Should Courts Eliminate Peremptory Challenges?

BY TIFFANY MITCHELL

While peremptory challenges have a long, established history in American jurisprudence, exercise of this right has proven to be extremely controversial due to the improper use of peremptory challenges to exclude qualified jurors because of their membership in a protected class. Although proponents on both sides of the issue acknowledge that peremptory challenges are frequently abused—particularly in criminal proceedings—neither the courts nor plaintiff or defense attorneys have expressed willingness to eliminate the abuse by doing away with peremptory challenges altogether. Anecdotal evidence indicates that many lawyers avoid objecting to obvious abuses of peremptory challenges in voir dire for fear that their action will spur opposing counsel to bring the objecting party’s own improper challenges to the court’s attention.

The continued relevance of this issue was highlighted earlier this year in two Supreme Court decisions: Miller-El v. Dretke and Johnson v. California. Both of these cases acknowledged the onerous standard that a party faces when objecting to a peremptory challenge, and decreased the burden for successfully asserting a challenge.

This article gives a brief history of the evolution of the law regarding peremptory challenges and discusses practical procedural concerns for asserting a challenge.

Brief History of the Evolution of the Law

Since 1880, courts have held that the Equal Protection Clause forbids the exclusion of potential jurors based solely on their race. However, to prevail, a defendant (presumably) had to show by a preponderance of the evidence that the practice of exclusion was systematic. This high burden all but nullified exemptions to peremptory challenges, rendering use of peremptories largely immune from constitutional scrutiny.

To decrease the burden for successfully asserting a peremptory challenge, the Supreme Court created a three-part test in the landmark decision Batson v. Kentucky. Initially, the defendant bears the burden of making a prima facie case for purposeful discrimination using the totality of relevant facts about a prosecutor’s conduct during the defendant’s trial. The defendant does so by showing a) that he is a member of a cognizable racial group; and b) any other circumstances that raise an inference that the prosecutor improperly excluded a person on the venire on account of race. Relevant circumstances may include a pattern of strikes against jurors of a particular racial or ethnic background and the prosecutor’s questions and statements during voir dire.

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Make the Sky the Limit: Retaining Minority Female Lawyers

BY JENNIFER B. BECHET

In its 2004 report on the progress of minorities in the legal profession, the ABA Commission on Racial and Ethnic Diversity in the Profession reported that between 1990 and 2000 the number of minority female lawyers increased dramatically—by 69.2 percent. By 2000, 44 percent of minority lawyers were women.

However, the research also revealed that, despite their increased presence, minority women are largely underrepresented in the top private sector jobs. Only 1.1 percent of general counsels of Fortune 1000 companies are minority women. The situation in the public sector is not much better. In 2002, minority women made up only 2.1 percent of administrative law judges and 4.6 percent of federal judges.

To increase representation in the top positions, attention must be paid to the efforts to retain minority female lawyers. Indeed, a 2003 study revealed that 64.4 percent—nearly two-thirds—of female minority law firm associates departed their firms within four and a half years.

Redefining “Retention”

Many law firms and law departments devote some effort to maintaining their employment of minority lawyers. Typically, the effort is made to retain them for a number of years, which results in a critical mass huddled in the organization’s lower to

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Judgments about “Qualifications”: Textbook, or Pretext?

By Manotti L. Jenkins, Edward B. Adams Jr., and Patrick Cooper

Chairs of the Minority Trial Lawyer Committee

W hat does it mean to be qualified? As lawyers, we must get through three years of law school and pass the bar exam. Not many of us were naïve enough to believe that all career and employment opportunities would be made available to us merely because we passed the bar. Still, we expect that we will be judged by the law school we attended or whether we had the right job or clerkship after law school. We believe that we will be evaluated based on our performance and our careers.

In the past few months, the nation has been confronted with questions about qualifications. Harriet Miers, the president’s withdrawn Supreme Court nominee, faced many questions about her fitness for that post. She had a career that would make many lawyers proud. She was the first woman president of the Texas State Bar. She headed a major Texas law firm, and the emotions she felt in the courtroom. She examines the challenges they face in practice and methods we can use to ensure that we provide all lawyers every opportunity to excel.

Adrienne Gonzales looks at what all of us hope we are (or at least will be) qualified to actually do. In “A Law Firm, or Pretext?” Tiffany Mitchell looks at the issue of using qualifications as a pretext for something more nefarious in the context of jury trials. Ms. Mitchell looks at the history of peremptory challenges. She also examines the Supreme Court’s recent decisions regarding the improper use of peremptory challenges to exclude jurors of a certain race under a pretext of qualification or other excuse. Ms. Mitchell then discusses the practical considerations trial lawyers face when making peremptory strikes and when challenging strikes.

This issue also looks at whether qualifications drive career success. In “Make the Sky the Limit: Retaining Minority Female Lawyers,” Jennifer Bechet reviews some issues facing women of color in the law. She examines the challenges they face in practice and methods we can use to ensure that we provide all lawyers every opportunity to excel.
A Big Law Firm Associate’s View on Trial Experience

BY ADRIENNE GONZALEZ

By the time I graduated from law school, I had long since embraced the reality that life as a litigator would not mirror L.A. Law or Law & Order. I admit that I enjoyed the mock trial experience in college, but I was content to listen to the tales of my prosecutor friends who were in court trying cases almost immediately after passing the bar. And while I knew that a trial or two could be in my future, it never occurred to me that anything I would encounter on the civil side could rival the thrill that my peers experience in trying criminal cases.

As it turned out, I was placed on a mass tort case as a first-year associate. I spent months “becoming one with the documents” until I could rattle off facts at will. I participated in pretrial discovery, but I never saw myself watching any of this play out in court one day. Finally, in the spring of my fourth year, I was placed on a team gearing up for trial. I went into this trial ready to work into the wee hours of the morning and do whatever I could to assist the trial attorneys in and outside the courtroom. My only hope was to learn how to survive in the pressure-cooker environment and not do anything to get myself fired. What I got, however, was a front-row seat to a real-life drama complete with suspense, comedy, and courtroom moments reminiscent of Ally McBeal.

To put things into perspective, the plaintiff had suffered a serious injury and was pointing the finger at our client. No one’s freedom was at stake, but a significant amount of money was being sought. In addition, a plaintiff’s verdict would have been quite a blow to our successful track record of defense verdicts in this litigation. We spent countless hours preparing, each day ready to present the best case possible, and we were always keenly aware that jury trials can be tricky. The trial lawyers analyzed and reanalyzed every possible scenario while my fellow minion (a.k.a. associate) and I scurried about preparing exhibits, assisting in witness preparation, and taking the daily lunch and dinner orders.

There was hostility, suspense, crying, nail biting, and more—and that was just in the plaintiff’s case in chief. As I sat in the courtroom during the day, I realized that this is what most people think of when they hear “lawyer.” I observed three incredible trial lawyers use different road maps to arrive at the same destination—to disprove the plaintiff’s allegations. Each day as I watched them work their magic, I said to myself, “I want to be like that.” If they were nervous, it never showed. If they were frustrated or caught off guard by a ruling, we were none the wiser. It appeared as though every question, objection, and ruling turned out exactly as the attorneys planned. Listening to them discuss strategy was also an eye-opening experience. Learning why this was done, that question was asked, or this area was avoided helped me to fully appreciate the events that unfolded each day in court and educated me in a way that my trial advocacy course never did.

I never imagined that this experience would be an emotional roller coaster, but that’s exactly what it was. I was riveted as the plaintiff was confronted—and couldn’t explain—her contradictory statements about the product in question. I was educated along with the jury as our corporate witness explained the science behind the product. I was shocked as a defense expert embarrassed opposing counsel by turning an impeachment attempt into an opportunity to elaborate on how thorough he was in arriving at his opinions. I agonized over the jury’s deliberations as they requested certain exhibits and the minutes dragged into hours. And, ultimately, I restrained the impulse to shout when the foreman announced a defense verdict. I don’t mean to give the impression that the trial was all fun and games—there were many late nights and stressful situations—but if a young litigator had to endure those conditions for five weeks, he or she couldn’t ask for better compensation than such interesting and often exciting days in court.

Just as important as the daily trial education, I learned that the bond you form with your team is a special one—in particular, the other associate(s) with whom you entrust your professional life every time you ask them to find this obscure article in the next two seconds or to forgo their lunch to help you search through the exhibits for a document. My colleague Lee Cortes, Jr., became my right hand, and I became his. Who else would appreciate the panic of the computer crashing at 3:30 a.m. as you are trying to send the daily trial summary to the client and the partners? Or the comedy of being treated to the movies (complete with popcorn and Raisinet’s) by the senior partner, who saw that you both were clearly frazzled after just one day of jury deliberations? And then the win—after five weeks of eating, sleeping, and breathing this trial from the sidelines, after arguing about which jurors loved us and who thought we were the evil empire, who else but your team could truly understand how much it meant to walk away with a win? Even though Lee and I were just the associates and life would go on whether we won or lost, in those moments right before the verdict was read, it felt as if we were waiting for our bar results all over again. Together, we survived this trial by trusting each other, keeping our sense of humor, and, of course, consuming obscene amounts of caffeine courtesy of Dunkin’ Donuts.

I’m still at the beginning of my career and I hope that there will be many more trials (and wins) in my future. I walk away from this experience knowing that sleep truly is something that your body can learn to do without and, more importantly, a civil trial can be more exciting and intriguing than a soap opera. In the end, reality was better than fiction because even though I was only a supporting cast member, I experienced firsthand the highs and lows and finally the sweet taste of victory. I’ll take that over a Laws & Order rerun any day.

Adrienne D. Gonzalez is a fifth-year litigation associate at Kaye Scholer, LLP, in New York City.
Peremptory Challenges

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ments during voir dire. If the defendant meets his or her initial burden, the burden shifts to the prosecutor (or, presumably in a civil case, the plaintiff) to provide a neutral, case-specific explanation for challenging the minority juror. If the prosecutor articulates a nonpretextual explanation that the trial court accepts, the peremptory challenge will be upheld.

Since Batson, the Supreme Court has continually expanded the basis for objecting to peremptory challenges. For example, the Supreme Court held that peremptory challenges motivated solely by race violate the equal protection of potential jurors who are denied the right to serve, not a defendant’s right to have a member of any particular race on the jury. That same year, the High Court extended peremptory challenge rights to jurors in civil court. Shortly thereafter, the Court began allowing prosecutors—not just defendants—to make peremptory challenges and extended equal protection to jurors who are excluded on other similar grounds such as on the basis of gender and national origin. The complaining party need not be a member of the excluded group to object to a peremptory challenge.

Despite the Court’s good intentions of reducing racial bias in jury selection, practically speaking, the three-part test has done very little to eliminate improper dismissal of venire persons based on peremptory challenges. One Georgia court noted that a “race-neutral explanation need not be persuasive, plausible or even make sense, but must simply be based on something other than the race of the juror. Unless a discriminatory intent is inherent in the proponent’s explanation, the reason offered will be deemed race neutral.”

In response, the Supreme Court has taken steps this year to give the Batson test more teeth. In a 6-3 decision, the Court held that courts cannot accept a race-neutral explanation that is clearly pretextual on its face merely because an alternative legitimate rationale exists. Instead, the court must examine the totality of the circumstances surrounding the peremptory challenge and strike down any challenge that was asserted for improper, racially motivated reasons. The Supreme Court was so concerned that the appellate court was incapable of properly applying the correct standard that it took the unusual step of deciding the defendant’s case on the merits and remanding the case for entry of judgment. The Supreme Court had already remanded the case more than once and was clearly unsatisfied with the appellate court’s findings. That same day, the Court struck down the “more likely than not” standard imposed by California courts that was required for a defendant to merely have a member of any particular race on the jury. That same year, the High Court extended peremptory challenge rights to jurors in civil court. Shortly thereafter, the Court began allowing prosecutors—not just defendants—to make peremptory challenges and extended equal protection to jurors who are excluded on other similar grounds such as on the basis of gender and national origin. The complaining party need not be a member of the excluded group to object to a peremptory challenge.

The nature of jury selection renders it extremely difficult to distinguish discriminatory motives from legitimate ones. Establish a prima facie case for objecting to a peremptory challenge. The Supreme Court held that the standard is an inappropriate yardstick by which to measure the sufficiency of a prima facie case. The Court further held that the likeliness or persuasiveness of the justification does not become relevant until the third step of the Batson test, when the court must determine whether the opponent of the strike has carried his or her burden of proving purposeful discrimination.

Practical Considerations and Application of Peremptory Challenges

Lawyers must be mindful of some practical considerations regarding peremptories. For example, generally, the peremptory challenge must be taken before the trial jury is sworn. In some jurisdictions, the challenge may be oral or written and must plainly and distinctly state the facts constituting the ground for challenge. All challenges for cause must be made before any peremptory challenge may be exercised. While courts are generally allowed some discretion in allocating the amount of peremptory challenges so as to serve the interests of justice, it is not uncommon for the courts and legislature to permit a greater number of peremptory challenges in criminal, as opposed to civil, trials. Moreover, the number of peremptory challenges that each party is permitted to make may increase with the severity of the crime and the penalty sought.

Under California law, exhaustion of peremptory challenges is a condition precedent to appeal based on jury composition. If the challenging party believes that a juror should not have been permitted on the panel, the party may use all of his or her peremptory challenges to ensure the juror’s absence. If the challenging party does not use all of his or her challenges, the party may not later complain on appeal of the composition of the jury.

Peremptory challenges certainly serve an important role in jury selection and trials. However, their highly subjective nature makes use of the challenges prone to abuse. The highly discretionary nature of jury selection renders it extremely difficult, if not impossible, to distinguish discriminatory motives from legitimate ones. Unless the courts or legislature are willing to enact more unorthodox measures to try to prevent abuse of peremptory challenges, clever attorneys will always find a way to circumvent whatever test the court creates to prevent improper jury selection. Until attorneys and society at large come to believe that a person’s opinion is not automatically predetermined based on the color of his or her skin or gender, there will not be sufficient support to truly address and rectify improper use of peremptory challenges.

Tiffany Mitchell is an associate in the Santa Monica office of Greenberg Traurig, LLP. This article was written with the research assistance of David Gorson.

Endnotes

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This ABA best-seller has helped thousands of lawyers through this increasingly complex area. Now available with a new 248-page supplement, the book provides a comprehensive overview of current law, case illustrations and contextual examples, as well as a wealth of practical tips and guidance.

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middle echelons. However, Sharon E. Jones of Jones Diversity Group suggests that a shift in focus is necessary to retain minority women on a long-term basis.

“The real focus ought to be moving minorities and minority women into leadership roles,” Jones says. “In my view, successful retention is being retained through partnership. I don’t mean just partner; ultimately, I mean managing partner or general counsel or the head of that legal organization.”

The Sky’s the Limit
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Instilling Optimism
One African-American lawyer with an optimistic view of her future is Adrienne Gonzalez, an associate in the New York office of Kaye Scholer LLP. Gonzalez, who has been with the firm since she graduated from St. John’s University School of Law in 2001, has received direct feedback and transparent encouragement from a white male partner with whom she recently tried a case. (See Ms. Gonzalez’s story on page 3.)

“She actually told me that I could be a successful trial attorney, that he sees it in me,” Gonzalez says. “Coming from a gentleman who has been a trial attorney for almost longer than I’ve been alive, that’s huge. That just did wonders for my confidence, made me want to work that much harder for Kaye, and made me say: ‘You know what? I can stay here. The sky’s the limit.’”

Nonverbal feedback can also convey to the lawyer that she has a future without limits. For instance, Rita Davis, an associate in the Richmond, Virginia, office of Hunton & Williams LLP since completing a clerkship with the Eighth Circuit Court of Appeals in 2001, has noted nonverbal cues that her supervisors not only see potential in her but also want to help her reach it.

“I have two supervising partners who have no problem just handing over matters to me—kind of giving me carte blanche to do what I need to do—but who always have an open-door policy,” says Davis, who is African-American. “The team that you work with has to really feed you professionally, and that’s what’s happened for me.”

Unfortunately for some minority female lawyers, the likelihood of a future with the organization also may be conveyed in the form of nonverbal cues, as one Hispanic female lawyer who has worked as a prosecutor in a metropolitan area for several years discovered. Upon her return from maternity leave, she was surprised and disheartened to find that certain accommodations extended to white female prosecutors were withheld in her case.

“They welcome them, they try to help them out, they’ll change their schedules for them, and they let them work part time. I didn’t get any of that;” the prosecutor says. “I felt totally replaceable at that point.”

Providing Role Models
Jones, who works with law firms, corporations, and educational institutions to increase the retention and promotion of women and ethnic and racial minorities into leadership roles, suggests that another nonverbal cue about the future a minority female can expect in the organization is the presence or absence of minority female lawyers in leadership roles at the organization.

“Minority women are really smart and they’re really sensitive in many respects to organizational cues,” Jones says. “An environment which provides no women of color role models is really not one that suggests to anyone, and specifically a woman of color, that you can thrive and survive.”

Throughout her time at Kaye Scholer, Gonzalez has had the benefit of a role model in the form of litigation partner Sheila Boston. Boston, who is African-American, rose through the firm’s associate ranks to partnership and currently serves on the firm’s Recruitment Committee and as the Diversity Committee chairperson. “Sheila is affectionately known as the den mother because she has embraced all of us,” Gonzalez says. “We rejoiced with her when she made partner as if a member of our family.”

Jones agrees that in addition to the reassuring statement that their mere presence makes, minority female lawyers like Boston, who occupy leadership roles in the organization, can promote a limitless future for more junior lawyers via their interest in and interaction with them.

“It does take a village to make a successful lawyer, and we’re all tied together because we’re all moving into environments that were not created by us or for us,” Jones says. “To the extent we can help each other, then we’re further along.”

Jones recommends that whenever a new minority comes to the organization, all lawyers should greet the new hire and begin to share important information about the organization, its culture, and unwritten rules. Knowledge of unwritten rules can help a minority female lawyer avoid a mistake that might prove fatal to her career in the organization.

“Everyone makes mistakes, especially when you are new. But because of the presumption of incompetence that people

11. Hernandez v. New York, 500 U.S. 352 (1991). While the Court held that excluding a venireman based on national origin is improper, the Court accepted the prosecutor’s race-neutral explanation that a native Spanish speaker may not accept the official testimony of the translator. Several states have enacted statutes to protect jurors from discrimination on the basis of national origin. (See, e.g., CAL. CIV. PROC. § 231.5).
14. See Miller-El, supra at 2332.
15. See id.
17. Id., 2418
18. CAL. CIV. PROC. § 225(a)(1). CPLR P 4109.03.
19. CAL. CIV. PROC. § 226(b).
20. CAL. CIV. PROC. § 225(a)(1).
21. CAL. CIV. PROC. § 226(c).
22. CAL. CIV. PROC. § 231. NY CLS CPLR § 4109. 735 ILCS 5/2-1106.
24. Id.
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subconsciously have, when a minority makes a mistake, it is viewed as evidence that she is in fact incompetent, and she can rarely ever rebut that,” Jones explains.

Unfortunately, too often, Jones sees minorities in leadership roles who are less helpful to minority female lawyers than they could be. She attributes this apathy to “the stigma of being different.”

“Think that all in all they see themselves as outsiders within that organization and they want to do whatever they can to be viewed as an insider,” Jones points out. “So aligning oneself with other outsiders, in the minds of some minority partners, is a risky strategy. I don’t agree with that.”

Finding Strength in Numbers
Many minority lawyers have found that, indeed, from a psychological standpoint, there is strength in numbers. Some, like Kobi Brinson, a vice president and assistant general counsel to Wachovia Corporation, have the good fortune of drawing upon it. Brinson, who is African-American, has worked at Wachovia since October 2002 and is currently on the General Bank Litigation Team. She is encouraged by the fact that approximately 17 percent of the 180 lawyers employed by Wachovia are African-American, that 19 African-Americans work in her office in Charlotte, North Carolina, and that four African-American female lawyers work on her team.

“It’s an incredibly supportive group,” Brinson says. “Our support network among ourselves is unparalleled.”

Aside from such informal groups, many minority lawyers are finding support and perspective building more formal “affinity groups.” Jones sees great benefit in the forming of such groups.

“Affinity groups provide a mechanism for feeling included. They are an insider at least within the context of that group,” Jones says. “They also help to give people a sense of critical mass when they are spread out geographically and also provide a safe environment where people can be supportive of each other. Within that environment, you can begin to develop strategies and techniques to help each other.”

Tipping the Scales in Your Favor
While there is much that an organization and its members can do to improve the prospect that a minority female lawyer will remain at the organization, there are also steps she can take to promote the longevity of her own career there.

Do Ask and Do Tell. Minority female lawyers often convince themselves that they are not doing well in the organization, that their work is not held in high regard, and/or that they simply do not fit within the organization’s cookie-cutter mold. These feelings may lead to paranoia or bitterness and culminate in a decision to leave. As with any nagging pain, the minority female lawyer should “have it checked.” She should ask supervisors and others for a candid assessment of how she is perceived.

“You can sit in your office and dream up all kinds of things. Why is this not happening or what do people think of you?” Davis says. In her opinion, however, a minority female attorney would be wise to approach someone who will be discreet about her concerns.

Illustrating this point, the prosecutor points out that she had long wondered why her supervisor had not enrolled her in an advanced training program and had not assigned a wiretap investigation to her. Eventually, she sought an explanation.

“I went to someone and said, ‘What’s going on? Why am I getting this vibe? Why am I being treated this way?’” Davis recalls.

To her dismay, in response, she was told, in essence: “We didn’t think you were going to be here much longer anyway,” the prosecutor notes. “I honestly don’t know where they got that from.”

Whatever the cause, she then knew that she was perceived as a “short-timer” who would offer the organization little if any return on its investment in her professional development. She began to interview at other organizations. But following a change in administration at the prosecutor’s office, a newly elevated supervisor asked her how she was faring at the office. After she conveyed her concerns, Davis recalls that he responded: “I didn’t know what you wanted. I didn’t know you wanted more responsibility. I didn’t know you wanted these types of cases.” She adds that “things are looking up a little bit now.”

For some minorities, Jones acknowl-
ing with such potential mentors.

In establishing a mentoring relationship with a white female partner at Kaye Scholer, Gonzalez—as Jones also advises—did not limit herself to mentors who are themselves minority females. Rather, Gonzalez, who is married and contemplating starting a family in the long term, has forged a bond with a white female partner based on a commonality of experiences.

“I felt I had a lot in common with her. She grew up in the same city as I. I felt I kind of connected with her as a first-year on several different levels, and she kind of took me under her wing and was very nurturing,” Gonzalez says. “Even though she doesn’t look like me, she’s a woman, she’s a mom, and she made partner. And she has been very candid with me about the struggle to juggle.”

Go Beyond the Excellent Work Product. According to Jones, a common and potentially dangerous misconception among minority female lawyers is that as long as she is doing an excellent job, her future at the firm or organization is secure.

“That belief is really detrimental to long-term success in the profession and the organization for a lot of reasons: Your firm could dissolve, your partner could go away for whatever reason, die, move without you. The partner could lose favor, lose business,” Jones warns.

Rather, Jones counsels that in addition to producing an excellent work product, attorneys must develop and maintain key relationships with those outside as well as within the organization. In organizations where business development is key to advancement, in particular, establishing and nurturing outside relationships are crucial. Also, while there is no substitute for the excellent work product that all organizations rightfully expect, it is merely one factor necessary to an unlimited future.

“I feel the effort has certainly been made toward me personally to let me know my work product is great, that they want to keep me, that I have a future here, that I am respected, that people have confidence in me, and that if there are any concerns I might have, there are several individuals in positions of power that I can speak with about those issues,” Gonzalez says. “For me, I’m getting all I need from this firm at this point.”

In sum, it is when all the proverbial stars are aligned that the minority female lawyer can begin to see that indeed the sky’s the limit.

Jennifer Bechet is a lawyer residing in Boston and a coeditor of Minority Trial Lawyer.

Endnotes
1. See Miles to Go: Progress of Minorities in the Legal Profession (American Bar Association Commission on Racial and Ethnic Diversity in the Profession, 2004).
3. The prosecutor requested that her name be withheld from publication in keeping with the policy of her governmental office.
4. See Daniel E. Pinnington, Preparing for a Mentoring Relationship, LAW PRACTICE TODAY (August 2004).
5. See id.
A Glimpse at a Judge’s Perspective

BY ASHLEY NALL

Many times in law school, a student may wonder what a judge was thinking when interpreting the law and which arguments most influenced the judge’s ruling. Rarely though, does a student have the chance to witness the practice of law from the opposite side of the bench. The Section of Litigation’s Judicial Internship Opportunity Program (JIOP) offers just that opportunity to minority and economically disadvantaged law students.

Through the program, I was able to serve as a judicial intern for the Honorable Susan Pierson Sonderby of the U.S. Bankruptcy Court of the Northern District of Illinois. During the seven-week internship this past summer, I witnessed first-hand the thought process a judge employs to interpret law and decide the outcome of a case. The opportunity to have a sneak peek into the decision-making process behind a ruling has largely influenced my approach to the practice of law.

What I found most beneficial about my summer in Judge Sonderby’s chambers was the detailed feedback I received. Because research and writing skills are so important in the legal profession, having a judge read what you have written and provide feedback is an opportunity that all law students should seize if they can. Although prior to this experience I had little interest in bankruptcy law, JIOP has allowed me to discover all it has to offer. Because of my experience this past summer, I am very interested in pursuing a career in bankruptcy law. In short, my summer in Judge Sonderby’s chambers was an invaluable experience.

Editor’s Note: The JIOP program provides internship opportunities for minority and financially disadvantaged law students in Chicago, Phoenix, Los Angeles and Miami, and throughout the States of Illinois and Texas.

Ashley Nall attends Loyola University Chicago School of Law. She participated in the Summer 2005 JIOP program where she clerked for the Honorable Judge Susan Pierson Sonderby.

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- [ ] Antitrust Litigation
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- [ ] Business Torts Litigation
- [ ] Children's Rights Litigation
- [ ] Class Actions and Derivative Suits
- [ ] Commercial and Business Litigation
- [ ] Condemnation, Zoning and Land Use Litigation
- [ ] Construction Litigation
- [ ] Consumer and Personal Rights Litigation
- [ ] Corporate Counsel
- [ ] Criminal Litigation
- [ ] Employment and Labor Relations Law
- [ ] Energy Litigation
- [ ] Environmental Litigation
- [ ] Ethics and Professionalism
- [ ] Expert Witnesses
- [ ] Family Law Litigation
- [ ] First Amendment and Media Litigation
- [ ] Health Law Litigation
- [ ] Immigration Litigation
- [ ] Insurance Coverage Litigation
- [ ] Intellectual Property Litigation
- [ ] International Litigation
- [ ] Mass Torts Litigation
- [ ] Minority Trial Lawyer
- [ ] Pretrial Practice and Discovery
- [ ] Pro Bono and Public Interest
- [ ] Products Liability
- [ ] Professional Liability Litigation
- [ ] Real Estate Litigation
- [ ] Securities Litigation
- [ ] Solo and Small Firms
- [ ] Technology for the Litigator
- [ ] Trial Evidence
- [ ] Trial Practice
- [ ] The Woman Advocate
- [ ] Young Advocate Training Outreach

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