

2016 Update

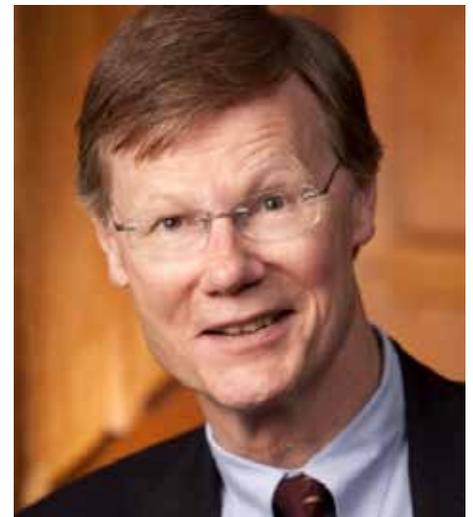
Center Launches Initiative on Lawyers and Leadership

In no other country do lawyers play as important a leadership role as in the United States. A majority of American presidents have been lawyers, and lawyers dominate in legislatures, government, and non-profit positions.

A significant number also become corporate leaders; Stanford Law School alum Brad Smith recently became president of Microsoft after a stint as general counsel. In our local communities, lawyers are often the ones who manage the PTA, or lead neighborhood committees. Yet much of the American public distrusts lawyers and lawyers themselves receive almost no formal education in how to lead. As Center Director Professor Deborah Rhode noted in her recent book, *Lawyers as Leaders*, “The focus of legal education and the reward structure of legal practice undervalues interpersonal capabilities

and ethical commitments that are necessary for successful leadership.” In law schools, although we have expanded the curriculum to include clinical and experiential approaches, we have not focused on a structured and disciplined approach to developing leadership skills. The Center’s newly launched leadership initiative hopes to change this at Stanford Law School and set an example for other institutions.

The need for leadership development for lawyers both within and beyond law school is particularly strong in light of two trends in the profession. One is the continued and increasing importance of



President and Senior Counsel of the Southern Center for Human Rights, Stephen Bright, was the inaugural speaker in CLP’s new Lawyers as Leaders speaker series.

law and regulation in a swiftly globalizing, information-driven world. International, national, and local laws interact with each other and with each of us in more direct and complicated ways. The role of the lawyer continues to expand in tandem with global and technological developments as the world looks to lawyers to structure these new interactions. Cybersecurity is one example of a new and rapidly changing issue with dramatic *(continued, page 7)*



Rising Stanford 2L Grace Chediak (far right) pitching with her team at the Women in Law Hackathon on June 24, 2016 at Stanford Law School.

Stanford Student Research Illuminates Challenges to Increasing the Retention and Advancement of Women in Elite Law Firms

The problem of women’s lack of leadership in elite law firms is not a new problem. For years, firms, the legal media, academics, and clients, have asked why women, despite being fifty percent of law school graduates, disproportionately fail to become equity partners or to hold major governance positions. Today, only eighteen percent of law firm equity partners are women, a percentage which has remained effectively stagnant for the past decade. It was this specific question – why women’s rates of retention and advancement have remained so poor despite years of efforts – that inspired the Women in Law Hackathon held on

the Stanford campus this past June.

The word “hackathon” has come recently into our common discourse through the world of computer programming. In a hackathon, participants are put together on teams, given a specific subject or problem on which to focus, and a period of time (usually a few days) in which to do it. The idea is that by bringing diverse groups of people together under time constraints, the teams will identify new approaches to long standing challenges. The Women in Law Hackathon was the brainchild of Caren Ulrich Stacy, former head of talent at Arnold and Porter and now the founder and CEO of Diversity

Lab. Given the seemingly intractable nature of “woman problem” at law firms, Stacy wondered if the hackathon structure might surface new approaches. She approached Stanford Law School, recognizing that our position at the intersection of law and innovation made us an ideal co-sponsor for such an event.

The Women in Law Hackathon brought together 54 high-level partners from law firms across the U.S. They worked together (virtually) in teams of 6 with two expert advisors and a Stanford Law student from January to June 2016. The teams presented their ideas in-person to a panel of judges at the pitch event at SLS on June 24, 2016. The winning teams focused on increasing access to business development and clients, more comprehensive approaches to mentoring and feedback, and possible reliance on the Rooney Rule, borrowed from the NFL, which would require law firms to consider at least one female candidate for all leadership positions. Winning teams donated their prize money, put up by Bloomberg Law, to organizations devoted to advancing women in the legal profession.

Alongside the Hackathon, the Center led a policy lab course with four of the participating students during the winter quarter. Led by Stanford Professor Robert Gordon, Associate Dean of Career Services Susan Robinson, and Center Executive Director Lucy Ricca, the class surveyed the research on why women face such challenges in elite firms and identified potential responses. The students ranged from a 1L who had come to law school directly from college to two LLM students from Australia and Canada who had been practicing in firms for some time. That breadth of experience was very valuable for the course. The students met with prominent female leaders, including Michelle Galloway, SLS alum (’89) and Of Counsel at Cooley LLP, Marie Huber, currently General Counsel of ebay, Michelle Banks, *(continued, page 3)*



Hackathon Judges (from left to right) Miriam Rivera (Stanford BA '86, MA '89, JD/MBA '95), Venture Capitalist & Former Google VP/Deputy GC, Alexis Diaz (Stanford JD '01), Managing Director, G100 & General Counsel, G100 Companies, and Tony West (Stanford JD '92), EVP Public Policy and Government Affairs, General Counsel and Corporate Secretary of Pepsico, discuss the presentations.

then General Counsel of the Gap, Kirsten Rhodes, Director of Deloitte's Marketing Development practice and leader of its West Coast Inclusion platform, and Pat Gillette, partner at Orrick and founder of the On Ramp Fellowship. They also consulted

paper outlined 23 examples of the inequities faced by women in detail and issued 16 recommendations for overcoming them. The students stressed that there is no "silver bullet," and proposed a multifaceted approach of specific, actionable steps to attack "the

“While our research uncovered lots of barriers...We are hopeful that firms will embrace new approaches that create new and substantive opportunities for women to lead.”

Marianne Cooper, a sociologist at Stanford who spoke in depth about the research on the effects of implicit bias. The students quickly grasped the complex and multifaceted nature of the issue with economic, structural, cultural, and social aspects and grappled with how to focus their research and present a paper that did justice to the complexity but also offered clear solutions.

The students' final product was a whitepaper on [Retaining and Advancing Women in National Law Firms](#). The

broader cultural and sociological factors that underlie the key problems being addressed.”

Anna Jaffe, LLM '16, noted, “While our research uncovered lots of barriers to the advancement of women in the legal profession, we also talked with many people who are eager to solve this problem. We are hopeful that firms will embrace new approaches that create new and substantive opportunities for women to lead.”



SLS students in policy lab (at table from L to R) Mackenzie Tudor, Grace Chediak, Anna Jaffe, and Erika Douglas meet with Marie Huber and Michelle Banks.

Key findings:

- Women are significantly underrepresented in positions of leadership (particularly on compensation committees) at large law firms.
- Gender stereotypes influence the perception of women lawyers' competence and potential.
- The billable hour adversely affects the retention of women lawyers.
- Women lawyers are not receiving fair credit for the generation of business as a result of a number of structural and social barriers.
- Female associates need mentoring and sponsorship from powerful partners.

Key recommendations:

- Take steps to ensure that a “critical mass” of women are appointed to leadership positions at law firms, particularly to the compensation committee.
- Provide associates with greater control over their career progression. Centrally monitor the distribution of assignments to ensure that each associate receives the opportunities they should.
- Allow associates to participate in management and decision-making at earlier stages.

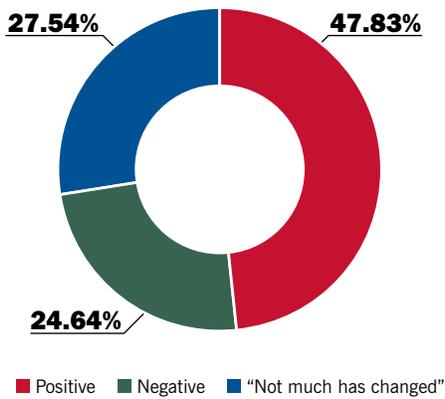
To publicize the findings of the Hackathon, Center Director Deborah Rhode, Executive Director Lucy Ricca, and Anna Jaffe, published an op-ed in the *National Law Journal*, titled [“No Time for Diversity Fatigue at Women in Law Hackathon.”](#) (see photos, page 15)

A woman trying to obtain custody of her children from her ex-husband's family. A couple seeking a simple divorce. A woman trying to get out of an abusive relationship. These are the types of legal issues facing so many Americans across the country. Although they involve "basic human needs," they are matters often priced out of reach for millions of individuals. Over eighty percent of the legal needs of the poor go unmet and between sixty-two and ninety-two percent of litigants in state court are unrepresented. "Equal justice under law" is a slogan that frequently appears over courthouse doors. It does not begin to describe what goes on inside them.

Civil legal aid programs exist to fill the gap in legal services for the nation's low-income population, and the Center this past year sought to supply research that would guide effective uses of program resources. The Legal Services Corporation ("LSC"), a federally-funded program, is the largest source of legal assistance for the poor. The LSC distributes more than 90% of its federal appropriation to more than 100 nonprofits delivering civil legal aid. With approximately 800 offices throughout the United States, those organizations assist individuals whose annual incomes are at or below 125 percent of the federal poverty guidelines. Currently, LSC grantees serve nearly two million people, assisting with family law issues, including domestic violence, child support, and custody, as well as housing issues, including evictions and foreclosures. The organization faces near constant cuts to its funding and challenges to its existence in Congress, even as its client base, the share of the population with incomes below 125 percent of the poverty line, is "higher than ever, at about one-fifth of the population."

Because of the extreme level of demand for their services, LSC-grantee organizations across the country are unable to provide full representation to

Center Runs Policy Lab in Partnership with the Legal Services Corporation



Breakdown of reported outcomes for ALSC clients who received limited legal assistance.

LSC, a federally-funded program, is the largest source of legal assistance for the poor.

all those who seek assistance. Increasingly, legal aid offices are offering "unbundled" or "limited" legal services, in which the lawyers do not represent the client but rather assist him or her in an agreed upon way, such as giving advice, drafting a document, or making a phone call. This form of legal service is now very common. In 2014, for example, attorneys

at LSC grantee organizations offered "counsel and advice" in 60 percent of LSC-funded cases, but only offered "extensive services" in 4 percent of cases.

Virtually no research has assessed the effectiveness of this form of limited assistance. To remedy this situation, LSC President Jim Sandman and Alaska Legal Services Corporation ("ALSC") Executive Director Nikole Nelson asked the Center for help on better understanding the impact of these services. As a result, over the course of the past year, Center Director Deborah Rhode and Executive Director Lucy Ricca led a team of students in a [law and policy lab](#) to research the impact of limited legal assistance in Alaska and to draft a white paper presenting their findings and recommendations. The students developed a survey, and conducted telephone interviews with people who had either received limited legal assistance or had sought but not received such help. The students attempted to contact over 700 Alaska residents and completed interviews with over one hundred. The majority of the cases were divorce and custody cases. The study found that people who received limited legal assistance generally understood the advice and were able to follow it and that they highly valued direct, concrete assistance on matters such as completing and filing forms. Almost 48 percent of those who received limited legal assistance reported positive outcomes in their cases.

The students also presented recommendations for next steps for ALSC, which included retaining the limited advice initiative but improving its operation. For example, the program should conduct further research into the experience of rural Alaskans and enhance its use of technology-based form completion tools. The full analysis completed by the students will be published as a white paper on the Center's website.

From the Director



As the events profiled in this newsletter make clear, the Center had a very productive year, aided as always by its terrific Executive Director, Lucy Ricca. Directors always say something like this, but because my day job involves teaching legal ethics, I try not to stray far from the truth. And what was particularly

noteworthy about this year was the launch of a leadership initiative that we hope will be a model for other schools.

I have been writing about lawyers and leadership for over a decade, and have noted with depressing regularity that the occupation that produces America's greatest share of leaders does little to prepare them for that role. Leadership is a \$45 billion industry, but law schools have come late to the parade. Relatively few have leadership courses or other extracurricular programs. But, I am pleased to note, that is starting to change.

At last winter's annual meeting of the Association of American Law Schools, professors gathered together for the first time to strategize about how to advance leadership development in legal education. One suggestion was to secure sponsorship of a symposium on lawyers and leadership by a leading law review, and I am delighted to report that the Stanford Law Review volunteered to cosponsor such an event with the Center next February. Prominent lawyers and leaders in legal education will be attending, and we hope to jump start a richer dialogue about the challenges facing lawyers in leadership and how best to prepare them for that role.

My own book on *Women and Leadership* is coming out next fall with Oxford University Press, and it has chapters on law, politics, management and academia that I hope will be useful to a broad audience. As we watch examples of good and bad leadership play out daily on the American political stage, it is a particularly timely moment to launch initiatives to improve research and education in the area. Over two-thirds of Americans believe that the nation faces a leadership crisis, and institutions like Stanford Law School and its Center on the Legal Profession should be part of the response.

Center on the Legal Profession Advisory Forum Members:

William F. Abrams, Steptoe & Johnson

Tom DeFilippis, Sharon Flanagan, and Karen Cottle, Sidley

Mark Chandler, Cisco

Gordon K. Davidson, Fenwick & West

Robert M. Dell and Ora T. Fisher, Latham & Watkins

Steven E. Fineman, Lieff Cabraser Heimann & Bernstein

Steven R. Lowenthal, Farella Braun & Martel

R. Bradford Malt, Ropes & Gray

Michael Headley and Howard Pollack, Fish & Richardson

Stephen Poor, Seyfarth Shaw

John Schultz, Hewlett-Packard

Bruce Sewell, Apple

Anna Erickson White and Craig Martin, Morrison & Foerster

Thomas S. Wisialowski, Paul Hastings

Mitch Zuklie and Ralph Baxter, Orrick

Center on the Legal Profession Faculty Steering Committee:

Nora Freeman Engstrom, Professor of Law and Deane F. Johnson Faculty Scholar

Ronald J. Gilson, Charles J. Meyers Professor of Law and Business, Emeritus

Robert W. Gordon, Professor of Law

Deborah R. Hensler, Judge John W. Ford Professor of Dispute Resolution, Associate Dean for Graduate Studies, Director of Law and Policy Lab

Lawrence C. Marshall, Professor of Law

George Triantis, Charles J. Meyers Professor of Law and Business, Associate Dean for Strategic Planning, Associate Dean of Research for Stanford University

Design Lab Inspires New Ways of Approaching Legal Practice

The Legal Design Lab had a busy year with continued growth of established projects and development of new ideas. The mission of the lab continues to be on training students and researching how design might work to change how legal services are performed and experienced.

Much of the Lab's work this past year focused on [reimagining complex legal communications](#) as a way to increase realization of legal rights by ordinary Americans. The area of communication has always held particular potential for the application of design thinking, through the inclusion of visual and interactive modes of communication. State courts in California have seen the value of initiatives in this context, and have sought the Lab's help in redesigning courthouse communications.

In fall 2015, our Fellow in Legal Design Margaret Hagan, teamed up with SLS contracts scholar George Triantis to teach a class on contract design, particularly focused on privacy communications. A central challenge in consumer contracts is that many consumers enter into contracts without reading or being aware of the terms to which they are agreeing. This problem has been exacerbated by technologies that have made it even more difficult and annoying for consumers to read the terms and conditions before downloading software or accessing a new service. Moreover, consumer relationships over the internet often require individuals to disclose and relinquish control over personal data, which makes the absence of informed consent more important. It has become

increasingly clear that simply mandating more textual disclosure is not a solution, particularly in a world where individuals struggle to sift, sort and process the vast amounts of information now available at low or zero cost.

This presents a challenge that we sought to address in this legal design lab: how can we present the complex and important information in a contract to consumers in a way that they can understand it and act in their own best interests? The students tackled this consumer-contract design challenge. In the first half of the course, they studied and discussed principles of contract design, theories of consumer consent, communication design, privacy scholarship, and behavioral economics to understand the dynamics of how lay people interact with legal text and choices, particularly in digital environments. In the second half of the course, they worked in teams to address a specific design challenge, consulted experts, and generated new strategies and interfaces. They engaged in a design process beginning with discovery, to prototype, to testing of their designs of consumer-facing contracts. In the end, they presented their prototypes to teams of in-house privacy lawyers.

The class was a great success and fed into a winter policy lab with the Financial

Always be asking 2 questions:

Is the content shining through?

Am I serving my user's key needs?

Approaching legal communications from a design perspective.

Industry Regulatory Authority (FINRA) and has spawned several student research projects into different aspects of consumer- contracts.

The Lab's major projects, including the Navocado legal navigator, continue in development and testing and we have initiated work on a large new project focused on building a better internet for legal help. We have also had great success with our Student Fellows program, through which particularly engaged students develop their own projects in legal design and work under the guidance of Hagan. We look forward to watching these incredible students re-imagine how law interacts with the world.

Center, continued

international, national, and personal ramifications that requires legal attention. A second trend involves the continued blurring of the line between business and the profession. The in-house bar is growing and today's in-house counsel is expected to perform in ways beyond traditional legal tasks and is expected to contribute actively to the business and strategy decisions of the company. Lawyers in non-profit leadership roles play a similar role.

“[F]ormal leadership programs can increase individuals’ understanding of how to exercise influence and what cognitive biases, interpersonal responses, and organizational dynamics can sabotage effectiveness.”

Leadership education can contribute in a significant way to these expanded legal responsibilities. As Rhode notes, “[F]ormal leadership programs can increase individuals’ understanding of how to exercise influence and what cognitive biases, interpersonal responses, and organizational dynamics can sabotage effectiveness.” Leadership programs can also reinforce ethical leadership through case studies and simulations. The Center’s leadership initiative will address all of these potential avenues of professional development.

The first effort of the leadership initiative is the Lawyers as Leaders speaker series. By bringing to the campus diverse examples of successful lawyer leaders, we seek to expose the students to a more complete picture of leadership possibilities and the challenges that they entail.

The series kicked off this spring with an [inaugural speech](#) by Stephen Bright,

the President and Senior Counsel of the Southern Center for Human Rights (“SCHHR”). Bright’s leadership has not only guided the growth of SCHHR through its legal battles (most recently successfully litigating the Foster v. Chapman death penalty case before the Supreme Court). It has also shaped social and policy advocacy movements around capital punishment, prison reform, and effective legal representation for indigent criminal defendants throughout the country. Bright explained lawyers’ outsized representation in the leadership arena as

follows: “Lawyers have knowledge. [T]hey know something about the law and they know how the legal system works, and of course, the legal system affects every aspect of our society, life and liberty, who has custody of children, whether people are evicted from their home, every kind of the most fundamental things you can think of....” He stressed the importance of leaders who start from the “trenches,” close to the “pain and suffering that is going on” so that real understandings of the problems can guide legal and policy advocacy. He recalled his first years as a lawyer working for the Appalachian Research and Defense Fund (“AppalReD”), as fundamental to setting his course on advocacy for those “who need us desperately.”

Bright identified certain qualities as essential to successful leadership of social justice movements, particularly a deep knowledge of those whom you seek to serve and the factors affecting their lives,

an ability to build a team of smart and committed people and to allow them to do their work without interference, and to be unafraid to seek help from others who know more than you do. To an observer, his speech was remarkable for lack of ego and focus on the importance of others to his success. He spoke about the significance of his original mentor Jon Rosenberg at AppalRed, his team at SCHHR, the younger lawyers, and particularly the support staff. He spoke very little about his own role in the organization and in fact cautioned against the “cult of personality” that can grow around an inspiring leader.

And yet his speech distilled his singular and personal commitment to the people whom he serves and the issues to which he has dedicated his life. The stories of Bright’s work are shocking, horrifying, and demoralizing: the man whose elderly mother died of starvation while he was held in jail before trial because he could not afford bail; the death row inmate whose case was denied cert and whose lawyers informed him that he would be executed through an impersonal letter; and the legions of black men in prison or sentenced to death with little or no adequate legal representation. When asked how he has kept his energy and focus on these very challenging and emotionally draining issues for so long, he responded simply, “Outrage. Every day, everything I see going on in these cases is simply outrageous.”



Professor Joe Grundfest and Former U.S. Attorney for the Northern District of California Melinda Haag

Law and Pop Culture Series Features Comedy and Corruption

The Center hosted two events in our ongoing Law and Pop Culture series this year, both of which highlighted the negative public perception of lawyers and explored why this perception continues to dominate the portrayal of the legal profession in entertainment media.

In October, the Center hosted an event on humor by and about lawyers with “How Many Lawyer Jokes Are There? Only Three, The Rest Are True.: Lawyer Humor and the Legal Profession.” The event started with 30 minutes of stand-up comedy from two lawyers-turned-professional comics, [Liz Stone](#) and [Matt Ritter](#). Stone and Ritter then joined Center Director Deborah Rhode and [Marc Galanter](#), Professor Emeritus at University of Wisconsin School of Law for a panel discussion. Galanter has authored a book on jokes about lawyers, and the panel focused on why the legal profession serves as such a rich source of comedy, and whether it suggests truths or exacerbate myths about lawyer ethics.

In May, a second event focused on prosecutorial ethics through the lens of Showtime’s new drama *Billions*. The series highlights a federal prosecutor’s investigation of a high-flying hedge fund manager. The event, [Billions: Money, Financial Crime, and Legal Ethics](#), screened an episode of the show, followed by a panel discussion with the show’s two creators, Brian Koppelman and David Levien, moderated by UCLA Professor David Ginsburg. The series explores the destructive impact of the epic struggle between the U. S. Attorney (played by Paul Giamatti) and the hedge fund manager (played by Damian Lewis) on their ethics, their families and their subordinates. Koppelman explained that

he and his co-creator were interested in “the kind of people who sit in those positions, how they got there, the drivers of ambition, and the need for power and control.... We were fascinated by the unfettered powers that the United States Attorney has, fascinated by the discretion that [these prosecutors] have in what to go after and when to go after it.”

The discussion with the show’s creators led directly into the second panel, which focused in on the myriad ethical issues presented in the show’s first season. Moderated by Stanford Law Visiting Professor [Michael Asimow](#), the panel included [Melinda Haag](#) (former U.S. Attorney for the Northern District of California), [Joe Grundfest](#) (former SEC Commissioner and current Stanford Law professor), and [Lisa Kern Griffin](#) (former Assistant U.S. Attorney in Chicago and current Duke Law professor). They discussed questions of prosecutorial power and discretion, conflicts of interest, challenges of addressing white-collar criminal offenses, and the need for reform in key aspects of the criminal justice system.

Professor Griffin noted that underlying the flashy dramatic packaging of *Billions* are interesting insights into the complex role of the prosecutor. In her view, the series effectively represents a real undercurrent of envy among federal prosecutors toward bankers and hedge fund managers. These “banksters” (as opposed to gangsters) are not just wealthy, but also incredibly powerful, and they have access to the best legal talent that money can buy. Their insulation from legal accountability fuels a sense of frustration on the part of many prosecutors. The series explores what happens when those feelings of envy and frustration become personal, leading to a spiral of ethical violations. Haag agreed, and noted that overzealousness breeds not only moral misconduct, but legal and strategic mistakes.

Recent Events

September 29, 2015

The Women Attorneys Advocacy Project *(co-sponsored)*

As lawyers, it is our duty to zealously advocate for our clients but often that advocacy can be affected by personal identity or characteristics, such as gender, race, or appearance. How do our identities affect our advocacy and how we are perceived by judges and juries? What tools can we use to reduce negative effects and win successful outcomes for our clients? These questions were central to a program cosponsored by the Center and The Women's Advocacy Project, an informal group of prominent Bay Area attorneys led by U.S. Magistrate Judge Elizabeth LaPorte. Featuring noted public speaking coach Cara Hale Alter and Stanford design school Lecturer Dan Klein, the program offered insights into how individuals' perceived identity might affect their presentations and how they could become more effective advocates.



Cara Hale Alter

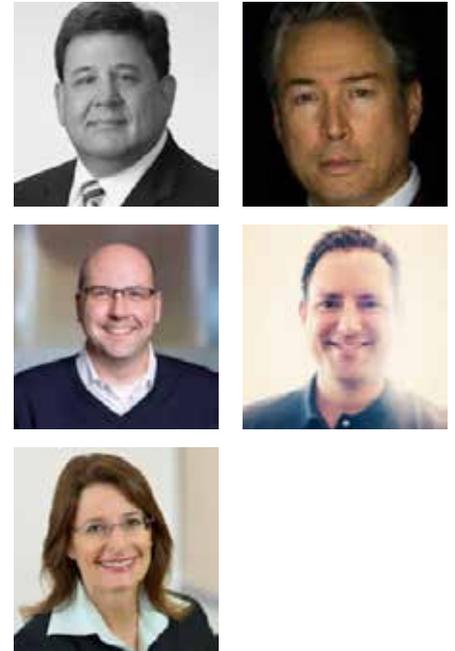
October 5, 2015

Cybersecurity and the Legal Profession: Significant Challenges and Unique Opportunities

(co-sponsored with the Rock Center for Corporate Governance)

The legal profession is built on information: lawyers gather, categorize, and analyze our clients' most important information in order to help guide their decision-making. What happens when we can no longer guarantee the security of that information? The issue of cybersecurity is a fundamental challenge facing the legal profession today as law firms and legal departments struggle with understanding the scope of the threats, developing plans and responses, and prioritizing the issue internally. But cybersecurity also presents a new opportunity for the lawyer role as clients seek guidance on their own exposure and as governments work to develop a systemic regulatory framework for this area.

The Center and the Rock Center for Corporate Governance presented a panel discussion on cybersecurity and the legal profession moderated by Lucy Ricca, executive director of the Center. The panelists were Karl Hopkins, CSO and Partner of Dentons, Kevin Hulbert, President of XKGroup, Peter LaMontagne, CEO of Novetta, Tom Moyer, Chief Compliance Officer and Head of Global Security for Apple, and Ruby Zefo, Vice President, Law & Policy Group and Chief Privacy and Security Counsel at Intel Corporation.



Karl Hopkins, Kevin Hulbert, Peter LaMontagne, Tom Moyer, and Ruby Zefo

October 29, 2015

The Crackdown on the Chinese Legal Profession

(co-sponsored with the Levin Center and the Center for East Asian Studies)

China's current nationwide crackdown on "rights defense" (weiquan) lawyers is the strongest assault to date on a small number of pioneers who have struggled to advance the rule of law. Lawyers, activists and ordinary citizens who assert legal rights against agencies and officials now risk suppression in the name of "stability maintenance." The crackdown increases uncertainty about the future of law reform in China.

This panel examined the implications on the crackdown for the Chinese legal profession. Panelists included Hou Ping, the Vice President and Founder of LesGo, a nonprofit organization working on LGBT rights in China, and Stanley Lubman, a long-time specialist on Chinese law, Distinguished Lecturer in Residence (ret.) at the University of California, Berkeley, School of Law.

Recent Events, continued

November 4, 2015

Inside Washington: Lunch with Lanny Davis

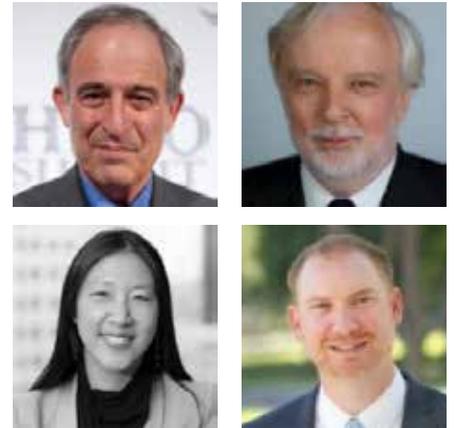
Students joined Washington lawyer and crisis manager Lanny Davis. Davis, former White House Counsel to President Bill Clinton, is a lawyer, crisis manager, consultant, author, and television commentator providing strategic counsel to clients under public scrutiny. This panel explored the way he develops and manages communications programs around crises.

November 4, 2015

Getting Ahead of Scandal: Lawyers and Crisis Management in a Connected World

(co-sponsored with the Rock Center for Corporate Governance)

Scandal is everywhere these days: from political candidates to car companies, from celebrity hacks to environmental disasters. The pervasiveness of scandals are by no means new, but the reach of new technologies and media structures have accelerated and widened their dimensions. Because many scandals have significant legal implications, lawyers are frequently involved in managing their impact. How a scandal plays out depends as much on managing the public narrative as it does on handling the legal one. The Center and the Rock Center for Corporate Governance were pleased to welcome Lanny Davis, reknowned legal crisis management expert and former White House Counsel to the President Bill Clinton, Walter Montgomery, founding partner of the New York communications firm Robinson Lerer Montgomery (now known as Finsbury), Lin-Hua Wu, until recently a partner at the Berkshire Group and now head of corporate communications for Square, and Nigel Glennie, Director of Business Critical Communications for Cisco, for a discussion moderated by Professor Dan Siciliano.



Lanny Davis, Walter Montgomery, Lin-Hua Wu, and Nigel Glennie

November 12-13, 2015

Conference on Advancing Equal Access to Justice: Barriers, Dilemmas, and Prospects

(co-sponsored with UC Hastings College of Law)

The Center co-sponsored a two day conference on the access to justice crisis in this country. The conference brought together scholars from across the country to present research on the issue and discuss potential avenues to solution. The conference sought to enhance our empirical and conceptual understandings of the most pressing short-term and long-term challenges affecting the accessibility, availability, and quality of civil legal assistance and representation for low and middle income individuals. Chief Justice of the California Supreme Court Tani Cantil-Sakauye gave a keynote address and former Justice and UC Hastings Professor Joe Grodin was honored.

January 19, 2016

The Modern State Attorney General: Power, Influence, and Ethics

(co-sponsored with the Rock Center for Corporate Governance and the Stanford Journalism Department)

In 2014, the New York Times ran a [series of articles](#) by Eric Lipton on the lobbying of state attorneys general by lawyers representing both defense and plaintiff-side interests. The articles painted a remarkable picture of attorneys general so closely tied to industry interests that, at the word of a lobbyist, they might either initiate or kill an investigation, use industry-drafted letters or pleadings, or farm out investigations to powerful plaintiffs' firms. The series won Lipton a Pulitzer prize and galvanized investigations and proposed reforms. The Center, the Rock Center for Corporate Governance, and the Stanford Journalism Department welcomed Lipton to Stanford for an in-depth discussion of the legal and ethical issues raised by his investigation and the resulting reaction. He was joined by Terry Goddard, former attorney general of Arizona, and James Tierney, former attorney general of Maine and current Director of the National State Attorneys General Program at Columbia Law School. The discussion was moderated by Stanford Law Professor Nora Engstrom.

Recent Events, continued

February 11, 2016

Techniques for Compassionate Lawyering: Survivors of Trauma

(co-sponsored with the Levin Center)

As an attorney, you may have occasion to interact with someone who has suffered a traumatic experience. Law school provides you with an excellent legal foundation to become a good lawyer, but sometimes that isn't enough when working with clients who've experienced trauma. In order to create a trusting relationship, it's important to develop the trust-building and listening skills necessary to connect on an emotional level. The Center co-sponsored a panel discussion on compassionate lawyering featuring speakers from the [San Francisco Trauma Recovery Center](#).

April 26, 2016

Law School Debt: The Problem and Potential Solutions

In October 2015, the *New York Times* Editorial Board called the national law school debt crisis a “death spiral” marked by rapidly increasing tuition paid for with federal loans which students are increasingly unable to pay back in a faltering legal employment market. The *Times*' editorial noted that “Forty-three percent of all 2013 law school graduates did not have long-term full-time legal jobs nine months after graduation, and the numbers are only getting worse. In 2012, the average law graduate's debt was \$140,000, 59 percent higher than eight years earlier.” Recent news stories include one law graduate suing her former school for inflating its employment rate and encouraging her to take out \$150,000 in loans to attend the school. Another graduate's case seeking discharge of his \$300,000 in law school debt is pending cert before the Supreme Court. Latham & Watkins recently made news by enlisting its banking clients to assist its associates in refinancing their loans at lower interest rates. This panel discussion delved into how law school debt became such a challenging issue and what solutions are most promising. The Center welcomed [LeeAnn Black](#), Chief Operating Officer of Latham & Watkins, Professor [Jonathan Glater](#), Visiting Assistant Professor of Law at Stanford Law School and [Frank Brucato](#), Senior Associate Dean for Administration and CFO at Stanford Law School, in a discussion moderated by Professor Deborah Rhode.

Spring 2016

The Global Legal Department with HPE

(co-sponsored with the Rock Center for Corporate Governance)

In this short course, led by John Schultz, General Counsel of Hewlett Packard Enterprise, and Yabo Lin, Partner at Sidley Austin LLP, Stanford students analyzed the inner workings of a large, globally-integrated legal department through the lens of the issues most relevant to its function. The course sought to assess two fundamental questions: (1) How is a complex organization (such as HPE) managed from a legal perspective?, and (2) What are the significant issues in the most relevant areas and how are these issues addressed at the highest level in the legal department? We considered these questions through 5 sessions: (1) Overview of the global legal department, including particular consideration of the General Counsel's role vis a vis the CEO, the senior executive team and the Board of Directors; (2) Managing global expectations around privacy, human rights and social and environmental responsibility (3) Global Employment and Litigation challenges; (4) Corporate transactions (M&A and contracts) and intellectual property across jurisdictions; and (5) Global issues of ethics, compliance, and anti-corruption.

The Center's Faculty and Staff



Deborah L. Rhode, Director (E.W. McFarland Professor of Law)

[Deborah L. Rhode](#) is a graduate of Yale College and Yale Law School, and served as a law clerk to

Justice Thurgood Marshall. She is a former president of the International Association of Legal Ethics and the Association of American Law Schools, a former chair of the American Bar Association's Commission on Women in the Profession, and the former founding director of Stanford's Center on Ethics. She also served as senior counsel to the Minority members of the Judiciary Committee, the United States House of Representatives, on presidential impeachment issues during the Clinton administration. She is the most frequently cited scholar on legal ethics. She has received the American Bar Association's Michael Franck award for contributions to the field of professional responsibility, the American Bar Foundation's W. M. Keck Foundation Award for distinguished scholarship on legal ethics, the American Bar Association's Pro Bono Publico Award for her work on expanding public service opportunities in law schools, and has been recognized by the White House as a Champion of Change for a lifetime's work on increasing access to justice.



Lucy Buford Ricca, Executive Director

As Executive Director, Ricca coordinates all aspects of the Center's activities, including developing the direction and goals for the Center and overseeing operations, publications, programs, research, and other inter-disciplinary projects. Ricca joined Stanford Law School in June 2013, after clerking for Judge James P. Jones of the United States District Court for the Western District of Virginia. Before clerking, Ricca practiced white collar criminal defense, securities, antitrust, and complex commercial litigation as an associate at Orrick, Herrington & Sutcliffe. Ricca received her B.A. in History from Dartmouth College and her J.D. from the University of Virginia School of Law.

CLP's 2013-2014 Fellows and Advisors

Ralph Baxter, Senior Advisor

Ralph Baxter served as Chairman and Chief Executive Officer of Orrick from 1990 through March 2013. Under Mr. Baxter's leadership, Orrick expanded, diversified and extended its geographic reach, transforming from a domestic firm with California origins to its position today as one of the world's most prominent global law firms, with more than 1,100 lawyers in 25 offices across the United States, Europe and Asia. Mr. Baxter also launched several transformative initiatives that more closely align Orrick with its clients, including non-traditional talent and pricing models, distinguishing the firm as a bold innovator in the legal industry.

In 2013, *The American Lawyer* named Mr. Baxter one of the "Top 50 Big Law Innovators of the Last 50 Years." In naming Mr. Baxter among the "Most Innovative Managing Partners" for the second year in a row in 2012, *Law360's* editors noted that Mr. Baxter "has left an indelible mark not only on [Orrick]... but also the larger practice by upending traditional career models, rejiggering payment structures and transforming the business of law in many other innovative ways."

Recognized as one of America's "100 Most Influential Lawyers" by *The National Law Journal*, Mr. Baxter is a frequent speaker on business leadership and the evolution of the legal profession.

Margaret Hagan, Fellow, Legal Design Initiative

Margaret Hagan is a fellow at Stanford Law's Center on the Legal Profession and a lecturer at Stanford Institute of Design (the d.school).

She was a fellow at the d.school from 2013-2014, where she launched the Program for Legal Tech & Design, experimenting in how design can make legal services more usable, useful & engaging. She taught a series of project-based classes, with interdisciplinary student groups tackling legal challenges through user-focused research and design of new legal products and services. She also leads workshops to train legal professionals in the design process, to produce client-focused innovation.

Margaret graduated from Stanford Law School in June 2013. She served as a student fellow at the Center for Internet & Society and president of the Stanford Law and Technology Association. While a student, she built the game app Law Dojo to make studying for law school classes more interactive & engaging. She also started the blog Open Law Lab to document legal innovation and design work.

Margaret holds an AB from the University of Chicago, an MA from Central European University in Budapest, and a PhD from Queen's University Belfast in International Politics.

Selected 2015-2016 Outreach

November 2015, Atlanta, GA: 2015 W. Lee Burge Professionalism Conference at Georgia State College of Law, Keynote Address by Professor Rhode: Leadership for Law Schools: Why and How

November 2015, Palo Alto, CA: Gender Equality in Technology and Venture Capital

January 2016, New York, NY: AALS Leadership for Law Students and Lawyers Panel (co-sponsored with Baylor Law School)

April 2016, Knoxville, TN: University of Tennessee College of Law 2016 Symposium on Professional Leadership Education, Keynote Address

April 2016, Berkeley, CA: 33rd Annual Labor and Employment Law Section Annual Meeting, Happy Lawyering: A Discussion with Professor Deborah Rhode

July 2016: Legal Rebels Podcast, [Deborah Rhode is at War with Complacency](#).

July 2016, San Francisco, CA: Fenwick & West Women's Affinity Group Meeting

July 2016, New York, NY: International Association of Legal Ethics, Professor Deborah Rhode participated in two panels: Comparative Perspectives on Regulating the Legal Profession and Innovation in the Legal Profession.

Stanford Law School

Stanford Center on
the Legal Profession

Contact the Center

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Women in Law Hackathon



Audience at the Women in Law Hackathon, June 24, 2016, Paul Brest Hall, Stanford Law School.



Team 5 presenting their pitch based on the NFL's "Rooney Rule".



Hackathon Judge Alan Bryan, Senior Associate General Counsel, Legal Operations-Outside Counsel Management, Wal-Mart Stores, Inc., questioning a team.



Winning Team 9 celebrating victory.
