

The Federal Bar Association Celebrates International Women's Day at Fordham

by Fordham School of Law International Law and Justice Practicum LL.M. Students

Fordham School of Law International Law and Justice Practicum LL.M. Students are: Lucila Casado Ardizzi, Vincenzo Debolini, Melissa Mateo, John Yeboah Mensah, Stephanie Ro, Tomoko Yamazaki, Arwa Sharif, Joaquin Hermoso Carrasco, Nandar Win Kerr, MIMOZA Konjusha, Won Young Song, Mandalena Prelashi, Miaoqing Lu, and Nikita Barykin.

On March 11, the FBA Southern District of New York (SDNY) Chapter, the FBA International Law Section, and the FBA Judicial Division co-sponsored Fordham University's Second Annual International Women's Day Event—A Student-Moderated Evening of Discussion, hosted by the Fordham School of Law in New York City. This two-hour program involved presentations by eight distinguished speakers and FBA leaders. The National Association of Women Judges (NAWJ) and the Women's Bar Association of the State of New York (WBASNY) co-sponsored the program.

FBA SDNY Chapter President-Elect and adjunct professor Mimi Tsankov kicked off the event with a welcome in her capacity as both Fordham School of Law adjunct professor and chair of the National Association of Immigration Judges, Gender and Equality Committee. She announced the evening's theme as "Balance for Better"—in accordance with the United Nations' 2019 International Women's Day guidance. Framing the evening's anticipated discourse, she posited three questions: "To what extent do the laws that we have in place support gender balance?" "Where do we need to improve?" and "What have we succeeded in doing so far?" Challenging the presenters to consider how they see gender equality in terms of the stated theme, she invited their personal remarks in light of their positions of leadership within the various state, federal, and international governmental bodies in which they work.

Fordham LL.M. student Lucila Casado Ardizzi introduced the next speaker, FBA President Maria Vathis. Vathis provided a detailed presentation about how gender balance is better for business, as it offers diversification of talent. She pointed out how highly regarded studies suggest that the inclusion of women increases the global gross domestic product. As to the role of women in the law in the United States, she pointed out a number of firsts, including (1) the first gender discrimination case dating back to 1872, (2) the first female admission to a state bar in 1876, (3) the right of women to practice law in all 50 states in the 1950s, and (4) the confirmation of the first woman to the U.S. Supreme Court in 1981. Despite these successes, she pointed out that, although women represent the

majority of law school graduates, they still represent a minority within the FBA. She indicated that some industries are particularly affected by underrepresentation, especially in the science, technology, engineering, and math (STEM) fields, where only 1 in 4 women hold positions. She called on women to fight stereotypes and encourage young girls to pursue careers in these fields. She identified how this impacts attorneys who practice patent law. Since the patent bar requires the completion of an undergraduate degree in a science field, this disproportionately affects women who make up only 25 percent of STEM university graduates. Vathis highlighted the work that FBA Circuit Vice President Olivera Medenica has been doing to change the rules related to participation in the patent bar to be more inclusive of women. She concluded her remarks by quoting U.S. Supreme Court Justice Ruth Bader Ginsburg, who, when asked how many women should be on the Supreme Court, responded, "There will be enough women on the Supreme Court when there are nine."

Next, Fordham LL.M. student Vincenzo Debolini introduced the Honorable Tanya R. Kennedy, Immediate Past National President of the National Association of Women Judges (NAWJ). Judge Kennedy presented on "Women in the Judiciary - A U.S. Perspective." She began her remarks by noting that in order to truly achieve equality, we must invite men to the table and to find ways to join forces. She remarked at the presence of so many males in the program's audience. Judge Kennedy said that 2018 statistics reflect that women make up 33 percent of the state court judiciaries nationwide, and that New York State courts are doing even better -- at 37%. She explained that a) women outnumber the men in the First and Second Departments; b) that the Presiding Justice of the Third Department is a woman and that there are three women out of nine justices on the court; and c) that there are four women in the Fourth Department. She said that this should come as no surprise since women are effective judges since they are known for their skills in compassion, thoughtfulness, listening, and multi-tasking. She explained how in the past, these types of qualities had not been viewed favorably,



Speakers pose after the Federal Bar Association's 2019 International Women's Day Celebration.

and yet that these qualities serve to strengthen the quality of a judge. By embracing them we exercise the full power of being a woman. She said that the characteristics of a good judge include open-mindedness, patience, courage, firmness, understanding, compassion, and basic common sense. She compared these characteristics with those of being a female and highlighted how many qualities the two had in common. In addition, she pointed out how in the pursuit of justice, women can provide a unique perspective, and enhance the judicial experience by educating males to see things from another perspective. She closed by referencing that NAWJ held a legislative caucus entitled "WeToo in the Legal Workplace" to ensure a healthy work place free of sexual harassment. "WeToo in the Legal Workplace" has now been trademarked.

Judge Lisette Shirdan-Harris appeared in her capacity as NAWJ international director and North American U.S. delegate to the International Association of Women Judges (IAWJ). She was introduced by LL.M. students Nandar Win Kerr and Mimoza Konjusha, both of whom wish to work in the areas of international human rights, gender-motivated violence, and international criminal law. By way of background, Judge Shirdan-Harris presides over matters of gender and discrimination. In her leadership role at the IAWJ, she has led judges around the world in breaking down gender stereotypes, changing attitudes, and raising awareness through programs, partnerships, and training. She has presented at panels and programs around the world, including the Netherlands and Morocco. She is very interested in women's issues, and her presentation focused on women in judiciary from an international perspective and, in particular, the work of IAWJ. Judge Shirdan-Harris explained that IAWJ's key programs are: gender-based violence, property rights, human trafficking, HIV/AIDS, child marriage, and abuse of power (also called "sextortion"). She explained that sextortion is a terrible issue to deal with in the equation of lack of freedom and equal rights for women. Also, women and girls are facing deeply entrenched attitudes and customs worldwide that pose potential for discrimination. These programs are designed to bring a new perspective in examining law and procedure and reinforcing the application of international law. She added that, as a result of these programs, we

are seeing an increase in the number of women on the bench. This is important because women judges around the world are helping to create "balance for the better." She added that IAWJ hosts a biennial worldwide conference, which will next be held in Auckland, New Zealand, in May 2020. The anticipated topic will be a celebration of diversity. She challenged the group to join IAWJ's efforts at achieving equality of justice and combating violence around the world vis-à-vis women and children, and to support appropriate judicial responses to these crises.

Fordham LL.M. students Melissa Mateo and Miaoqing Lu, who plan to work in the field of international human rights, introduced the next speaker, Hon. Cenceria P. Edwards. Judge Edwards presides in Kings County Civil Court and serves as the NAWJ's District Two director supporting New York, Connecticut, and Vermont. Judge Edwards provided specifics about women in the judiciary from a U.S. perspective. She started her speech by sharing her experience within the courts and how she was surprised at the continued imbalanced ratio of women to men. Judge Edwards mentioned that of the four circuits in the Kings County Civil Court and in the remainder of the circuits, the majority of the attorneys that appear are men. She stated that, although the representation of women in law school is quite balanced, most trial attorneys are still men. Judge Edwards summarized that "we [women] do have a way to go in terms of our representation within the bar and the bench."

Fordham LL.M. student John Yeboah Mensah, a Ghanaian student planning to work in the area of public interest and international human rights, introduced the next speaker, Margaret Kuehne-Taylor, co-chair, American Bar Association, International Law Section, Immigration and Naturalization Committee. Kuehne-Taylor, appearing in her personal capacity, focused on Women's Issues in Immigration Asylum Proceedings. She noted the existence of gender bias in the rule of law and protection of gender-related asylum cases and acknowledged that leaders in the field are making a conscious effort to bring about change. In her remarks, she discussed two cases: *In re S-A* and *In re R-A*. The first case, *In re S-A*, involved a Moroccan-Muslim woman who had been subject to strict dress



Left: The International Women's Day Celebration was co-sponsored by the FBA International Law Section and the FBA Judicial Division and was held at Fordham Law School. Below: Professor Clare Huntington discussed women's access to justice in family law.



code restrictions, limited educational opportunities, and a dearth of career opportunities. After suffering brutal abuse, she was able to seek asylum based not on a notion of gender-based persecution, but rather based on religious persecution on account of the fact that her religious beliefs were different—in this case more liberal—than those of her father. Since asylum law does not include gender as a basis for asylum, this case offered a different legal theory to address what clearly involved a gender component. The second case, *In re R-A-*, involved a Guatemalan woman who fled to the United States to escape domestic abuse. She explained that the case is relevant because it considered a gender-based claim in the context of membership in a particular social group. Although the law didn't identify gender as a specific ground, the court crafted a specific particular social group that was cognizable and granted her asylum.

LL.M. students Stephanie Ro and Arwa Sharif introduced the next speaker, Emily Kenny, policy specialist on transitional justice at UN Women. Ro and Sharif hope to work in the area of human rights and were very excited to present UN Women's approach to "investigating gender-based violence" and its award-winning interactive website, available at <http://interactive.unwomen.org/multimedia/infostory/justicenow/en/index.html>. Kenny explained how UN Women advocates for the notion that women and girls have a right to "nondiscrimination" and focuses on developing mechanisms for addressing large-scale crimes against women. Focusing on the Rome statute and the International Criminal Court, UN Women has helped female victims access justice in countries such as the Democratic Republic of the Congo where there are alleged widespread instances of war crimes, including rape.

She explained that the Justice Rapid Response team has support-

ed Truth Commissions in Cambodia and the Solomon Islands, and in bringing about meaningful reparations and access to justice for women in Columbia and Kosovo. In her leadership role at UN Women, she has led works on women's access to justice in conflict-affected countries. She is very interested in women's issues, and her presentation focused on UN Women's interactive website. She explained that sexual and gender-based violence is a pervasive human rights violation. This is important to know because sexual and gender-based crimes are considered especially grave violations of international law. She challenged the group to think about the survivors of these crimes and how their lives can be improved measurably when justice is served.

Closing out the evening was Clare Huntington, who serves as Fordham School of Law associate dean for research and Joseph M. McLaughlin professor of law. She was introduced by LL.M. student Tomoko Yamazaki, who hopes to work in the area of criminal procedure.

Professor Huntington is an expert in the fields of family law and poverty law. She has published widely on a range of topics in these two areas, with a recent focus on nonmarital families. Professor Huntington discussed women's access to justice in the family law context related to three topics: (1) the problems of children and divorced or separated parents; (2) domestic violence; and (3) the child welfare system. She pointed out that 60 percent of victims of domestic violence are not represented by counsel. She said that many women try to handle divorce matters alone, such as divorce procedures, custody problems, and locating a safe place to live. She remarked that, although there are some nonprofit organizations and law school clinics providing support to women as they access assistance in the court systems, access to justice continues to be a fundamental challenge.

Following the series of presentations, the students led a discussion session during which many of the distinguished guests were able to participate substantively. Audience participation included the following distinguished guests: (1) Hon. Delissa A. Ridgway, U.S. Court of International Trade; (2) Greta Kolcon, WBASNY president; (3) Fay Parris and Maria Cortese, WBASNY committee co-chairs; (4) Linda Chiaverini, WBASNY executive director; (5) Christina Blacklaws, president, The Law Society of England and Wales (The Law Society); (6) Lizzette Robleto de Howarth, international programs manager, The Law Society; and (7) Stephanie Brown, international policy assistant for the Americas et al., The Law Society. At the conclusion of the question and answer session, all participants enjoyed a catered reception. ☺