages its members to support candidates whose service on the Commission will advance the underlying purposes of Hawaii Women Lawyers, which are:

- 1) to improve the status of women in the legal profession;
- 2) to increase the number of women attorneys in positions of authority and responsibility;
- 3) to promote the advancement of all women;
- 4) to provide educational, instructional and training activities for the advancement and mutual enrichment of women attorneys; and
- 5) to maintain communication with other women's organizations in order to achieve the purposes of Hawaii Women Lawyers.



Volunteers for mentoring are needed. HWL will be partnering with the Department of Education to provide mentoring for social science teachers delivering the "Parent Law" program. This program consists of approximately twenty-six lesson plans designed to teach teenage parents basic legal concepts necessary to protect their rights and the tools to negotiate their way through the legal system. A lawyer mentor will work with a teacher, assisting her in developing a better understanding of the law, hypotheticals to facilitate student learning, and updates on new legal issues. The mentor relationship can take many forms. Each teacher and mentor can develop the relationship based upon their needs, available time, and interests. For example, some teachers may only request clarification on legal concepts and may be satisfied with email conversations. Others may want to meet with their mentor. The DOE is currently completing a survey with its teachers in an effort to determine what individual teachers may want.

If you are interested or want more information as it becomes available, please contact Anne Lopez at (c) 782-5051, (w) 539-4722, or lopezan@hawaii.rr.com

Dr. Rob Welch, a clinical psychologist and our May lunch speaker, gave us some tips for dealing with difficult people. You won't change difficult people, he said, but you may be able to change how they deal with you.

Tip #1: Establish rapport. Get on the same wavelength with them. How do you do this? Mirror what they do. If they are sitting back with their arms crossed, you do the same. Get in rhythm with them, Welch suggested, and then "open your stance up."

In some conversations, establishing rapport may take up most of the time, Welch said, but "it's worth it" if you want to get your message across. "People feel much more understood if you're on the same wavelength with them."

Tip #2: Speak their language, not yours. People process information through their senses—by sight, hearing, and touch—Welch said, and they tend to have a preference for one of their senses. Hence, people are said to have a visual, auditory, or kinesthetic preference.

How do you spot preferences? Listen to the verbs people use, Welch said. Phrases such as "I see," and "Looks great," indicate a visual preference. "I hear you," and "Sounds like a problem," indicate an auditory preference, he said.

To get your message across, speak their language, using their preferences. You might say, "Look at what I mean," rather than, "Listen to me," to someone with a visual preference.

Tip #3: Watch their eyes. If they are looking up, they are "making pictures," Welch said. If they are looking down, they are "having an internal dialogue." Looking to the side indicates an auditory memory. Studies have shown, Welch said, that in right-handed people, these conclusions are accurate 98% of the time. In left-handed people, they are somewhat less so.

Use these observations to get your message across. If they are looking up, wait for them to form their picture, Welch suggested. Or you might try to enrich their picture by asking, "Can you see how this is going to work?" If they are looking down, try to become part of their internal dialogue by asking, "What issues are you concerned with?"

These are powerful tools, Welch said, which can have unintended effects. "Try them out at lunch with friends," he suggested, before using them in a work situation.

Tip #4: Focus them back on themselves. Welch suggested a number of ways to do this.

Avoid asking, why questions, which tend to make people defensive. Instead, ask how or what questions. (Example: Don't ask, "Why did you do that?" Instead, try, "How did that happen?")

Replace "but" with "and." People tend to forget everything said before "but." (Example: "You did a great job on that brief, and I need you to revise it by 4 p.m.")

Stop mind reading. Instead, ask directly, "What do you mean by that?"

Watch out for "always" and "never." If someone uses one of these words on you, repeat the word back to that person. (Example: "You're always late." "Always?" "Yes, always." "Really, always?")

Find counter-examples. Chronic complainers sometimes give you examples of all the times things went wrong. Instead of arguing with their examples, you might ask, "Was there ever a time when this worked out?"

Get to the key objection. People sometimes go in circles because they haven't identified their key objection. To help them, you might ask, "What is preventing you from making this deal?" or "What are you concerned will happen if you make this deal?"

HWL Mother's Day Project a Success



By Stacey Kawasaki Djou

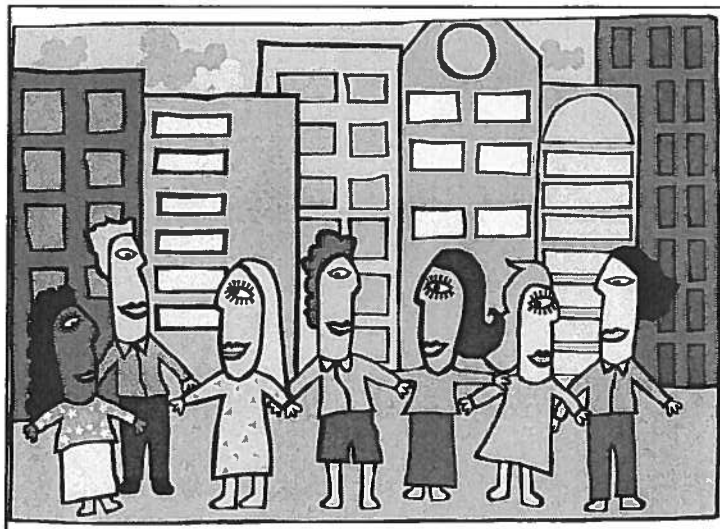
In February and March, our HWL members and their friends, family, and co-workers opened their hearts as well as their make up drawers, bathroom cabinets, and wallets in an effort to ensure that every child in a domestic violence shelter on Oahu had a gift to give his or her mother on Mother's Day. Through the generosity of so many, over 40 boxes of new toiletries and cosmetics were collected, which were artfully arranged by Elizabeth Kent, Karen Char, June Lee, Stacey Djou, and a number of other gracious volunteers, who gave

up their Sunday afternoons in April, to create more than 240 Mother's Day gift baskets and cosmetics bags.

In time for Mother's Day, the gift baskets and cosmetic bags were delivered on May 11, not only to all of the domestic violence shelters on Oahu, but also to the Institute for Human Services and the "Heart-to-Heart" program for women and daughters in transition following domestic abuse.

Please note - this is an annual project so start saving for next year! Items that can be used are new brushes, combs, hair accessories, unused make up, soaps, "gift with purchase" items, and other toiletries. In addition, donations of baskets in good condition, 10 inches or less in size, are also appreciated.

Thank you again for all of your support!



KEEPING HER IN HER PLACE: NEW CHALLENGES TO THE INTEGRATION OF WOMEN IN THE PROFESSION

ABA ANNUAL MEETING

Sunday, August 11, 2002 from 9:00 a.m. to noon

Washington, D.C.

The ABA Section of Litigation, the Section of Business Law, the Commission on Women in the Profession, the Commission on Racial and Ethnic Diversity in the Profession, and the Women's Caucus together have agreed to sponsor a Summit entitled "Keeping Her in Her Place: New Challenges to the Integration of Women in the Profession" to be held August 11, 2002 during the ABA Annual Meeting. Along with Catalyst, the Minority Corporate Counsel Association, the National Association of Women Lawyers, the National Conference of Women Bar Associations, the National Association of Law Placements, and dozens of state and local women's bar organizations around the country including Hawaii Women Lawyers have signed on as co-sponsors.

We encourage you to join the top leadership in our profession in addressing startling new studies documenting the disproportionate absence of women in the highest echelons of the law. The Summit will explore compelling economics for revamping the practices underlying this data, and proven methods for effectuating real change. Scores of the most influential men and women in our profession have committed to attend this Summit and deliberate on how to fully practice and partner together at every level. In so doing, we can make good in this century on the real promise the profession made when it opened its doors to women in the last century.

Enrollment at our nation's most elite law schools documents an unprecedented success story of the opening of the legal profession's doors to women: by 1985, women accounted for at least 40 percent of the student population at top-tier law schools, and 50 percent by the start of the millennium. And yet, recent studies document all too dramatically that the promise of these numbers has been met instead with widespread professional dissatisfaction among female lawyers, and even their departure from the profession.

For example, Catalyst, a non-profit group that promotes women in careers, recently studied 1400 law school graduates nationwide, and found these women far less satisfied with their advancement in their legal careers than their male colleagues. Among the data which establishes such dissatisfaction is the disproportionately small percentage - only 15.6 percent - of women partners in law firms nationwide, and the even smaller percentage - 13.7 percent - of female general counsels of Fortune 500 companies. Comparative compensation figures demonstrate an equally disturbing disparity. Consistent with these numbers, women plan on leaving their current employer three years before their male colleagues. Most dissatisfied are women of color, who anticipate leaving their employer four years earlier than men.

Our profession urgently needs to meet the challenges of its initial success in opening its doors to women, and address head-on and constructively what it means for men and women to practice and truly partner together successfully.

The National Association of Women Lawyers has offered to dedicate an edition of the NAWL Women Lawyers Journal® to record the Summit program. This Journal is a living chronicle of the history of women lawyers in this country and abroad. In addition, various video options are being explored in order to expand the audience and longevity of this historic program.

Hawaii Women Lawyers strongly urges you to attend and participate in this exciting program. For more information, contact Charna Sherman at (216) 274-2556 or cesherman@hahnlaw.com.

Hawai'i Women Lawyers

HWL Newsletter is published ten times a year.

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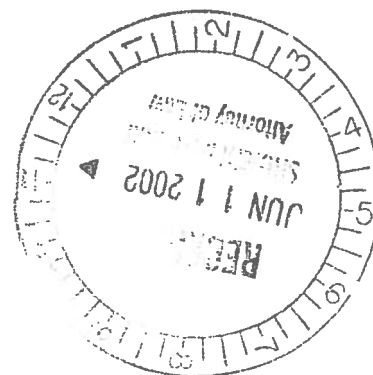
Hawaii Women Lawyers is a non-profit organization of men and women, founded in 1976, committed to: Improving the lives and careers of women in all aspects of the legal profession, influencing the future of the legal profession, and enhancing the status of women and promoting equal opportunities for all people.

HWL annually elects members to serve on its 15-member board of directors. Members volunteer to serve on committees such as the Legislative, Newsletter, Programs, Projects, Publicity, Judicial Equity and Membership committees. HWL is supported by the dues paid by its members and grant funding from the Hawaii Women's Legal Foundation and other organizations.

Anne Lopez, the project coordinator for Hawai'i Women Lawyers, is looking for projects. Anne is currently developing a few ideas but would welcome any suggestions from the membership. Anne can be reached at: (w) 539.4722, (c) 782.5051 or by email at: lopezan@hawaii.rr.com



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