

**WOMEN & THE LAW SECTION
MINUTES OF MEETING
GREENBERG, TRAURIG
WILIMINGTON, DE
JANUARY 5, 2005**

IN ATTENDANCE: Jacqueline Powell, Tania Culley, Megan Mantzavinos, Mindy Clifton, Maria Newill, Jessica Zeldin, Diane Clarke Street, Denise D. Nordheimer, Claire DeMatteis, Suzanne Seubert, Frances Gauthier, Pam Meitner, Victoria Counihan, Paulette Sullivan Moore, Sheriden Black

I. APPROVAL OF MINUTES: The minutes of the December 1, 2004 meeting were approved. Jessica Zeldin moved; seconded by Pam Meitner.

II. LEGISLATIVE SUBCOMMITTEE: Victoria Counihan reported.

The Legislative lunch remains scheduled for February 2 in the Community Service Building.

III. SUBCOMMITTEE ON FEMALE INCARCERATION. Suzanne Seubert reported.

1. An update was given regarding the fund-raiser which is being planned for the new level 4 facility. The event is expected to take place in March: the Subcommittee is waiting on the governor's office for the exact date. Other sponsors of the event include the Delaware Center for Justice, CLASI and the Coalition for Human Rights. It was noted the funding for and staffing of the new facility is an issue which may be getting public attention in the near future. The facility had coverage in the local media when a wing was closed due to understaffing. It was mentioned that prison staffing issues may be a good topic to raise at the legislators' meeting.

2. The discussion turned to the format of the legislative meeting, including topics of interest to the Section and how best to communicate those topics to the legislators. The topics mentioned included H.B. 99; expansion of the statute governing petitions for Protection from Abuse to allow for petitioners to be protected from termination from their jobs because of absences due to domestic violence; expansion of the PFA statute to cover same-sex and dating couples. It was suggested that it may be premature to raise expansion of the PFA statute to include same-sex and dating couples. Other topics included legislation regarding women- and minority-owned businesses. The issue of female incarceration was again raised in the context of last month's discussion, wherein the need for separate treatment of incarceration issues as they affect women was raised. A study provided to the Section by Judge DelPesco in 2002 did show that women tend to receive disproportionately high sentences.

3. The next meeting of the Subcommittee is scheduled for Thursday January 6 at 1:00 on the 10th floor of the Courthouse

IV. SUBCOMMITTEE ON THE GOVERNOR'S AWARDS FOR EXCELLENCE IN EARLY CHILDCARE: Tania Culley reported.

1. The Subcommittee met immediately prior to the Section meeting. The consensus of the Subcommittee is to move forward with the awards.

2. Challenges with moving forward include the nomination process and how effective it is in ensuring the quality of the providers nominated. On a related note, there is concern that many quality providers may not even be getting nominated, particularly downstate. Possible solutions include the development of a new nomination process, and approaching downstate business groups for help in identifying nominees. Use of the DSBA ListServ was suggested.

With respect to fund-raising, the primary solution raised was to enlist the support of law firms.

3. The Subcommittee's next meeting will be held at 11:30 on March 2 at Greenberg Traurig, immediately prior to the next regular meeting of the Section.

V. DSBA TECHNOLOGY COMMITTEE: Mindy Clifton reported.

1. All Sections are now required to put information on the DSBA website. A proposed web page for the Section was circulated, and would include a brief statement about the Section, information about the Section, links, and membership and contact information.

A number of links to be included on the page were suggested include the Office of the Child Advocate, DCADV, the Commission for Women, and the Family and Workplace Connection. Any ideas for additional links should be submitted to Mindy Clifton.

The Section's web page is expected to be up by the third week of January.

VI. ANNUAL RETREAT: Victoria Counihan reported.

1. The Retreat will be held April 8-9 at the Atlantic Sands Hotel in Rehoboth.

2. The Friday Night Committee will meet shortly before the event.

3. CLE Committee. The next meeting of the CLE Committee is scheduled for January 20 at the Courthouse. Tania and Jennifer expect to contact Barry Crisberg, the proposed moderator/ keynote speaker.

Committee members are conscious of the need to get CLE credit. The possibility of

designing the program such that it would qualify for at least some enhanced ethics credits was discussed.

VIII. HAPPY HOUR WITH NEW LAWYERS' SECTION:

Victoria has spoken with Bill Kelleher of the New Lawyers' Section. The happy hour is being planned for February or March at National on Market Street. It is hoped that it will be a charitable event, as it was the last time.

IX. OLD BUSINESS

Furniture pickup (Grassroots Coalition for Children). The furniture drive was successful: we filled three pickup trucks. It was noted that they did not get to everyone who had donated, and it may be necessary to contact them again.

X. NEW BUSINESS

1. Habitat for Humanity Women's Build. The Section participated in the Women's Build two years ago. If the Section is interested, we can get on an e-mail list for more information.

2. The Section was advised that Eve Gartner of Planned Parenthood will be speaking from 5:30 - 6:30 p.m. on January 27 at the Ruby Vale Most courtroom at Widener. The topic is Roe v. Wade and what would happen if it were overturned. A reception in the Barristers' Club will follow.

3. Women's Leadership Award. The nomination deadline is March 1. Prior nominees will be considered. It was noted that this should be included as an agenda item for the March meeting. It is likely that the deadline for nominations will be extended.

There was discussion with regard to actively seeking nominees from downstate. Use of the ListServ was again mentioned.

There is a separate award for mentoring, and the criteria for that award was discussed, specifically, whether the wording of the criteria permitted nomination of men. It may be necessary to revisit the language to ensure that men are not inadvertently being excluded. It would be helpful to know the names of past nominees.

**WOMEN & THE LAW SECTION
MINUTES OF MEETING - FEBRUARY 2, 2005
COMMUNITY SERVICE BUILDING - WILMINGTON**

IN ATTENDANCE¹: Betsy McGeever, Pat Hannigan, Melissa Heestens, Dana M. Spring, Raelena Taylor, Jessica Zeldin, Debbie Gottschalk, Melissa Freeman, Suzanne I. Seubert, Patricia Tate Stewart, Regina M. Mullen, Frances Gauthier, Jennifer Ranji, Jill D. Sciullo, Mindy Clifton, Maria Newill, Susan DelPesco, Nancy Stanford, Helen Winslow, Joan Schniekart, Alison Goodman, Megan Mantzavinos, Margaret DiBianca, Lydia Swanson-Cox, Sheridan Black

I. MEETING WITH LEGISLATORS: Sen. Karen Peterson and Reps. Deborah Hudson, Pam Maier, Diana McWilliams and Melanie George discussed a number of issues of interest to the Section.

II. H.B. 99 (Reintroduced as H.B. 36): Debbie Gottschalk presented new features added to former H.B. 99, which has been reintroduced in the current legislative session as H.B. 36. The new bill contains several “Whereas” clauses at the beginning of the bill, the purpose of which is to better define the scope of the legislation by making clear what it does not do, e.g. allow for marriage of same-sex couples. It also contains three sections, 29-31, which were not in H.B. 99. Otherwise, the bill is the same as H.B. 99. After some discussion aimed at clarifying the meaning and intended effect of Section 29, the Section voted unanimously to support H.B. 36 (Suzanne Seubert moved; Betsy McGeever seconded).

III. SECTION TESTIMONY BEFORE JOINT FINANCE COMMITTEE REGARDING STAFFING FOR WOMEN’S LEVEL IV FACILITY: Jennifer Ranji sought the Section’s approval of testimony in support of funding for corrections officers to staff the new women’s level IV facility. The request was approved unanimously (Suzanne Seubert moved; Mindy Clifton seconded).

¹ Section members who were in attendance for the business portion of the meeting (agenda items II and III).

**WOMEN & THE LAW SECTION
MINUTES OF MEETING - MARCH 2, 2005
GREENBERG TRAURIG, LLP**

IN ATTENDANCE: Karen Keller, Molly DiBianca, Debbie Gottschalk, Suzanne Seubert, Denise Nordheimer, Jessica Zeldin, Maris Paris Newill, Jennifer Ranji, Victoria Counihan, Tania Culley, Megan Mantzavinos

I. APPROVAL OF MINUTES

The minutes of the January and February, 2005 meetings were approved unanimously. (Tania Culley moved; Jessica Zeldin seconded).

II. LEGISLATIVE SUBCOMMITTEE UPDATE - Debbie Gottschalk reported.

A. H.B. 36. The Executive Committee has voted to endorse H.B. 36, although 37 people wrote in asking the Executive Committee not to take a position. The New Lawyers Section also asked the Executive Committee not to take a position.

The Subcommittee expects that the bill will pass the House easily but may encounter problems in the Senate, and may need further support from the Section when it is before the Senate.

B. S.B. 15. Senate Bill 15 is a proposed amendment to the State Constitution to prohibit same-sex unions. The language of the bill is very similar to that in proposed legislation pending in other states, and in a bill which was recently passed in Virginia. The bill could be interpreted as prohibiting several existing estate planning arrangements, such as powers of attorney and adult adoptions, when the arrangements involve individuals of the same gender. It was noted, however, that the bill was not expected to be successful.

The issue was raised whether the Section wished to take action against the bill, and, if so, what type of action to take. Options were outlined as approaching the Executive Committee to take a position against the bill, or taking less formal action by approaching other Sections to begin to get a sense of the full impact of the bill and then approaching the Executive Committee later. It was noted that the Estates and Trusts Section in particular may have an interest in the bill because of its potential impact on estate planning. It was also questioned whether the Section wanted to spend capital with the Executive Committee on a bill that is not expected to have much support in the General Assembly anyway.

The Section decided to take informal action for now by approaching other sections to determine their concerns about the bill and to determine the full impact on the bill, and revisit whether we want to raise the issue with the Executive Committee.

III. ANNUAL RETREAT

A. Friday Night Committee - Jennifer Ranji reported. The Committee consists of Cheryl

Ward, Jessica Zelvin and Shaku Bhaya. The Committee has not given any specifics about the Friday night activities, but they are asking Section members who are attending to be on time and to bring business cards.

B. CLE Committee - Victoria Counihan reported that the CLE Topic “Legal Challenges Facing Incarcerated Women and Girls in Delaware,” has been set and the program has been put together. Barry Krisberg has been confirmed as keynote speaker. The panel includes Judges DelPesco and Crowell and a member of the Delaware Center for Justice. A formerly incarcerated woman will also be speaking. The participation of a few of the panel members has still to be confirmed.

Jennifer Ranji advised the Section that the Section will be paying the keynote speaker’s travel expenses (he has agreed to waive his fee).

IV. HABITAT FOR HUMANITY WOMEN’S BUILD - Jennifer Ranji reported.

Three volunteers are needed to coordinate the Women’s Build, which is expected to be in May. Habitat for Humanity offered to have a speaker come to a Section meeting, but this was determined not to be necessary.

V. WIDENER WOMEN’S LAW CAUCUS - Jessica Zeldin reported

The Women’s Law Caucus has expressed interest in becoming involved with the Section. The scope of such involvement has not been clearly defined.

The Caucus’ faculty advisor suggested partnering with law review members to develop law review topics, if we were aware of any issues which were ripe for a law review article.

It was suggested that partnership with the Women’s Law Caucus could be a good way to generate new and future membership, and it was noted that associate and student non-voting memberships are available. It was also suggested that we could have one of our meetings at Widener.

VI. SUBCOMMITTEE ON FEMALE INCARCERATION

A. NCCDC Visits - Suzanne Seubert reported. The list of attendees for the visits has gone down to 4 or 5 people, and she is actively seeking new people. The visits are on the third Thursday of every month. The next visit is March 17.

B. Grace Cottage - Jennifer Ranji reported that Grace Cottage reopened in January and immediately began experiencing problems with programming and staffing. They began taking residents before staff training was completed, and have not yet completed hiring. They are not taking new referrals. Jennifer expressed disappointment that the staff did not communicate problems, and suggested that the section request a tour and visit to assess the problems. Senator Blevins has offered help in arranging for a tour: it was suggested that this be done sooner rather than later.

C. Women's Level IV Facility - Jennifer Ranji reported on her testimony before the Joint Finance Committee for funding to staff the facility. Because the Executive Committee did not want to take a position, she gave testimony on behalf of the Section.

There was discussion to develop the Section's next step in its efforts to get the facility open, including the possibility of approaching the Executive Committee for permission to act on behalf of the Bar to gain funding for the facility (although it is too late to appeal to the Joint Finance Committee).

The Section unanimously voted to approach the Executive Committee for support in efforts to gain funding for the Level IV Facility (Suzanne Seubert moved, Jessica Zeldin seconded)

VII. WOMEN'S LEADERSHIP AWARD - Suzanne Seubert reported.

The top three nominees for the award were Patty Schwartz, Judge Johnston and Judge Martin. One concern in making the award was that so many of the past recipients have been judges. The Committee also considered whether the criteria for the Mentoring Award allows for a male recipient.

There was also concern that only one past recipient of the award has not been from New Castle County. Downstate nominees included Mary Sherlock and Commissioner Howard.

Six people participated in the meeting of the Selection Committee. The Committee reviewed the nominations and ranked the nominees. Patty Schwartz was ranked first by all Committee members.

Tania Culley moved to give the 2005 Women's Leadership Award to Patty Schwartz; Maria Newill seconded. The Section unanimously approved. Maria Newill cast proxy votes on behalf of Cheryl Ann Ward and Miranda I. Clifton.

VIII. TECHNOLOGY COMMITTEE - Jennifer Ranji reported in Mindy Clifton's absence.

The Section's web page is now up.

There have been problems noted with the DSBA ListServ. Replies to ListServ e-mails go to all individuals on the list. It was also noted that the content of ListServ e-mails is strictly limited to Section and/or DSBA business.

There was discussion of whether the Section should have a separate distribution list. The issue will be referred to the Technology committee.

IX. OTHER BUSINESS

A. Daycare Subcommittee - Tania Culley reported on the Governor's Awards for Excellence in Child Care. The main challenges have been getting nominees and raising money. Young Conaway has committed \$4,000.00, contributed by individual attorneys in the firm. The Subcommittee is seeking support from the Section for further fund-raising activities, whether by seeking Executive Committee support, or by targeting individuals within firms to raise support informally.

Concern was expressed that fund-raising efforts would be in competition with efforts to

raise donations for the Arsht fellowship, but it was pointed out that such efforts do not overlap.
Donations for the awards can be made to the Family & Workplace Connection.

B. The next meeting of the Subcommittee on Female Incarceration is scheduled for 1:00 on March 17.

**WOMEN & THE LAW
MINUTES OF MEETING
APRIL 9, 2005
ATLANTIC SANDS HOTEL, REHOBOTH BEACH, DE**

IN ATTENDANCE: All section members present at the Retreat.*

I. SUBCOMMITTEE ON FEMALE INCARCERATION - Jennifer Ranji reported

A demonstration is being planned by the League of Women Voters to draw attention to the fact that the recently-completed womens' Level IV facility has not opened. The Subcommittee seeks the Section's approval to approach the executive committee to seek permission for the Section to participate in the demonstration. Chris Demsey moved, Betsy McGeever seconded. The Motion was approved unanimously.

* The meeting was held immediately following the CLE portion of the Section Retreat

**WOMEN & THE LAW
MINUTES OF MEETING
MAY 4, 2005, 12:30 P.M.
GREENBERG TRAURIG, LLP**

IN ATTENDANCE: Mindy Clifton, Victoria Counihan, Maria Paris Newill, Helen Winslow, Jill DiSciullo, Pam Meitner, Megan Mantzavinos, Paulette Moore.

- I. **APPROVAL OF MINUTES:** The minutes of the March 2005 meeting were unanimously approved. (M. Clifton moved; M. Newill seconded).
- II. **LEGISLATIVE SUBCOMMITTEE:** Jennifer Barber reported that House Bill 36 is still in Senate Committee. Also, noted was Concurrent Resolution No. 7, which would establish a task force to consider starting a family violence center to offer services to victims of domestic violence. The idea is modeled after an existing center in San Diego.
- III. **ANNUAL RETREAT:** Jennifer Ranji reported mostly positive feedback, with some complaints about the Friday night food. After the retreat, the Subcommittee on female incarceration met with Dr. Krisberg, who had suggestions for additional programs and funding.
- IV. **WOMEN'S BUILD:** Jill DiSciullo reported that she received only two responses to an e-mail looking for dates on which people were available to participate. She recommended picking a Saturday in June to commit. June 18 was selected.
- V. **ANNUAL PICNIC:** Jennifer Ranji reported that Tania Culley has offered her house again for the picnic - it is available June 15. The Section will pay for the food, as it did last year.
- VI. **SUBCOMMITTEE ON FEMALE INCARCERATION:** Jennifer Ranji reported that she went to, and received permission from, the Executive Committee to participate in the press conference scheduled to draw attention to the completed, unopened Level IV facility for women. The Executive Committee will send a statement to be read at the conference, which is scheduled for May 15. Jennifer will e-mail a flyer publicizing the conference, and has sent information to the Widener Womens' Law Caucus facility advisor.
- VII. **OTHER BUSINESS:** Jennifer Ranji noted that the Childcare Awards were scheduled for September 22. Tania Culley has gotten approval to send and has drafted a letter to law firms to ask for financial support for the awards.

Jennifer Ranji also advised that the Arsht Fellowship silent auction was scheduled for November 17.

Combined Campaign for Justice. Melanie George has suggested an effort to target attorneys who have not responded to the regular solicitation, and is asking for five volunteers to contact ten other Section members to elicit a response.

Victoria Counihan raised the possibility of compiling a Section Directory, something which the section had years ago, but discontinued. It was noted that DSBA is working on a function for the website to host a secure directory which would include biographical and practice information.

Jennifer Ranji advised that new officers would be chosen at the June meeting. A slate of candidates would be chosen at the June Meeting.

Helen Winslow raised the possibility of partnering with other sections for CLEs and other joint activities. Possible activities for the section included a happy hour and a mixer for new admittees. Jennifer Ranji suggested the possibility of a more planning approach to Section activities, possibly meeting in the fall to set an agenda.