

Message from the Co-Chairs

By Elizabeth Ritvo and Patricia Clark

We hope all of you will join us in La Quinta on January 13th from 5:00-6:30 pm for the WICL annual meeting. We have a great panel. Robin Bierstedt of Time, Inc. and Barbara Wall of Gannett will share their thoughts on "In-House Counsel: Choices and Challenges."

Our meetings continue to lead to new ideas and new perspectives. Last January, at our meeting in Boca Raton, we had a spirited discussion with Jan Constantine, then with News America, and Stephanie Abrutyn, then with the Tribune Company, on the topic: "From Courtrooms to Boardrooms: Perceptions of Women Lawyers and How They Have Changed Over Time-or Have They?" Guylyn Cummins of Sheppard Mullin Richter & Hampton also discussed a jury consultant's survey on the role gender plays in the courtroom. (Preparation matters most and pant suits are okay ... at least according to 75% of the respondents.)

From our discussion came our two newsletter profiles. Our first profile is of Gayle Sproul, a partner at Levine Sullivan Koch & Schulz. Gayle spoke so positively about her firm and its supportive environment that we asked her to share what made her firm such a great place for women to practice and what other women could learn from her experience. From her interview, we can follow her path from a master's degree in journalism to her current practice as a media lawyer.

Our second profile is of Women in Communications Law itself, as told by Susan Grogan Faller of Frost Brown Todd LLC. Given the new members who joined us at the Boca Raton meeting, we thought it would be interesting for old and new members to learn what led to our forming WICL and how WICL has grown over the years. Susan hits the highlights and reminds us of all who have contributed their time, energy and support to making WICL the vibrant group it is today.

In April 2005, WICL held a breakfast meeting during the ABA Forum/NAB seminar in Las Vegas on "Representing

Your Local Broadcaster". This was a great opportunity to talk informally and learn more about each other's practice. We also discussed how WICL could help women network and meet other professional women in their own cities.

That discussion led to our September 29, 2005 event in Washington D.C. hosted by Anita Wallgren of Sidley Austin. WICL, along with the Federal Communications Bar Association and the Women's Bar Association of the District of Columbia, co-sponsored a panel on "Making Effective Presentations before Congress and the FCC". Members from all three groups attended. To break the ice at the pre-panel reception, attendees indicated on their name tags which of the sponsoring organizations they belonged to and whether they had Capitol Hill or government experience. It was a fun and interesting way to make connections. Our panelists were Johanna Shelton, Minority Counsel, House Energy and Commerce Committee, and Lauren "Pete" Belvin, Legal Advisor to FCC Commissioner Kathleen Abernathy. We learned the best ways to contact the FCC, how to get heard on the Hill and how to present your client's message. The president of the FCBA, the president of the Women's Bar and Liz Ritvo for WICL all spoke briefly about their groups. We hope to be able to organize similar co-sponsored events in other cities and invite all of you to help us find opportunities in your cities to bring women together.

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ABA Forum - Women in Communications Law Committee

W. I. C. L.

ABA Forum - Women In
Communications Law
Committee Newsletter

CALENDAR OF EVENTS

January 13, 2006

WICL Meeting
5:00 - 6:30 p.m.

11th Annual Conference
ABA Forum on Communications Law
LaQuinta Resort & Club
La Quinta, California

Sunday, April 23, 2006

WICL Breakfast Meeting
Forum on Communications
Law/NAB/FCBA
"Representing Your Local Broadcaster"
Wynn Resort
Las Vegas, Nevada

November, 2006

WICL Dinner and Theater Event
New York, New York

February 9, 2007

WICL Meeting
12th Annual ABA Forum on
Communications Law
Ocean Reef Club
Key Largo, Florida

OFFICERS
(2005-2006)

Jerry Birenz
Chair of the ABA
Forum on Communications Law

Richard Goehler
Chair-Elect of ABA Forum on
Communications Law

Thomas B. Kelley
Immediate Past Chair of ABA Forum on
Communications Law

Elizabeth A. Ritvo
Co-Chair of the Women in
Communications Law Committee

Patricia Clark
Co-Chair of the Women in
Communications Law Committee

Stephanie S. Abrutyn
Co-Chair-Elect of the Women in
Communications Law Committee

WICL Newsletter
Elizabeth A. Ritvo, Editor

Message from the Co-Chairs (cont.)

For the sixth year in a row, WICL sponsored a November dinner and theater event in New York for our members who came to the PLI Communications Law Conference and the MLRC annual dinner. Twenty WICL members met for a dinner reception at the Heartland Brewery & Chophouse on West 43rd Street. As always, everyone enjoyed renewing acquaintances and feeling the camaraderie of visiting with other women media lawyers. Our group then walked to the Al Hirschfeld Theater to see the musical comedy "Sweet Charity". A good time was had by all.

We would encourage each of you to take a moment to check your listing in the WICL Directory and make sure it is up to date. We know our Directory is well used because it gets the most hits on the ABA Forum website! If you have changed jobs, won a case or have other news to share, please contact the co-chairs so we can let other WICL members know through the website and the newsletter.

In reflecting on this past year and inspired in part by Susan's profile of WICL, we looked back to a mission statement crafted by Michelle Worrall Tilton in 1998. We have done much that we set out to do. Michelle wrote that our organization should tout the many accomplishments of its members: "We are a talented group, and our praises should be sung far and wide." Our newsletter now helps to get this message out. Michelle added that WICL should identify members across the country and assist them in generating media business. Our directory, website and recent co-sponsored events are part of this effort. Michelle also encouraged us to reach out to women attendees at our meetings-especially first timers-and make them feel welcome. The growth of WICL and especially of our newer members reflects this. Michelle hoped that, "over time, we will bask in the comforting glow of friendship", and this is something we all have come to enjoy through our meetings and work together over the years. With your help, we look forward to new initiatives and new opportunities.

On a final note, we want to welcome our new co-chair Stephanie Abrutyn who will be joining Patricia Clark as Liz Ritvo ends her two-year tenure as co-chair. Stephanie is Senior Counsel, Litigation, at Home Box Office in New York.

See you in LaQuinta

Gayle C. Sproul

Gayle Sproul is a partner in the Philadelphia office of Levine Sullivan Koch & Schulz, L.L.P., a 20-attorney firm. Before joining LSKS, Ms. Sproul practiced in Dechert LLP's Media Law Group and as an in-house lawyer at NBC at its New York headquarters. At the Boca conference in January, 2005, we discussed the positive and negative aspects of firm and in-house life for female lawyers. Gayle, a mother of 7- and 10-year old daughters, spoke so positively about her firm at the conference, that we decided to follow up with her. Our discussion:



WICL: At the 2005 Boca conference, you made some remarks about the great environment that your firm has created. What makes LSKS such a positive setting for women lawyers in particular?

GCS: I think what makes it a positive environment for women is the very same thing that makes it a positive place for men, too. First, we share a commitment to this kind of work. We are zealots, and we understand this about each other, and more than that, we like that about each other. We also genuinely like each other. In law firms and in-house, there can be turf issues and political divisions. We don't have those. Apart from that, the firm is small and still relatively young - not even ten years old - and has stayed true to its founding principles. The founders - including a woman - wanted to ensure that the firm would allow its lawyers to be professionally and personally fulfilled. These are people who love what they do, but enjoy having a personal life, too. So the firm has established a billable hour expectation that is lower than what most big firms require and permits what used to be considered unconventional working arrangements. Several lawyers, including me, now or have in the past worked from home, sometimes in cities away from the main offices of the firm, and some work part-time.

Things have come a long way since the time I interviewed at a law firm during my clerkship, 21 years ago, and was introduced to a female partner who, I think, I was meeting

because she actually worked part-time, and the firm was really proud of that. I was impressed by it too, until I asked her what her hours were. Her response, with no hint of irony, was, "9 to 5, Monday through Friday." Those were my full-time hours at the time, so her words stuck with me. Now, our firm and others offer real part-time options for women and men.

WICL: What has the firm done, since its inception, to specifically include and encourage its women attorneys?

GCS: Again, I think what the firm does right for women is the same thing it does right for men. Lawyers need meaningful, exciting work, and they also need flexibility as much as anyone else does. We are fortunate to have these things available to us. The firm began with one female partner of four, and now there are four women partners of twelve, so the percentage is growing!

WICL: In your experience, what are some things that a female attorney can do to grow and gain respect as a lawyer?

GCS: I think the simplest answer is that you have to be very honest with yourself about what you like to do, find a place where you can do it, and work really hard to do it as well as you can. If you do that consistently, your colleagues and clients will come to rely on you and that friendship and loyalty, which is professionally and personally rewarding, will follow you through your career.

WICL: On the other side of the coin, what advice would you give to a woman feeling overwhelmed or dissatisfied by her career in the legal profession?

GCS: Don't stay in a place where you are not respected or challenged. At our meeting in January, I heard many women talking about the difficulties they encountered in their firms and corporations and they sounded very unhappy. That's why I spoke up. This was not my experience nor was it the experience of many

Gayle Sproul (cont.)

women lawyers I know. You have to believe that you can make your way out of a job that holds you back, or is simply not what you want, to a job in which you can grow and feel challenged. You have to be proactive and remember that you do have some control of the situation, maybe more than you think.

WICL: You have experience in a wide variety of legal environments. How does working at a small firm like LSKS compare to a larger firm or an in-house position?

GCS: It's difficult to make those sorts of comparisons, because all of these places are individually very different. Assuming you find your work rewarding, which can be the case on the inside or the outside, the single most important thing about the job in my view is the people that you work with and for. I have been very lucky to work with some great lawyers who were also great people and that has made all the difference for me.

WICL: Describe how you got to where you are now from law school. Tell us about your "career path."

GCS: I should start out by saying that I went to law school after getting a master's degree in journalism and that my goal, which was as clear as could be from the outset, was to work for a major media entity. I learned during law school that most media companies preferred to hire from law firms, so my priority was to be hired by a firm that did media work. After law school, I clerked for two years in federal district court in Philadelphia and looked around during that time for firms that did media defense work. There were only a few in Philadelphia, and I went to Schnader, which at that time represented NBC, CBS and other media entities. I was adamant about working on their media cases to the greatest extent possible, and I was fortunate enough to be assigned to them. In the course of that work, I met in-house counsel, and mentioned to them my interest in going in-house. Again, I was fortunate to have made a friend in-house at one of the networks, who told me about an opening at NBC. I applied for that job, got it and was thrilled; I worked there as a litigator for many years. When my husband and I adopted our oldest daughter, I decided to stay home for a while. I wasn't exactly sure how I would make my way back, but I believed I would be able to do so when the time was right. As it turned out, my time

away from work was shorter than many maternity leaves. This was at the time when email, faxes and other technology were just beginning to make working outside the office a real possibility. After just a few months, I found myself back in action with Dechert, which very graciously permitted me to work at home, part-time, for its media clients. As luck would have it, when it was time for me to return to full-time status, LSKS was planning to open its New York office and asked me to be involved with that, which was a great experience for me. At the same time, we began to build the firm's Pennsylvania practice and just this year opened our Philadelphia office, where I now work full-time. It has been a winding road but a very rewarding one for me.

WICL: What special challenges do you see for women who are lawyers and mothers, or are the pressures and rewards the same no matter what sort of work you do?

GCS: I think it is great to be a mother and great to be a lawyer, but each of those individually is a substantial commitment. When you mix them together, it is quite a challenge. That is true for any mother - or father - particularly one who has a demanding job. Lawyers tend to be people who are very demanding of themselves, so it is not too hard to see why many women lawyers feel stretched. The positive side of this is that I think what I do has meaning and I enjoy the fact that my daughters are starting to understand it. When they were really young, it was virtually impossible to explain what I did each day, even when I was trying to do it right in front of them. But now they are beginning to understand that people have rights and responsibilities and that I play some sort of role in that and that I go to court, which they seem to find interesting now. Of course, they'd rather I be a glamorous prosecutor like the ones on TV, but that's not in the cards. Seriously, I am hoping they will be proud of me and that I can set a good example for them.

WICL: Early in your career, did you have any women role models? What obligation do you and other women lawyers have to be role models to the younger women attorneys at your firm?

GCS: I went to college in the era of Watergate and was awed by Barbara Jordan. She spoke so reverently,

Gayle Sproul (cont.)

eloquently and lovingly about the Constitution. I'd never heard anyone speak that way, male or female. On a personal level, the woman who was and continues to be a role model for me is my mother, who is so devoted to her children and very strong. I can't measure up to either woman, but their strengths have been very

inspiring to me. I think those of us in this profession who've been in it for a while should reach out to younger women in our own firms and throughout the profession and provide counsel and friendship. I enjoy that and I think WICL is a great avenue for that contact.

REMINISCENCES ON THE FOUNDING OF WOMEN IN COMMUNICATIONS LAW

By: *Susan Grogan Faller* - Frost Brown Todd LLC - Cincinnati, OH

"Wow, how time flies!" That was my thought when I began to consider what I recalled about the founding of the Women in Communications Law Committee of the ABA Forum on Communications Law. Originally, Barbara Wall was the person who suggested that "women in communications" gather to discuss common issues at the Boca Conference. This was an initiative of the ABA Forum on Communications Law, which Barbara chaired. Barbara was inspired, in part by the ABA International Section women's group, to start a Communications Law women's group that would spark positive energy and provide networking opportunities.

Fewer women were involved in the early meetings. In 1997, we published the first edition of the Women in Communications Law Directory, which was distributed to all women in the Forum on Communications Law. In 1998, we published our first newsletter. In 1999, Carol LoCicero agreed to manage an e-mail listserv so that we could better contact each other. After the listserv was in place, we used it to make arrangements to meet at various national media law conferences. We found the meetings to be valuable, as well as enjoyable and sometimes humorous. Michelle Worrall Tilton imitating an elephant as part of an ice-breaker comes to mind in that regard.



I am not sure who our first officers were but I do know that the co-chairs of our group in 1998 were Michelle Worrall Tilton and Joyce Meyers. They were followed by Cynthia Counts, Carol LoCicero, Carol Rose, Mary Ellen Roy, Natalie Spears and currently Liz Ritvo and Patricia Clark. I apologize to anyone I may have omitted. Tom Kelley, then Forum Chair, was the first male to attend one of our meetings, and Tom, along with Jerry Birenz, the Forum's current Chair, were instrumental in WICL becoming an official committee of the Forum in 2004 and obtaining all the prerequisites of that status. We have benefited tremendously from the assistance of Teresa Ucock and the Forum's resources.

WICL's now well-loved and popular Women's Theatre Event in New York each November originally started as my idea, simply because I wanted to find some people to join me at the theatre while we were in New York for the PLI conference and the MLRC dinner. In the 1990s, I spread the word each year and stood in line myself at TKTS to buy tickets for the performance, and then distributed the tickets at dinner. The first events were very small. For November 2000, with the help of an announcement on Carol LoCicero's e-mail listserv about the upcoming Women's Theatre Event, Pat Clark volunteered to "help with the details" of organizing the event. Famous last words. That year Pat suggested *Forbidden Broadway* and dinner at the Stardust Theatre. Pat and I partnered on the project for the next few years, though Pat quickly surfaced as the leader and handled all aspects herself this

Susan Grogan Faller (cont.)

year, and most aspects in recent years. As a result of her efforts, we have seen *Urinetown*, *The Producers*, *Gypsy*, *Hairspray* and *Sweet Charity* by now, had great dinner meetings at the Heartland Brewery & Chophouse, and are already looking forward to next year's event.

Like the WICL Committee itself, the directory and the theatre event, our other endeavors have started small and grown. Our newsletter and our webpage are very useful. Our mentoring program has been appreciated by numerous law students and budding lawyers. Hopefully the directory has been the source of many successful referrals. Panel presentations at our meetings and other

agenda items and programs have provided tangible benefits of membership in WICL.

In my opinion, however, the most important function of WICL remains as it was in the beginning, the opportunity for women in our field to become acquainted, share ideas and resources, share business referrals, network and generally find ways to increase our ability to serve our clients and the First Amendment principles that we espouse. We rely upon the support and ideas of our membership to continue WICL's key role well into the future.



TEACHING COMMITTEE UPDATE

WICL members are invited to attend the Forum's Teaching Committee meeting scheduled from 6:30-7:30 p.m., Thursday, January 12, 2006, at the annual conference in La Quinta, CA. The meeting will feature a short presentation on college newspaper censorship in the wake of the *Hosty* decision. Committee Chair Barbara L. Morgenstern of Miami University, Oxford, Ohio, explained that the Teaching Committee, organized last year, is open to Forum members who teach media law part-time, full-time or who are interested in teaching. The Committee, which numbers forty, is in the process of creating a syllabi and test bank and has organized a listserv.

W O M E N O N T H E M O V E !

- **STEPHANIE ABRUTYN**, formerly of the Tribune Company, is now Senior Counsel, Litigation, at Home Box Office in New York.
- **JAN CONSTANTINE**, formerly with News America, is now General Counsel and Assistant Director with the Authors Guild, Inc. in New York.
- **JUDY ENDEJAN**, formerly with Graham & Dunn in Seattle, is now Senior Vice President and General Counsel with Fisher Communications, Inc. in Seattle.
- **BRANDE STELLINGS** has left NBC Universal to join Catalyst, a think tank devoted to expanding opportunities for women and business.
- **TRISH SPRAIN**, previously with the law firm of Faegre and Benson in Minneapolis, has now joined the in-house team at CNN in Atlanta.
- Also, congrats are in order to **KAREN FLAX** of Tribune Company, who was promoted to Assistant General Counsel/Litigation, and **LISA WASHBURN** of Tribune, who was promoted to Senior Counsel/Broadcasting. Karen joined Tribune in 2000 and supports the Chicago Tribune on its major litigation and insurance matters. Lisa joined Tribune in 1998 and supports the Broadcasting and Interactive groups, including serving as lead counsel to KPLR-TV/KCPQ and KWBP.
- **ROCHELLE WILCOX**, based in Los Angeles and Sacramento CA, has become a partner at Davis Wright Tremaine.

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