

LADY JUSTICE

 Primerus

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THE PRIMERUS
WOMEN LAWYERS
SECTION

WLS Committee

Women Lawyers Section Updates



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WLS Membership Calls – The membership calls take place on a quarterly basis. Here is the call schedule for 2021:

- February 23rd at 4:00 pm ET
- May 18th at 1:30 pm ET
- August 10th at 1:30 pm ET
- November 9th at 1:30 pm ET

WLS Listserv

- women@primerus.com

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CHAIR COLUMN



Jessica Klotz is the current Chair of the Primerus Women Lawyers Section. She is Senior Counsel with Lewis Johs Avallone Aviles, LLP in New York, New York. Her practice concentrates on the defense of individuals, corporations, professionals and municipalities in areas of civil litigation, including premises liability, personal injury, property damage, employment law and sexual harassment, intentional torts, professional liability, maritime law and civil rights violations in both state and federal courts.


As Chair of the Women Lawyers Section (WLS), I would like to welcome you to the fifth publication of the Women Lawyers Section Newsletter, *Lady Justice*. The Women Lawyers Section is excited about this publication and the articles and content it contains. This publication continues to feature member interviews and articles written by women members of Primerus. This edition focuses on mentorship. Oprah Winfrey has described a mentor as “someone who allows you to see the hope inside yourself.” Whether you are a mentor or a mentee, whether you participate in an official mentor program or you just have people in your life who you regularly go to for advice, these connections can help you move forward in your career or balance your work and personal commitments.

We hope that this publication will encourage participation in the WLS. The Women Lawyers Section of Primerus was created in 2016 with the goal of promoting the women lawyers within Primerus, and providing a network for supporting women lawyers, to assist in development and expansion of business and to promote

and develop their own personal brand. The section hosts quarterly calls which focus on networking, but also have guest speakers who discuss topics which may be of particular importance to women lawyers. Our next networking call will be on February 23, 2021 at 1:00 PM PT/2:00 PM MT/3:00 PM CT/4:00 PM ET. Attorney–Author Lori Mihalic-Levin, JD, who is the mother of two, will be leading the discussion on *Avoiding COVID-19 Work-Life-Mush: Practical Strategies for Time Management and Sanity*. [REGISTER HERE](#). The dates for the remaining 2021 calls are: May 18th, August 10th, and November 9th at 1:30 pm ET. Please join us on these calls and introduce yourself. We welcome new voices and perspectives to our discussions.

March 8th is International Women’s Day. International Women’s Day is a global day celebrating the social, economic, cultural and political achievements of women. The day also marks a call to action for accelerating women’s equality. We’ve seen and celebrated some amazing examples of women’s rights and gender equality in the last year. Here are a few of my favorites:

- Kamala Harris was elected and sworn-in as the first female Vice-President of the United States.
- The youngest Poet Laureate ever, 22-year-old Amanda Gorman, wrote and recited original poems for both the U.S. Presidential Inauguration and the Super Bowl.
- 15-year-old scientist and inventor, Gitanjali Rao, who has used technology to tackle issues ranging from contaminated drinking water to opioid addiction and cyberbullying, was selected as TIME magazine’s first-ever ‘Kid of the Year’.

You can mark International Women's Day by celebrating women’s achievements, by challenging and calling out gender bias and inequality, by wearing the purple, green and white, the colors of International Women's Day, or by attending one of the virtual events around the world. [Click here for more information.](#) 



MEET A MEMBER

One of the benefits of being a member of a large organization, or even a small group of similar attorneys, is the ability to learn from others' experience. In this section we will be highlighting members by asking them questions about their practice in different areas of the law.



In May 2013, Alice Paylor became the fourth female president of the South Carolina Bar and the third member of her firm to hold the position. She continues to serve her profession as a member of the National Conference of Bar Presidents and as a South Carolina State Delegate to the American Bar Association (ABA) House of Delegates.

Alice's practice at Rosen Hagood focuses primarily on complex commercial litigation, employment litigation, school law and zoning law. Her commercial litigation practice includes representation of all types of business entities in contract disputes, business torts, lender-borrower litigation, and more. She represented The Beach Company in a major planning and zoning appeal, in which she successfully challenged the City of Charleston's Board of Architectural Review's attempts to "rezone" the Sergeant Jasper site in Charleston and to prevent its redevelopment.

WHERE ARE YOU LICENSED TO PRACTICE?

I have license to practice in the South Carolina Supreme Court since 1977. I am also admitted to practice in the United States District Court for the District of South Carolina, the United States Court of Appeals for the Fourth Circuit and the United States Supreme Court.

ABOUT HOW LONG HAVE YOU BEEN PRACTICING?

43+ years.

WHAT IS THE FOCUS OF YOUR PRACTICE?

Early in my career, I focused on administrative and land planning law when I represented the City of Charleston. When I moved to Rosen Hagood in 1982, I began representing the Charleston County School District in very diverse litigation, including a school desegregation case, employment litigation, FOIA matters, contract disputes and general education matters. Over the years, I have practiced extensively in Bankruptcy Court, zoning and land planning disputes, employment matters and complex commercial litigation. Presently, I am handling two major estate planning disputes. In essence, I do civil litigation and love complex cases.

WHY DID YOU BECOME A LAWYER AND HAS THE LAW MET YOUR EXPECTATIONS?

In the 1970s, women were limited in their career options, and there were not many women lawyers. I had several male relatives who were lawyers, and I decided that I would follow in their footsteps. Practicing law has opened many doors for me, and I cannot imagine another career in which I would have had the opportunities that I have had.

WHAT ARE YOUR OUTSIDE INTERESTS AND HOBBIES?

With the pandemic, I have become obsessed with working out and staying in shape. I spend several hours a day exercising. I have 2 grown children who are my best friends. I just took them and their significant others on a "safe" trip to the Florida Keys. I love traveling and hope that I will be able to do a lot more soon.

WHAT DO YOU CONSIDER TO BE THE MOST SIGNIFICANT ISSUE FACING WOMEN ATTORNEYS?

We women attorneys have to learn to market ourselves and become rainmakers. Because the business world is still dominated by males, we have to work harder and smarter to make ourselves visible.

HOW DOES MENTORSHIP HELP RESOLVE THAT ISSUE?

Mentorship means having a person on whom a woman lawyer can lean and from whom she can gain support and wisdom. Coming along in the 1970's, there were not many women to whom I could look for this. But I found males and some women who provided great advice to me.

WHAT WAS THE MOST IMPORTANT THING YOU LEARNED FROM YOUR OWN MENTOR THAT YOU TRY TO IMPART OF THOSE YOU ARE MENTORING?

From the male lawyers around me, I learned that you have to toot your own horn, because no one else is going to do that for you. I encourage young women to take advantage of every opportunity to get ahead and get their names in front of the public.

WHAT IS ONE PIECE OF ADVICE YOU WISH SOMEONE WOULD HAVE GIVEN YOU PRIOR TO STARTING THE PRACTICE OF LAW?


Being shy and retiring gets you nowhere.

TELL ME ABOUT A TIME WHEN YOU MENTORED A NEW ATTORNEY.

Approximately 10 to 12 years ago, I started a “lean in” group here in Charleston. We met on a monthly basis and I brought in my contemporaries to meet with these young women and help them feel more confident. I remember one attorney in particular. Her father was a lawyer in Greenville, SC, and contacted me and asked me to mentor his daughter. After meeting with her and giving her advice on “not being shy and retiring” and “tooting her own horn.,” I ran into the male lawyer

who had been assigned as her mentor by our Supreme Court. We started talking about her, and he ultimately said that what she needed was to get a real job, and was I helping her get that. In fact, I did just that. We talked about her prior experience working in Washington, DC, and I asked her about her dream job. She said it would be using the experience that she had gained. Shortly thereafter, after my encouragement, she applied for a government job in that field and got it. She now loves her job and is not scared speaking up, because she knows so much about the area.

WHAT DRIVES YOU TO CONTINUE TO MENTOR YOUNG ATTORNEYS?

It makes me feel good and helps me to feel young. My daughter used to ask me why I was friends with these young women, and said that they couldn’t possibly want to be friends with me. I am still friends with almost all of them, and they do want to be my friend. 



WORKPLACE MENTORING: TAKING ADVANTAGE OF THE HIDDEN BUSINESS BENEFITS EVERY EMPLOYER CAN USE

**By Jennifer Suich Frank, Esq., Lynn, Jackson, Shultz & Lebrun, P.C.
and Karina B. Sterman, Esq., Greenberg Glusker**



Jennifer Suich Frank is a seasoned employment attorney with over 20 years of experience advising clients on a variety of employment, labor and benefit issues. She routinely advises human resources professionals and company leaders on issues involving discrimination, harassment, disability, ADA, FMLA, wage and hour, compliance, handbooks and policies, privacy, non-competes, hiring, discipline and termination. Jennifer also responds to charges of discrimination, complaints with federal and state agencies, and handles employment-related litigation.



A creative and ardent advocate for her clients, Karina Sterman defends businesses in class action lawsuits as well as in discrimination, retaliation, wrongful termination, and other employment disputes. While she regularly defends companies in administrative proceedings in front of the EEOC, Department of Labor, California Labor Commissioner, and other jurisdictions, she leverages her significant experience in “behind the scenes” counseling to avoid or resolve pending claims.

With January being National Mentoring Month, it is an opportune time for organizations of any size or industry to consider the benefits of workplace mentoring and whether to implement a mentoring program in 2021. As the past year has shown us, now more than ever, companies need to engage their employees and continue to build their businesses for the future.

One way to do that is to consider the (sometimes hidden) benefits of good mentoring – whether it is formal or informal – within the organization for continued overall success and long-term viability.

Mentoring benefits the employee as well as the employer, and also benefits the mentor him or herself. The following are areas of benefits:

1. Increased employee engagement

With competition for top talent, an ever-present concern for most organizations, the key is how to retain those good employees once you have succeeded in hiring them. According to Gallup’s *State of the Global Workplace* report, 85% of employees

are not engaged (or are actively disengaged) in their job. Employee engagement isn’t always about compensation or benefits; it can be about employees’ opportunities for advancement or wanting to make a difference in their organization, having their voices heard, being recognized, or otherwise participating in the success of their company. Professional and organizational mentorship arrangements can help the mentees with all these areas and have a positive impact on employee engagement overall.

2. Increased success of the organization and profitability or goal achievement

A significant long-term study conducted by James Heskett and John Kotter, resulting in their book *Corporate Culture and Performance*, found that companies which either had or encouraged leadership initiatives as part of a performance-enhancing culture grew by an average of 682% in revenue. Also, a case study performed at Sun Microsystems found that employees who participated in the company’s

mentoring program were five times more likely to be promoted and advance in their pay grade, with mentors themselves realizing an even higher rate of advancement. A mentoring program, whether formal or informal, can become a part of an organization’s culture and commitment to leadership and development. This, in turn, can lead to higher profitability or other measures of organizational or employee success.

3. Improved employer brand and reputation

It is no coincidence that almost three-quarters (3/4) of Fortune 500 companies (those United States’ largest businesses ranked by total revenue) have a mentoring program, when one considers the benefits for the company, the mentees and the mentors. Establishing a successful mentoring program can become a valuable recruiting tool, making the company an employer-of-choice and increasing the employee value proposition or “EVP” (how employees perceive the value gained by working for the organization

across several attributes, including the opportunity for growth and development). And as every business knows, an organization's reputation is key to attracting and retaining customers, clients and employees – and is necessary for survival in a competitive market and for long-term growth. Mentoring programs increase a business' reputation by demonstrating a commitment to its employees – and ultimately – to all of its stakeholders.

4. Knowledge sharing and business continuity/succession planning

It is often said that “knowledge is best shared.” In traditional organizations, knowledge is typically shared from the top down. Therefore, mentoring can help newer or younger employees tap into that pool of organizational knowledge, instrumental for business continuity and succession planning. In addition, employees, regardless of their time with the company, age or job status, have knowledge to share. Therefore, mentors and mentees alike can benefit

from sharing information with each other, and this in turn creates mutual organizational learning. Everyone wins – including the organization.

5. Creation of a “safe place” for idea-sharing, questions and employee development

According to social psychologist Brené Brown, workplaces need to be a “safe container” in order for innovation, growth, leadership and the development of employees' potential to take place. A mentor-mentee relationship is ideally built on trust, guidance, sharing and feedback and provides a type of “safe place” for real development of the mentee's potential within the organization. The mentor can serve as a resource when an employee mentee does not know where else to turn, or when the employee mentee may not feel comfortable asking a particular question of his/her manager.

6. Increased diversity and inclusion

Many studies have found a positive correlation between successful

diversity and inclusion efforts and the organization's success. However, many workplace diversity programs don't end up increasing diversity and being successful – and some never even get started, even if they were initially considered. On the other hand, mentoring programs have demonstrated a positive impact on making diversity and inclusion part of the organizational fabric. Mentorship can be a great tool to build diversity, equity and inclusion – and growth – for both mentees and mentors. A study performed by Cornell University's School of Industrial Relations found that mentoring programs increased minority employees' representations at the management level by 9% to 24%. In addition, the study found that for minorities and women, the mentoring programs significantly improved their promotion and retention rates (15% - 38% versus non-mentored employees). Thus, mentoring can be an important aspect of encouraging and ensuring the success of underrepresented or overlooked



employee populations in the workplace.

Convinced? We hope so. We also want to emphasize that workplace mentoring programs are available to every employer, regardless of size, industry or financial resources. The first step is to determine the purpose of the mentorship, and employers are not limited to just one. The following are the most common purposes and types of mentorship arrangements:

1. Employee Integration

- a. This is the most common approach to mentorship and expands on the typically cursory orientation and onboarding process at the time of hire. Employees who have been with the company for at least a year and are trusted to have the company's overall interest in mind are assigned a newly hired employee mentee to help further familiarize the new employee with the company's systems, levels of formality or informality, personnel, and available resources.
- b. The mentor is usually someone within the same department and made available for routine questions and process clarification.
- c. This is usually a temporary assignment until the newly hired employee has successfully integrated and completed some type of introductory or probationary period.

2. Employee Promotion

- a. This is mentoring for more tenured employees and typically

appropriate when a junior employee seeks to be coached and supported in expanding her or his career within the company. For this type of mentorship, it is important to make sure the mentor is well-established, supportive, and not in competition with the mentee. This type of relationship also requires that the company allow the mentor adequate room for confidentiality and time for training. A mentee and mentor are matched, either through a program or on their own.

- b. Mentee-mentor partners participate in a mentoring relationship with structure and a timeframe of their making. This type of mentorship is finite and typically concludes when the mentee obtains the desired promotion or experience.

3. Development Mentoring

- a. This is mentoring that is more comprehensive and not limited to workplace promotion readiness. The development mentorship is a carefully calibrated relationship in which a more seasoned and well-regarded member of the organization provides feedback and a safe environment in which employees can reflect on their employment and career path without judgment. The mentors listen, collaborate, challenge, and help the mentees find ways to make choices aligned with personal, professional and company values.


- b. Typically lasting a year or more, this type of relationship

requires that the mentor establish trust and open communication with the mentee. Even when the formal mentorship program ends, the mentor remains available as a trusted confidante and career advisor to the mentee on an ongoing basis.

- c. Often, it is ideal to allow the mentee to identify who would be the preferred mentor for this type of relationship.

Employers also have options operationally when implementing any of the above mentorship programs. Mentorship can take place in a close one-to-one assignment or in a group setting with an assigned mentor to lead it. The mentorship program can be the product of brainstorming and design by a company committee or under the guidance and supervision of a formal paid mentorship coach. Of course, mentoring relationships can also develop naturally without any formal set-up or program. However, no matter what resources a company may have available, there is no better time to implement a mentorship program for employees than now.

Has your company implemented a mentorship program? If not, which one will it try first? Do you have other suggestions? Please let us know your company's mentorship experiences or plans here: abos@primerus.com.

We encourage sharing and would love to publish a list of ideas on the Primerus website. 

MENTORING THE NEXT GENERATION OF LEADERS TO ENSURE CONTINUED FIRM SUCCESS AND MEANINGFUL CLIENT RELATIONSHIPS

By Heather L. Stover, Esq., Ogden & Sullivan, P.A.



Heather Stover is a Partner at Ogden & Sullivan, P.A. in Tampa, Florida. She focuses her practice on transportation and trucking, premises liability, personal injury, and wrongful death defense. She is a member of Primerus Defense Institute's Transportation Executive Committee.

For small and mid-sized law firms, it is never too early to start planning for the future of the firm and transition of leadership from retiring shareholders to promising young partners. There are several steps shareholders can take to ensure the firm's success continues after the shareholder's retirement and to ensure that the firm continues to maintain its meaningful client relationships both during and after the transition period.

The first step is to recognize and select appropriate young partners to succeed you in managing the firm. Your successors should have quality research and writing skills, effective communication skills with clients, opposing counsel, and the courts, and a willingness to be both accessible at any time and quickly responsive to clients' requests and needs. Additionally, the young attorneys should have a natural knack for leadership. As the saying goes, you either got it or you don't. Once you have identified these leaders, you


should expect and anticipate the need for ongoing and continued mentoring and training of the younger attorneys to improve their natural leadership skills, market to existing clients, develop new business, and expand the depth of their legal knowledge in the main practice areas of the firm.

In turn, you must relinquish control over your cases and clients. Clients must develop trust and confidence in the young partners to handle their cases from assignment through to trial. Clients must consider the young partners as their lawyers. If clients do not feel comfortable with the knowledge and skill of the attorneys, they very well may take their business elsewhere.

To foster the relationship between clients and young partners, you can serve as the intermediary to introductions and discussions whether in-person or, as is now more common, virtually by videoconference. During these opportunities, allow the young

partners to take the lead on asking the clients about the firm's service and what areas can be improved upon, and then, subsequently, allow the younger lawyers to implement a plan and follow-up with clients.

Lastly, a great deal of business is through word-of-mouth, so upcoming leaders need to spend time away from billable hours to network and, more importantly, participate in public speaking opportunities and seminars. This allows clients to directly observe the young partners as they exude their charisma, competency, and confidence in their practice area, resulting in clients wanting to establish or continue a relationship with those lawyers and the firm.

In making these efforts, there is a seamless transition of leadership resulting in the firm's continued success, the development of the next generation of leaders, and the ongoing meaningful relationships between the firm and clients. 

BRINGING MYSELF TO WORK WHILE SHATTERING THE STEREOTYPE

By Carrie Ward, Earp Cohn P.C.



Carrie Ward has twenty years' experience in business law with a particular focus on entertainment, communications and media law. Her clients range from media group owners, small broadcasters and podcasters, actors, filmmakers, musicians and start-up entrepreneurs. She works with her clients on the day-to-day operations of their business from protecting intellectual property, reviewing and drafting all types of contracts including vendor and employment agreements, and reviewing advertising content for regulatory compliance. Carrie is also a leader in promotions and advertising law. She counsels clients on promotions from the conceptual stage to prize fulfillment. Her promotions clients include broadcasters, online and mobile marketers, and insured promotions companies. She has advised clients on thousands of promotions during her career on local and national levels.

I wish I could say that the Covid-19 pandemic was my inspiration for this article. The pandemic has merely shone a spotlight on the flaws on the American work culture and the legal profession is certainly not immune. It has been ingrained in our profession that attorneys must “grind” out work, give “lots of face time”, and other unhealthy axioms that we are supposed to subscribe to be “the best.”

At one time, I was even guilty of believing this is the way it must be to rise to the highest levels of success as an attorney. When I joined the legal profession over fifteen years ago, I always felt that I could not bring my whole self to work. I got engaged to my husband my first year of law school. I purposefully removed my engagement ring during on campus interviewing for summer associate positions. Nobody told me to do this, but I did not want to be perceived as someone who did not take the profession seriously. An engagement meant that I was soon going to be a wife, and possibly, a mother someday. This implied that I would have a life outside of being an attorney. I did not want potential employers to think that I was not “all in” as an attorney, so I made the deliberate choice to hide parts of me when I was at work.

As a young associate, I would toil away in my office pulling

all-nighters. Of course, many were necessary to meet deadlines and case demands. However, many were not, and were merely self-imposed to make sure nobody doubted my seriousness and dedication to the profession. In those early days, I recall heading to a rare lunch with a colleague when a partner saw me leaving and said, “Oh, going to lunch? That must be nice.” Maybe he was joking, but it did not feel that way to me. I was mortified.

In those early years, I would look to senior female colleagues as models of how I would need to navigate my legal career and personal life. Most of these role models made it clear to me how hard it was for them to climb through the ranks. They shared stories about sacrifice in their personal lives to achieve successful careers. Sacrifice was a badge of honor to them. One colleague, who was an excellent mother and lawyer, always impressed upon me that she would not know who she was without her work. She was constantly pulling all-nighters and sending heaps of overnight emails, that in my opinion, were intended to show that she was sacrificing herself for her career.

Yes, our work is demanding and requires a lot of dedication and time to serve our clients. There is no denying that. However, along the way

I have learned that I am a better attorney when I am authentic and bring all parts of me to my work. I am more than just an attorney. I am a wife. I am a mother. I have other interests like art and music that fall outside of practicing law (even though I practice entertainment law, so my practice ties nicely to my personal interests). I know that when I am happiest in all parts of my life then I bring my best to my law practice. Despite the models that I observed early on in my career, I did not want to “shrink” who I was when I came into the office. This meant showing up to the office as my entire self and not pretending that my family was not a priority for me. To this end, I designed a work strategy where I would work a few days in the office and then a few days from home every week. This certainly was not unique, but it was not the typical work schedule construct in the legal industry. This flexibility provided me with the ability to attend most of my kids' activities. This also helps me practice self-care. I make it a priority to do other things outside of the law and my family to allow for personal happiness and growth, such as learning how to crochet, participating in a yoga teacher training, or listening the latest trendy Podcast.

I have been told by several junior colleagues that I inspire them. I never

set out to carve my path to be a mentor, but I am delighted with this unintended consequence. Like my role models, this path has not been easy for me. I have been in work environments that did not eagerly embrace flexibility and I was met with a lot of resistance. I am now part of a wonderful firm, Earp Cohn, where attorneys are encouraged to be themselves. A couple of weeks ago, Rich Cohn who is Chair of the firm, called me to just check in with me to see how I am doing. I had shared a post on LinkedIn from the Female Lead about how it is important for leaders to have real conversations with their team members about how they are doing as humans, and not just about work. This resonated with me because it correlated with the importance of being authentic at work. Rich saw this post on LinkedIn and called me to just talk because this is important to him too. Unbeknownst to Rich, I was also in the middle of writing this article.

By being my authentic self at work, I

feel good at work. I dive into my law practice with joy and vigor. I know that translates to the type of service I provide my clients. Having success in the law does not mean that lawyers must shut off all other parts of themselves. That is why it is not surprising to me that Ruth Bader Ginsberg, mother of two, felt the same way. In 2017 she told *The Atlantic*, “When I started law school, my daughter Jane was 14 months. I attribute my success in law school largely to Jane. I went to class about 8:30, and I came home at 4 o’clock. That was children’s hour. It was a total break in my day. And children’s hour continued until Jane went to sleep. Then, I was happy to go back to the books. So, I felt each part of my life gave me respite from the other. ...Having Jane gave me a better sense of what life is.”

It has been one year since we were ripped from our offices and our children were ripped from their classrooms to shelter in place from the Covid-19 pandemic. This forced

us to bring all our parts to the office. There was no hiding that we are also partners and parents when our spouses and children “Zoom bomb” a meeting. The façade that we, as attorneys, are one dimensional was ripped away. I truly hope that a silver lining from this is that more of us feel comfortable bringing our entire selves into work.

Personally, I cannot wait until my children are back in school full-time and I get more time in the office with my colleagues. Home schoolteacher for my kindergartner and third grader was never one of my passion projects. However, I will continue to move forward with being my authentic self in all facets in my life, not only for myself, but to continue to set a healthy example for the attorneys that are coming up behind me. 📖



