Ada Shen-Jaffe

March 7, 2012; July 30, 2012; August 30, 2012; November 8, 2012; November 30, 2012; December 12, 2012; December 21, 2012

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ABA Senior Lawyers Division

Women Trailblazers in the Law

ORAL HISTORY

of

ADA SHEN-JAFFE

Interviewer: Tisha Pagalilauan

Dates of Interviews:

March 7, 2012
July 30, 2012
August 30, 2012
November 8, 2012
November 30, 2012
December 12, 2012
December 21, 2012
Interviewer: Tell me about your family origins.

I was born on August 3, 1949 in Washington D.C., first-born of three children. My brother, Larry, my sister, Ava, and I were raised by two extraordinary parents.

My father, Shen Chang-Jui, came to the U.S. from China in 1947, after war with Japan and at a time of intense civil conflict. He was sent to study political science at Columbia University in New York by General Chin Chin, who was then serving as Defense Minister of Generalissimo Chiang Kai Shek's Nationalist government. This occurred prior to the government's flight to the Island of Formosa (now Taiwan). My father had already obtained a Master's Degree from the Columbia University School of Journalism Program in China, and came to the U.S. on a student visa to study for a PhD in Political Science.

Before he left China, he met my mother, Yang Hsiao-Yen (now Katherine Wei Sender) and her parents at a university social function at the Park Hotel in Shanghai; my grandfather was then a professor. My parents would meet on just three occasions before he would ask my maternal grandparents for her hand in marriage. She was the second of four daughters, and my father seen as a real "catch", so her parents readily agreed to this. Sometime later, my mother, who had been trained in China as a nurse, would join my father in New York City under the terms of this arranged marriage. They were married in a Baptist Church near Columbia University, where my father was a graduate student.

When the Nationalist government was forced to flee to Formosa by the Communist government, all was in disarray, and my father lost his scholarship to Columbia University. In 1948, with a wife to support and a baby (me) on the way, he went to work for the last military attaché to the U.S. from Generalissimo Chiang's government in Washington, D.C. As they had little money ($250/month), my parents stayed rent-free in the attic of the attaché's home during agonizing months of uncertainty about the future of their country. My mother, who says that she learned English by reading the New York Times, saw an advertisement for translators to join the staff of the newly-established United Nations. At that time, the United Nations was operating at a temporary site in Lake Success, NY while its permanent site on the East River in Manhattan was under construction. Two hundred and thirty applicants were tested for 15 slots; my father used to say he was lucky to get slot #15. When a relocation allowance check arrived, my parents felt like millionaires.

I was just a few months old when they moved from Washington, DC to Glen Oaks in Queens, NY. We would later relocate to Parkway Village, a development built for
United Nations families from the diplomatic service and the Secretariat. There, my playmates and neighbors hailed from places all over the globe including Karachi, Tel Aviv, Srinagar and Kyoto. My brother and sister were both born at the nearby St. John's Hospital in Queens.

I never met my paternal grandfather, who died when my father was a young teenager, leaving him and my grandmother, who was fragile and in ill-health, to fend for themselves. Unable to pay their rent, they were evicted from their home and put out into the street. He often spoke out about injustice, the searing humiliations he and his mother endured, and the suffering of a people oppressed by imperialism, colonization and war. He would speak out against injustice and oppression throughout his life until his death at the end of 2010 at the age of 90. My paternal grandmother died when I was young at a time when China was closed to the west, so I never had the chance to meet her.

My maternal grandfather had been educated at the University of Michigan and was a Dean at Yenching University in Peiping, and a Professor of Rural Sociology. Yenching University's Chancellor at that time was John Leighton Stewart, who would later become Ambassador from the United States to the Republic of China. After the Communist government came to power, my maternal grandparents moved to Wuhan, where my grandfather became the head of a large library. Then, during the Cultural Revolution, he was "reprogrammed" to be a street cleaner.

In the early 1960's, my parents were able to get my maternal grandmother, who we called "Po-Po" (meaning mother of my mother) to Hong Kong for a few days--I was about twelve or thirteen. As she had had four daughters and no son, her full attention during her visit was laser-focused on my brother. My sister and I held little interest for her. She was ecstatic to have a grandson. Patriarchy dies hard. That was to be the first and only time I would ever meet any of my grandparents—those two days in Hong Kong. Times were hard on the mainland, and we sent Po-Po off on the train to return home, a tiny woman no taller than 4'8" tall, wearing 4 watches up and down each arm, 4 layers of clothing and cloth shoes—she looked like the "Pillsbury Doughboy", and was barely able to move! I can still picture austere grandparental faces looking down at us from faded black and white photographs on a high shelf when I was growing up—these are the only memories I have of them.

When he grew up in China, my father was known as "the miracle baby", because he was the only small child in his village to survive a devastating smallpox outbreak. He would later take his religious training from a blind uncle who headed a Buddhist monastery in Szechuan. My mother was raised in a highly Westernized environment, taking piano and ballet lessons, learning to swim, and learning ballroom dancing from a US Army Sergeant who taught her so well that she was able to win dancing competitions. Religious teaching came from Southern Baptist missionaries. One of her cousins would go on to become a Southern Baptist minister in Columbia, South Carolina.
It was early in my parents' marriage that the Nationalists fled to the island of Formosa, taking only the elite to form a government in exile, the Republic of China (ROC), whose battle cry was "return to mainland". In the United States, anti-Communist sentiment and McCarthyism raged, and all official connections to mainland China were severed. My parents were caught in the middle as Cold War tensions played out. They never dreamed that a quarter century would pass before China would be reopened to the west. Using underground channels through Hong Kong, my parents sent money via couriers to their family members.

My mother, who had been trained at the Shanghai University School of Nursing, worked the graveyard shift as a nurse's aide while studying for the nursing recertification test. I remember being bundled into the family car at 8:00 AM with my brother and little sister as my father would take us to the Kew Gardens subway station to retrieve my mother at the end of her shift. Dad would catch his ride to the United Nations, and mom would get us off to school and try to get some sleep.

She was a stand-out as a nurse, and came to the attention of Dr. Leon Starr and his partner, Dr. Louis Abelson, who recruited her to staff and later run the medical facility at the Idlewild (now JFK) International Airport at double the salary, and a location much closer to home. She would spend the rest of her nursing career as administrator of the JFK Airport Medical Facility. I can still recall front-page newspaper photos of my mother in her nurse's uniform, performing medical triage at airplane crash sites.

She and my father would divorce in 1969 when I was a junior in college—the differences in age and values had frayed their marriage to the breaking point. Both would remarry, giving me an extraordinary step-mother and step-father. My first step-father has since passed away, a brilliant engineer, businessman and ship-builder, and my mother has since remarried again, to my current step-father, an architect with his own remarkable life history, having fled Hitler's Germany with his father to make a new life in America. He would work in US counter-intelligence during World War II, as he was fluent in French and German. My step-mother had been a journalism classmate and sweetheart of my father's in China before the war, but she was "relocated" to the US because, while she was raised in China, she had been born in the US. By the time they met up again after my parents' divorced, she had been married and widowed twice. Twenty-six years after they graduated from journalism school in China, they were married. She ran the Asian feed for the Voice of America, a part of the US Information Agency, which was later incorporated into the State Department. She would go on to be the oldest graduate of the Columbia University School of Journalism after a life's career in the field. My mother would go on to become a world-famous bridge champion, only the second woman to be inducted into the American Contract Bridge League's Hall of Fame, and a favored bridge partner, after the reopening of mainland China, of Deng Xiao Ping and the Mayors of Shanghai and Canton. This parental and step-parental generation was formed in the crucible of wartime occupation, political upheaval and persecution. And the extraordinary women, my mother and my step-mother, true trailblazers, made of some stern stuff.
Interviewer: What independent recollections do you have from your childhood?

On school holidays, since both parents worked, we could go to the airport medical office and spend the day dispensing aspirin into tiny envelopes on which we had stamped “Take 2 tabs every 4 hours”, and playing with medical equipment (wow, that would never happen today!). In those days, the airport was an exciting and glamorous place where everyone knew and loved my mother—she was a celebrity. Sometimes we were allowed to go with my father when the United Nations was in recess, and we had our run of the place. We played tag in aisles of the UN General Assembly, put on multilingual headphones and pretended we were simultaneous interpreters and watched nightmare-inducing continuous-loop films about how the World Health Organization (WHO), United Nations Economic and Security Council (UNESCO) or United Nations International Children's Fund (UNICEF) were working to lessen the ravages of poverty and terrible diseases like beriberi or malaria. We would slide down the long banisters of the Secretariat, and, best of all, be taken to the United Nations cafeteria, where we got our first taste of buttery croissants made by a French master baker.

And every other year, we got to go on UN “Home Leave”, which was designed to allow United Nations families to return home for a few weeks—only, of course, we could not go “home”, as China was closed to us. So instead, we would travel the diaspora of our relatives and close friends—Aunt Bella and Uncle Shen Chang-Ling and cousins in Hong Kong, Uncle James Yu and Aunt Betty in Tokyo, and in Taipei, Taiwan, Uncle Shen Chang-Huan and Aunt Helen, and Uncle and Aunt Hsieh and cousins in Taipei. In early years, we flew on propeller planes from NYC to San Francisco to Honolulu to Wake Island (the Honolulu to Wake Island leg took 17 hours, and the stop there was for refueling purposes only) to Hong Kong. This is when I thought everyone traveled the world first class on Pan Am Clippers, which were double-decker aircraft. The lower deck consisted entirely of a lounge and bar! And if that was not luxury enough, on two trips, we made the voyage across the Pacific Ocean aboard the American President Lines cruise ships, the SS President Wilson and SS President Cleveland. The voyage would take nearly four weeks.

These early travels gave me the gift of a global perspective beyond New York City and the United States, as did the United Nations compound where we lived.

Abroad, we were treated like visiting royalty. Back home we were ordinary people living ordinary lives in the sometimes harsh and mean streets of New York City. Abroad we were exoticized for our American-ness. Back home we were stereotyped because of our Asian faces and culture. This was all very confusing. My father worked hard to teach us that wealth, perceived wealth and privilege were fleeting and not based on merit or character, and that they were corruptive and not worthy of pursuing. I remember him taking me to the famous Peninsula Hotel in Hong Kong, a place of ultimate colonialist white privilege, and pointing to the uniformed doorman and guests, and then walking me around to the back and pointing to the place where a sign by a water fountain saying “Dogs and Chinamen” had hung during his childhood. And his anger at being mistaken for a Japanese in the streets of Tokyo. The Japanese and
Western nations occupation of China were to mark him forever, just as did the smallpox he had survived as a baby.

My parents told me that I was born a "social butterfly". At the age of six, on those long airplane voyages, I would stroll down the aisles, introducing myself to the passengers and asking for their names. My folks just gave up trying to corral me in my seat. By the end of the flight, everyone knew me. I was headed to college when I was still receiving Christmas cards from the people I had met when I was a little girl.

When I was ten years old, we were studying Helen Keller in school. I rounded up some of the kids in the neighborhood and organized a fundraiser for the Lighthouse for the Blind. We made beaded necklaces and bracelets, baked cookies and got our parents to chip in with ethnic delicacies. We laid out tables in a common area and made signs and banners. We collected $10.61 - this was in 1959. I can still recall receiving a letter from the Lighthouse thanking me for the donation and remarking that I was the youngest donor they had on record.

When I was twelve years old, I remember bursting into tears when I saw a beggar sitting on the curb outside of our hotel in Hong Kong. I ran out of the hotel to give him my allowance.

Our home in Queens was an unofficial greeting station for diplomats from Taiwan, including my Uncle Shen Chang-Huan and Aunt Helen, during the years when my uncle served as Foreign Minister of the Republic of China, traveling to NYC for meetings of the UN General Assembly. This meant endless multi-course Chinese banquets (my mother became an extraordinary Chinese cook, and we three kids her sous chefs, cutting, dicing, mincing, peeling, washing, and then serving as her clean-up crew). Mountains of dishes, plates, pots and pans, chopsticks and serving spoons, teacups to be hand-washed in a kitchen the size of a postage stamp. Every Thanksgiving and Christmas we hosted students who were too far away from home to have a place to go. Our hallway closets were filled with dozens of gifts to be wrapped—no stranger went without a meal and a gift.

As part of his work, my father was sent to UN Conferences all over the world. The best thing was to get an airmail letter from him. These would come to us (he would write each of us) from Vienna, Madrid, Rome, New Delhi, the Vatican. Our apartment was crowded with treasures he brought back from around the world.

Interviewer: Tell me about your education.

My father believed in and sent us to public school in spite of the fact that many UN families sent their children to an elite private UN school. I loved everything about school. I got into trouble for correcting my fifth grade teacher’s grammar when she tried to explain what a dangling participle was, and for using "the King’s English" spellings I had learned from my father for words like “theatre”, “colour” and “honour”, and for insisting that the Americanized versions were incorrect.
Before I was to start middle school at Martin Van Bureau Junior High, my parents got a letter asking if they wanted to enroll me as an “SP” student. “SP” meant “special progress”. I could either participate in an enriched 3-year program for the 7th, 8th and 9th grades, or I could skip the 8th grade and move through junior high in two years in an accelerated program. This would be my first introduction to tracking. They opted for the accelerated SP Program because they thought it must be the superior choice if it would allow me to skip a grade. While academically, there was no problem, I’m not sure it is the best idea from a social maturity standpoint for a kid to skip the 8th grade. As a parent, I can see that an awful lot happens in 8th grade! And I believe that my mother may regret having made a decision that had me leaving home a year early.

The late 1950’s-early 1960’s were a time of oppressive gender stereotyping. Home economics was mandatory for girls, where the class had to sew outfits (mine a hideous orange wool suit) to be worn onstage at assembly while we sang “I Enjoy Being a Girl” (…here are some of the sexist lyrics: “I flip when a fellow sends me flowers, I drool over dresses made of lace, I talk on the telephone for hours, With a pound and a half of cream upon my face! I’m strictly a female female, and my future I hope will be—in the home of a brave and free male, Who’ll enjoy being a guy having a girl... like... me.”)

It may have been to my advantage that my parents, as recent immigrants, were somewhat oblivious to and therefore less susceptible to the American cultural “norms” of the Mad Men era. My father encouraged me to sign up for debate class, where I would learn the difference between impromptu speech, extemporaneous commentary and oratory, and engage in one-on-one Lincoln-Douglas style debate, which would be the first time I was to hear someone being ridiculed for having been bested “by a girl”. My mother discouraged me from taking typing so that I would not be able to rely on that skill to earn a living, but would have to acquire professional skills that would allow me to be independent. As a consequence, I was the only girl in ceramics class, where I built a tiny replica of an Indian pueblo village. How was she to foresee that in the PC/Mac era, typing would become an indispensable life skill?

My father was admired for his beautiful, strong Chinese calligraphy. In school, I was encouraged in art class by teachers who would say well-intended but racially stereotyped things like, “All you Asians are so artistic”. Turned out I loved to draw, and this penchant for drawing became a helpful knack in later life.

Jamaica High School had a 4,200 member student body, and boasted more National Merit and Westinghouse Scholars than any other high school in America. There, I hung out with the theater crowd and student government people, using my interest in art to paint sets and make campaign banners and flyers—another set of experiences that would serve me well throughout my career. Two parties ran slates for student government leaders, the “R & B” (Red & Blue) party of sorority and fraternity-affiliated students and the “IND” (Independent) Party. As campaign manager for the IND, I got a call from our candidate for Treasurer, Elliott, on the evening before the Election Assembly at which candidates were to deliver their stump speeches. He had come down with the flu. Would I be willing to deliver his speech at the assembly? I read his
speech in his absence—my first foray into public speaking. The R & B Party won every position except for the Treasurer’s spot! During my early teen years, my father would take us to different religious services each weekend—we went to visit religious services at Catholic, Episcopalian and Methodist churches, a Jewish Synagogue, a Shinto Temple, and then, at dinnertime, he would quiz us, “What about today's religious service was different from the others we have observed? What is similar?” This is how I first came to reflect on wisdom traditions, their transcendent universal truths and the things that make them different. As a secular humanist, my father believed that organized religion has played a large part in the creation and perpetuation of conflict and war throughout history, but he also respected the positive roles that spiritual belief systems played in human society, especially during times of grief and loss.

Interviewer: Did you feel you were leading two separate lives between more traditional culture at home and American culture at school?

Yes. There was a lot of tension being raised in a household where one parent, my father, was striving to raise us in ways that were consistent with Chinese culture, and the other, my mother, was trying to have us assimilate.

In our collection of photos, there was a picture of a handsome boy, about 9 years old. I asked my mother who it was, and she told me that there had been an arranged marriage agreement between the boy’s parents and my parents that he and I would marry when we came of age, but not to worry, as this would never happen now.

After my sister was born, my father's oldest brother and his wife traveled to NYC to “claim me” as their daughter, in accordance with Chinese custom. I was 5 years old. My aunt and uncle, who spent their lives in diplomatic service, had a son but no daughter, and they wanted to train a daughter to help my aunt with the heavy entertaining duties related to Foreign Service, ambassadorships and the like. Now that my parents had two daughters, duty required that they give one up. My mother, who by then had become a Yankee Doodle American said something to the effect of "Heck, no, over my dead body, and even if I were to agree to give you one of them, why would I give you the one who’s already been toilet trained?!” (Laughter).

To survive this whiplash between Eastern and Western cultural norms, the three of us kids became adept at navigating between cultures, giving us skills that would prove useful in adulthood. As the eldest child of immigrant parents who were part of a tightly-knit Chinese immigrant community, I was called on to translate and complete immigration forms and other important documents for people who had been highly accomplished leaders in China. This gave me a sense of responsibility at a young age.

When I was thirteen, my father saw an advertisement on a UN bulletin board for a summer camp on the Chesapeake Bay in Maryland. The three of us were signed up and taken on a 5 1/2 hour-long drive down to rural Maryland on the Eastern Shore of the Chesapeake. This would change my life. The counselors had a profound influence on me—I wanted to be like them! By 15, I was a Junior Counselor, by 16 a Counselor,
and by 18 I was running the waterskiing program on the waterfront. By 20, I was Co-Director of Sailing Camp, and at 22, I was Director of the Family Camp Session. Being entrusted with the safety and happiness of the campers and with the responsibility of helping to maintain a valuable fleet of motorboats, sailboats, canoes and rowboats was the making of me.

**Interviewer:** When you said that summer camp was the making of you, do you think that aside from the level of responsibility, it also allowed you to find some freedom outside of the context of strong family expectations?

Yes, that is true. I could find my own voice, independent of family expectations. Also, most of the folks at camp were from Delaware, Maryland and Southern Pennsylvania. Growing up in New York made me more direct and assertive than most of the people at camp, and that turned out to be an asset in such an action-oriented environment in which young women and men are given so much responsibility at such an early age. This self-awareness felt liberating and empowering.

**Interviewer:** Tell me about the transition from high school to college.

My parents wanted me to go to college in Boston because they heard from the Chinese community "grapevine" that there would be a lot of smart, eligible Chinese boys there. While that turned out to be true, the problem was that these guys would ask me to marry them on the first or second date, so that was not going to happen! (Laughter).

I went where my father told me to go, which was Jackson College of Tufts University in Medford, Massachusetts, a beautiful New England campus. He sent me there because some of his UN colleagues had daughters there, and they found it to be satisfactory. As an aside, my mother put away enough of her earnings as a nurse to send all three of her children to college, and to help two of my father's nephews as well. Impressive. I graduated from high school in June of 1966, worked summer camp and then headed off to college in the fall, the only student from my high school to attend Tufts University.

**Interviewer:** Tell me about attending college at Tufts—were there any particular life-changing points during those years?

It is hard to imagine a more turbulent and socially ground-shaking time during which to come of age and spend college years than 1966-1970. There was: the Vietnam War; the draft; massive anti-war demonstrations; the immediate aftermath of the assassination of Malcolm X the year before; and in rapid, horrifying succession, the assassinations of Martin Luther King, Jr. on April 4, 1968, and Robert F. Kennedy on June 6, 1968. On campus, SCAR, "Students Concerned about Racism" was formed and mobilized mass protests and the occupation of administrative buildings. Woodstock and the Kent State shootings further punctuated my time in college. James Taylor, Simon & Garfunkel, Joni Mitchell, Judy Collins, Joan Baez and Phil Ochs filled the airwaves along with psychedelia. Chaotic, exciting times.
During my Freshman Year, in Biology 101, I met Ken Jaffe, who would much later become my husband and life partner. I had just turned 17 when we met. We began as friends and lived through seven years of intense ups and downs until we had grown and matured enough to choose one another and be married in 1973 when Ken was in medical school and I was in law school. In college, during my first years as a pre-med student, I enjoyed and did well in biology, animal behavior and psychology classes, and spent most of my waking hours in formaldehyde-permeated labs dissecting a frog, a dogfish or studying the bones of cat skeletons. But by junior year, organic chemistry and the other advanced science courses did me in—medicine was most definitely not going to be for me.

By 1967, folk music was still kicking around on campus, but waning. The manager of the campus coffeehouse, "The Imbroglio", invited me to sing there one weekend. Two other women folk singers were also performing there, and we became friends. A few weeks later, the manager asked if we could work up some harmonies together, and we started performing as a trio. At rehearsal, one of us suggested that we do a parody of the Supremes number "You Keep Me Hangin' On". We got two guy friends to accompany us, one on drums and one on the electric guitar. You know the cliché, "The crowd went wild"? Well, the crowd went wild and would not let us off the stage. We kept saying we only had that one number, but they didn't care, they made us sing it over and over again. Clearly, it was time to abandon folk music for rock, and "The Rhythm Method" all-female rock band was born. Unfortunately, all three of us played the same instrument, the guitar. One night, we snuck into the basement of the music department and tried out different instruments. I ended up the drummer, Susan kept on as lead guitar, and Janet became our bassist. We recruited a keyboardist and a real lead singer, and started playing at college mixers around Boston until the two seniors graduated. We had male "groupies", and a used Cadillac hearse with purple velvet interior to transport ourselves and our equipment.

The seniors who entered in 1963 at the tail end of the "Mad Men" era and my freshman class that entered in 1966 would leave college having had radically different experiences. In the fall of 1966, women had a ten o'clock curfew while men had none; dorms were strictly segregated. Women were required to wear skirts unless there was 3 feet of snow on the ground (who could make this up?). When some of these rules were challenged, the President of Jackson College famously said "If you don't like it, you can leave". A week later, she was gone (power to the people!). My own journey took me from being crowned "Winter Weekend Queen" (laughter) my Freshman Year, to being elected President of the Class of 1970, which meant delivering a speech at graduation just a month after the Kent State campus killings. My speech included an announcement that our class had voted to send the class gift to the Harlem Free Breakfast Program for children that was being run by the Black Panthers. Some parents stormed out in protest, and the university administration received enough hate mail to fill several crates as a result of that speech. We ended the graduation ceremony by having Simon & Garfunkel's "Bridge over Troubled Water" playing on the overhead speakers.
Although we were to part for over two years, Ken presented me with a graduation gift (he had graduated a half-year early to serve as a community organizer in Dorchester, MA, and to help start a neighborhood health clinic), a hard-bound first-edition of Simone de Beauvoir's "The Second Sex".

**Interviewer: What did you do after college graduation?**

After college, I moved to Manhattan, and enrolled in a Master of Science program for "Community Organization & Planning" at the Columbia University School of Social Work, where I had the privilege of studying with iconic social justice movement teachers just as the national fervor for community organizing was beginning to wane—of course, I did not understand this at the time. Academic work on statistics, group and community psychology and the history of social movements was complemented by active placements in the field.

My first year placement was at the Inwood Community Health Clinic, run by a remarkable nurse named Phyllis Burwell. Inwood was one of the "Five Towns" in Nassau County on Long Island in New York. Four of the five towns (not Inwood) were and continue to be some of the wealthiest communities in the state. The fifth town, Inwood, was a poor, African-American community of retired railroad workers and domestic workers who served the other four towns. I worked with the community to form a group called "INCH" (Inwood Neighborhood Community Health), and together, we identified community health needs and wrote grants to help fund health-related programs such as an alcohol detoxification clinic. We would meet on the third Thursday of the month. One night, as I drove up towards the community center, I could see dozens of people milling around. The usual turn-out for an INCH meeting was 8-12 people. Something was up. Folks who had, two years earlier, been displaced by HUD (Housing & Urban Development) Urban Renewal efforts with the promise of new and decent housing had just received letters saying that, after all, no new units would be available to them. Some of these people had been living in corrugated metal shacks along abandoned railway tracks for 18 months waiting for the new housing they had been promised. I asked if I could take a copy of the HUD letter, and took it to my faculty advisor, who sent me to a professor at the law school who had worked for HUD. The professor went up the library ladder in her office in her stocking feet, and started tossing down volumes of 45 CFR and dictating a demand letter to be sent by the community group to HUD citing various federal regulatory violations. I typed the letter on my small, green Olivetti portable typewriter, making a carbon copy (pre-IBM correcting selectric, pre-computer), and sent it off to HUD. Two months later, as I drove up to the community center, the place was mobbed with happy people. There was cake, and balloons. HUD had sent out new letters saying that an error had occurred, and that, after all, there would be new housing available for the displaced people. I thought, "Wow! Really? This is what happens when you cite a bunch of federal regulations to a governmental agency? People's lives change for the better and those who have made empty broken promises are required to make good? I think I need to go to law school."
My second year placement was at the East Harlem Office of the New York City Department of Health and Human Services. I remember the walk from the subway station to the office, which took me through an African-American and then a Latino neighborhood. When I was walking with a white classmate, we would be harassed in both neighborhoods. When I walked alone, a Chinese woman, people smiled and called out hello.

One of my projects at NYC HHS was to develop a plan to reduce infant window falls in poor neighborhoods where air conditioning was rare, and windows were wide open through summertime heat waves. We mounted an educational awareness program (no furniture up against windowsills so tots could not climb) and got a private company a city grant to manufacture and mount window gratings that would prevent children from falling. Seemed such a small and pragmatic fix to prevent tragedy. The other project was to develop a public health campaign to prevent pica, the poisoning of small children who ingest lead-based paint chips in deteriorated housing.

**Interviewer:** So, am I correct in thinking that you have already answered my next question, which is about how you decided to go to law school?

Yes, as a result of the Inwood HUD success, I knew my path would be through law school, but I wanted to delay for a year or two to earn some money. I interviewed with various community action agencies, including one in Boston, where I saw my old college flame, Ken Jaffe, for the first time in over two years. As my father used to say, "In human relationships, either there is chemistry or there is not." There was chemistry. Ken suggested that he take the train from Boston to Chestertown, Maryland, to join me at summer camp during the vacation he was scheduled to take after completing his surgical rotation. He enjoyed a week of sailing and water-skiing on the Chesapeake, and shortly thereafter, we decided to live together (scandalous in 1972) to see where things would lead.

As soon as I moved from NYC to join Ken in Boston, we were invited to dinner at the home of a college classmate, Joan Roberts, whose parents had taken me in during college when I was suffering from my seemingly annual bouts of strep throat. They became a second family to me, very dear. I would repay their kindness by returning to cook a Chinese banquet for them. My classmate's father, Mac Roberts, was a well-known Boston trial lawyer. When he heard that my plan was to go to law school but to delay for a year or two, he said that was foolish. After dinner, he disappeared for a while, and when he returned, he handed me a slip of paper with a name and address on it. He said "I just spoke to the Dean at the Suffolk University School of Law. Go to the Office of the Registrar on Thursday and bring your LSAT scores and your college transcripts with you." This was three weeks after the start of the 1L year. Luckily, I was oblivious to the importance of the initial weeks of law school. Teaching at a law school now, I shudder at my ignorance.

**Interviewer:** Tell me about your law school experience.
My first contact was with the Registrar, one of the few women lawyers at the law school. She interviewed me extensively, including asking questions about my personal life. The interview culminated with the following question: "Why would you even need to go to law school when you are marrying a Harvard Medical School-trained physician?" This was followed by an incident in the hallways when three male law students backed me up against a wall and said "How can you live with yourself when you know you are taking away a breadwinner's ability to support his family?"

This was mild stuff compared to what occurred in the classroom. There were twelve women in my class, a quadrupling from the class ahead of us. One professor called only on women to answer questions about rape in criminal law cases, to a chorus of chuckling male students. Emboldened by the recent arrival on the scene of Ms. Magazine, three of us organized into "The Suffolk Women's Law Caucus", got letterhead printed up (here's where art classes in childhood came in handy), and started issuing a newsletter with a column entitled "Pig of the Week", in which a quote from an offending professor would appear alongside a cartoon I had drawn of a pig, and the question, "Who said this?". On the back page, upside down, appeared the answer.

It didn't take long for me to be called up to the Dean's office and be ordered to apologize and cease and desist. I requested instead that the Dean send someone undercover to class to confirm whether the sexist behavior we reported was true, and then to take steps to sanction the professor. A few weeks later, the Dean called me in again and said the professor had been spoken to about his behavior and agreed to desist. I said that was not good enough. As without a public apology in front of the class, silence about his past behavior could be viewed as the administration's condoning of it. The following day, the professor apologized to the class. But we were denied official student organization status, and a budget. When the undergrads at the student union heard what had happened, they gave us access to their office, mimeograph machine, paper and supplies in an act of solidarity - I have never forgotten.

There were only three women law professors during my time in law school. One of them, Professor Crystal Lloyd Campbell, was to become an important mentor and friend. I took her class in Education Law and became her research assistant. She would write the reference letter that would secure me a post-graduate fellowship.

Between 1972 and 1975, there were excellent social justice opportunities to be had for students who knew how to live frugally. The summer between my 1L and 2L years, I took an internship with the Boston Legal Assistance Project (BLAP), and was stationed at the Chinatown Outreach Project. None of the low-income elderly Chinese clients who came to the Chinatown Senior Center seemed to care that I needed an interpreter to understand the Toisinese dialect they spoke, and they treated me as if I were a favorite grandchild. Each day I would ask the cook if I could help prepare the Senior Citizen's lunch. Finally he relented, and it was there that I learned that cooking for elderly folks with tooth troubles called for different food and preparation choices. Most of the legal issues revolved around immigration inquiries and wills. Sometimes neighbor disputes and landlord/tenant issues. General practice. This was my first
introduction to the civil legal aid community's "impact vs. service (false) dichotomy". Some of the folks at BLAP felt they were the second-string farm team to the more elite GBLS (Greater Boston Legal Services). As a lowly summer intern, I had no role in this other than to observe it and to feel that this kind of internecine tension had to be counterproductive to a common equal justice mission.

Between my 2L and 3L years, I got a grant from LSCRRRC (Law Students Civil Rights & Research Council) as a summer intern at the Massachusetts Defender Association, assigned to Cambridge District Court. For my first case, I was assigned to defend six young men who had been charged with breaking and entering a bicycle shop and stealing twelve bicycles. No one was in the shop at the time, and no one was injured. An officer brought me back to the jail cell where they were being held. I called out the first name and asked if he knew what he was being charged with—he laughed and said "Rape". Each of the others gave me the same answer. The officer asked if I wanted to use a private office to interview each of the defendants separately. When the first young man was brought back to the room, I said, "Listen to me, no one in this place gives a "****" about you or what happens to your sorry "***". I am your only friend in this place and you are really pissing me off." He apologized and after that, I had nothing but cooperation from each of the defendants.

During my last year in law school, I applied for a two-year Reginald Heber Smith Community Lawyer Fellowship, which seemed tailor-made for me and my chosen path. The program grew out of the Johnson Administration's War on Poverty and its Office of Economic Opportunity. Howard University and the University of Pennsylvania Law Schools jointly operated the fellowship which was named after an African-American lawyer who, in 1921, wrote a book for the ABA, "Equal Justice and the Poor". Fellows, to this day, are known as "Reggies".

My husband Ken had to wait a year while I completed law school, as I had 5 years of post-graduate study to his four years of medical school. So he took a year off between his third and fourth years to do medical research at the Boston Children's Hospital with a prominent Harvard Medical School Professor so that I could catch up, and we could graduate together and relocate wherever we had to go together.

The year of Ken's graduation was the first year of computer matching for medical residencies. His first choice was the University of Washington, a pediatric internship and residency at Seattle's Children's Hospital. He got his match, and I was able to secure a "Reggie" Fellowship in Everett, Washington, 32 miles north of Seattle.

Interviewer: So this fellowship would be your first real law job after law school—tell me about how you started.

I was placed in the Everett Office of the Northwest Washington Legal Services (NWLS) Program, which also had offices in Mount Vernon and Bellingham, basically, the northwestern-most corner of the state. Beautiful country, mostly rural, but with a lot of entrenched poverty. At this time, there were only three other women attorneys.
practicing in the entire county. Steve Randels, the NWWLS Director and my first boss, encouraged attorneys to join the local bar association. When I went to attend my first Snohomish County Bar Association meeting in the Cascade Club, I was denied entry because this was an all-male club. A member had to come and vouch for me before they would let me in. I wrote a letter suggesting that, inasmuch as bar membership was open to men and women, bar meetings be held in a public, non-exclusionary venue. We met at the Rainbow Diner, where the top item on the menu was a BLT, for 2 months before the Cascade Club's all-male policy was amended, and they admitted their first woman, Faye Kennedy, one of the three female practicing lawyers in the county. She would go on to serve as a Judge in the Washington Court of Appeals.

The day I arrived at the legal aid office, I faced active resentment by a few staffers who were on other short-term grants and were being paid at a lower rate than the Reggie Fellowship. The other staffers would all become close colleagues, mentors and friends. On my first day, I was handed a stack of 115 case files for victims of domestic violence who needed help getting free from their abusers and starting new lives with their kids. It soon became clear that a piece of paper with a temporary restraining order on it was not sufficient protection for my clients—one of whom I had to interview while she was in a hospital bed at Everett General with her jaw wired shut, and another whose pregnancy with twins ended when her abuser tried to run her over with a truck. I recall being asked by the county prosecutor's office to stop by before a child custody hearing on behalf of a client whose abuser was being released from the Monroe Reformatory. When I arrived, they tried to fit me with a bullet-proof vest "in case". They could not find one small enough, so I went into court that day with a trench coat over the vest.

I set out to find and learn about all existing organizations in the community that could be mobilized to tackle the problem. Several women's groups and other community organizations came together to form a shelter network of safe houses. We joined a larger effort spearheaded by the Northwest Women's Law Center, then led by Leslie Owen, now Legal Voice, led by Lisa Stone, to get a domestic violence victim protection statute passed, and then a Civil Protection Order statute. We attempted to provide law enforcement officers with training about the cycle of domestic violence. We faced a hostile, even passive-aggressive audience—I can still remember the sexist jokes and—no other way to describe this—the fondling of guns.

A constant flow of complaints emanated from detainees in the Snohomish County Jail due to overcrowded conditions. I was handed a massive file folder and a box of odd-shaped envelopes containing bits of debris, animal droppings and insects that inmates had mailed to our office as evidence of the poor conditions in which they were being held. After interviewing several inmates who reported 36 people sleeping in cells made for 8 people, I got a call from an anonymous "Deep Throat" who worked inside the jail. This person met with me in secret at 7:00 am in the dark back room of a local tavern, and disclosed that the inmates' complaints were true, that there were not sufficient mattresses or hygiene-related supplies for the inmates, that requirements for time out of cells were not being met due to overcrowding, and that the cells were segregated by
race, which was justified by jail administrators as "necessary for their own good", presumably referring to the welfare of the minority inmates.

Using this information to help us with discovery, two legal aid colleagues, Randy Beitel and John Midgley (who would later serve for 8 years as Director of Columbia Legal Services when I stepped down) and I were able to bring a class action which resulted in a consent decree entered by then Thurston County Superior Court Judge, later Washington Supreme Court Chief Justice Gerry Alexander, under which the county agreed to a host of diversion programs that would funnel low-risk detainees out of the jails into community service and work-release programs from a minimum security work-release facility which was to be constructed as a condition of the suit, and which the jail's chaplain jokingly referred to as "The Ada Shen-Jaffe Memorial Work-Release Facility".

Thus, I made my start with the odd combination of domestic violence victim legislative advocacy, a jail conditions class action lawsuit, and administrative advocacy before the Washington State Jail Commission.

**Interviewer: After your fellowship was up, what happened next?**

Ken's pediatric residency and my fellowship ended at the same time, and we decided we would not likely have a better time to work and travel abroad, so we got jobs in Taiwan and were able to spend some time with my relatives there. Ken taught at a medical school and served as an attending physician at a small rural hospital outside of Taipei; I taught at a law school and took lessons in Chinese, Chinese painting and Chinese Cooking. After a year, we traveled back home over the course of 6 months through Thailand, Burma/Myanmar, Calcutta/Kolkata, Kathmandu and Sermatang in Nepal, across Northern India through Varanasi, Delhi, Chandigarh (the planned city designed by Le Corbusier, who had also designed the United Nations complex), Jaipur, Srinagar and Dal Lake, Amritsar, Udaipur, Bombay/Mumbai. We heeded United States embassy travel advisories against Americans traveling overland through Afghanistan and Iran, and flew to Greece where we stayed until returning to the United States in March of 1979 to the Chief Residency at Seattle Children's for Ken and a staff attorney position back in Everett for me, though my old program had since merged with other programs into a statewide civil legal services program called Evergreen Legal Services, led by Gregory R. Dallaire.

**Interviewer: What were the next efforts you focused on after your return from world travel?**

The mission statement for Evergreen Legal Services read, "No less than one-half of the program's resources shall be devoted to addressing underlying causes of poverty, and one-third of the program's resources shall be devoted to direct service."—still the best legal aid mission statement I have seen. But relations between the administrative office and the field staff had become strained in the aftermath of the statewide merger process. I got involved in helping to organize a staff union, Washington Legal Workers,
and became the editor of its newsletter. I was sent as a staff representative to the Central Support Office on several occasions to communicate the need for change to the Director.

Two Statewide Litigation Coordinators ("LITCO'S"), Patrick McIntyre, known as "Mac" and Gerry Tarutis, provided overall statewide support for various task forces for advocates specializing in housing and public benefits. There was no statewide advocacy support for family law in spite of the fact that the majority of eligible legal aid clients were poor women, many of whom were single parenting and facing obstacles such as domestic violence. I sent around a (snail mail) flyer that read "Family Law: Legal Services Siberia?" and that called for a meeting of family law advocates. The LITCO's came to see me and asked what I was doing. I said it troubled me that housing law had become a predominantly white male legal services "ghetto" that had the administration's support, and that family law had become a female legal services practice "ghetto", but lacking in support. The implication was that these were two white males who might be inadvertently missing the patterns. They immediately corrected the situation, providing the necessary infrastructure support for establishment of a statewide family law task force.

In 1980, I started receiving letters announcing a vacancy in the Deputy Director position and seeking applicants. I thought nothing of it and ignored them, assuming they were being sent as a way of broadening the applicant pool so that it would show diversity--I understood that I was considered what some folks called a "double minority", a woman and a person of color. After I ignored a third letter, I got a phone call from the statewide administrator, Sue Encherman, asking if I had received the notices. I laughed and said I had but was ignoring them as attempts to diversify the applicant pool. The administrator said "The Director would like you to apply. We are not sending you the notices to diversify the applicant pool." After consulting with my colleagues at my office and in the union, all of whom encouraged it, I did apply and became the Deputy Director in April of 1981, thanks to the person who would become my mentor and treasured colleague for over three decades, Evergreen Legal Services Director Gregory R. Dallaire, who chose to use his positional authority to encourage and develop the leadership skills of a person who did not look like him.

Ronald Reagan had been elected President in 1980. He and his Chief of Staff (later to become Attorney General), Edwin Meese, had been active opponents of civil legal aid for poor people in California when Governor Reagan vetoed a Congressional appropriation of over $4MM to the California Rural Legal Assistance (CRLA) program, a veto which was overturned by a three-judge panel established by then-President Nixon. They carried their enmity to the White House by nominating Board members equally hostile to mission and purpose of the federal Legal Services Corporation (LSC), which had been established by Congress in 1974 at the request of President Nixon to serve as a permanent vehicle to underwrite and support effective and economical delivery of civil legal services to low income people). When it became clear that Congress would not acquiesce in the Reagan administration's efforts to eliminate the LSC altogether, the presidentially-appointed LSC Board undertook a series of initiatives designed to
undermine the ability of Evergreen and other federally funded legal aid programs to carry out the core federal mission. As a consequence, legal aid programs across the nation were subjected to a prolonged period of deep funding cuts and stagnation, a nearly decade-long effort to eliminate the source of federal support for civil legal aid altogether, attack "compliance" monitoring, intrusive investigations, onerous and crippling regulatory regimens that were designed to limit the legal representation that poor communities would be permitted to have. This hostile political climate commenced at about the time I became Deputy Director, and would continue unabated through the next twelve years.

My first assignment out-of-the-gate as the brand-new Deputy was to develop retrenchment scenarios that would help the Director and Board of Directors engage in strategic planning in anticipation of deep funding cuts resulting from the new administration's efforts to eliminate LSC, the federal source that provided the principal funding for legal services programs across the nation. I formulated a series of proposals, and Director presented these to the Board. The Board then adopted a hybrid version that would keep several remote rural offices open with a minimum 2-attorney staffing pattern while consolidating the remaining resources into larger regional centers capable of preserving critical mass size and capacity for the essential functions. This would be the first of many restructuring efforts in which I would be involved during the course of my legal services career. I learned that strategic, systems thinking requires countering the intuitive instinct to lessen immediate pain by making incremental, slow reductions over time. Greg taught me to cut fast and deeply enough to sustain and stabilize a new structure, regardless of further future externally imposed uncertainties. I imprinted on this "make your own fate in spite of circumstances beyond your control" strategic approach early, and it would influence every decision I was to make thereafter.

My duties as Deputy Director included coordination of training and of statewide task forces, the development and implementation of performance management systems, labor relations and collective bargaining. I would also remain involved in domestic violence victim and survivor-related advocacy throughout my 5 years as Deputy Director, primarily focusing on family law-related legislative changes to strengthen protections for domestic violence victims and their children.

Greg encouraged me to gain experience in external affairs by deploying me to serve on the board of the LSC-funded Regional Training Center for the Western Region, located in Denver, where I learned about the similarities and differences between the equal justice-related client needs of the various states in the region, and what training infrastructure could best be delivered at the local level versus a multi-state regional or national level. I was also appointed to serve on the founding board of the National Center on Women and Family Law, my first national service, and an experience which reinforced my learning about the tensions and interplay between local, regional and national support.

Before I arrived on the scene, I had heard stories about how Greg, in pre-merger days when he was still running Seattle Legal Services, sent lawyers and advocates out to the
Tri-Cities in Eastern Washington to help African-American families in their struggle to desegregate schools because they could not find a local lawyer to help them. He also sent advocates out to farm labor camps in the Yakima Valley to help farmworkers learn about their legal rights because local lawyers would not do it. He used to observe that a poor battered woman in Walla Walla had as much need for equal justice as a poor battered woman in downtown Seattle; what was the difference? He did not see geography as a legitimate basis for rationing justice. And he was always scanning the horizon to unearth injustice in forgotten, invisible communities--what a great role model for values-based leadership.

Interviewer: How were you and Ken able to balance demanding professional lives, parenthood and family life?

At the end of April 1983, Ken and I had our son and only child, Noah. He was 3 weeks early, so I had trainings and meetings on my calendar. I worked all day Tuesday, went into labor at midnight, had Noah at 8:34 am on Wednesday, April 27th, and was back in the office the following Monday. I was scheduled to take a 6 month leave. I kept getting a paycheck, so I asked Greg why I was still getting a paycheck. He said, "When you stop coming in to work, we'll stop sending you a paycheck." (Laughter).

When Noah was 6 months old I went back to work full-time, and during the day, left him in the care of a young woman we had known since she was a kid, and who had worked as a nanny to put away money for school. When Noah was a year old, she said "This kid is like the Energizer Bunny and an electric eel all in one--he needs more stimulation than one person can give him--you've got to get him into daycare!" This was in 1984, when childcare options for 1-year-olds were quite limited.

Happily, he was accepted to the University Temple Daycare near our home, where he thrived and had all the stimulation his energetic self could want. To be honest, there were times when it felt like we were just keeping one nostril over the waterline juggling very challenging work lives and a new child, but that would hardly make us any different from the many other families facing the same challenges! When Noah was three and a half, we were called in to the Director's office. She told us that Noah had led a "break out", leading twenty-eight tots out the door and down University Avenue declaring that he knew where they could go and get ice cream (the corner Haagen-Dazs). Although she was laughing when she told us this, she also was cautioning us that he was exhibiting signs of "senioritis" (!!) and that he was a kid who was going to need to go to school at a place where they would be able to keep a close eye on him.

Lucky for us, by the time Noah reached four years of age, it was like a switch got thrown. He had settled down, and from then on, parenting him was like a paid vacation. He was thoughtful, even philosophical, funny, kind, smart and just mischievous enough to be endlessly entertaining. By the time kindergarten started, we had exhausted every book in the Children's Section of the local public library, as he loved books, foretelling his future as an English Major! He always did well in school, had a bounty of friends,
and enjoyed being a good athlete. He is now a practicing lawyer in his home town of Seattle, and we count our blessings every day.

It has been my good fortune to have a life partner, Ken, who has always shared the same values as those I hold. He has spent well over three decades serving disabled children and their families throughout the Northwest as a pediatrician, physiatrist, professor and leader at the University of Washington School of Medicine, Seattle Children’s Hospital and now for all patients in need of physical medicine and rehabilitation services at the Harborview Regional Medical Center. His strength and love as partner, parent and public service professional have fueled my capacity to serve as a member of the equal justice movement for the past three and a half decades.

Interviewer: How did you become the statewide Director of Evergreen Legal Services?

In October of 1985, Greg Dallaire left to administer a well-respected law firm, and a colleague, Steve Scott, stepped up to serve as Interim Director while the Board did a national search for a new Director. I had declined to take on the Interim Director position, thinking that I would then have three jobs on my plate—the work of the Deputy, the work of the Interim Director, and the seemingly endless work associated with parenting a hyper-kinetic 18-month old. Steve, who had been a Litigation Director (“LITCO”) for the Farmworker Division and the Institutions Project, and would go on to serve as a King County Superior Court Judge, had no interest in the permanent Director position.

The Board of Directors mounted a national search and I was chosen and started as Director in mid-1986. Steve and I were then able to persuade our former colleague, Pat McIntyre, Mac, who had served as a Statewide LITCO in the 1970’s, to leave his successful private law practice and return as my Deputy. Greg took our CFO with him to his firm, but she helped me recruit Debbie Juntunen, D.J., a gifted resource manager and strategic thinker who could land a multi-million dollar budget on the head of a pin. Mac, D.J. and a miracle-working Swiss Army Knife of an Administrator, Sue Encherman, who knew how to get the impossible done, would be the wind beneath my novice wings as I grew into the Director position.

Interviewer: Can you describe some of the advocacy the program was engaged in during your tenure as Director and Deputy Director?

In 1981, LSC issued a report recommending special lines of funding for client populations that faced unique barriers and obstacles to civil equal justice. These included farmworkers, poor Native American individuals and tribes and people confined by the state to institutions, whether long-term care, juvenile detention or correctional institutions. Congress allowed designated funding for farmworker and Native American advocacy, but declined to fund a line for people confined to institutions.
At Evergreen, we had active client advocacy teams representing client populations who face unique barriers and obstacles to equal justice. A few advocacy examples include a class action by our Farm Worker Division against the Washington State Patrol for highway stop practices based on racial profiling and a class action against the Washington Apple Commission for falsely advertising farm labor jobs when it knew the jobs would not be available, which resulted in the stranding of many thousands of farmworkers who had no way even to earn their passage back to California and Mexico. Our Native American Project was engaged in litigation to protect the treaty rights of poor Native American tribes, including fishing and shellfish rights. We had a state-funded Institutions Project that challenged inhumane conditions of confinement in state-run long-term care, juvenile detention and correctional facilities, including rights to basic health care and living conditions. We filed a homeless children’s case, which resulted in the court agreeing that the state had a legal duty to ensure that children would not be removed from their families solely because the family had become homeless, but was, instead, obligated to provide the services needed to keep the families together. Also, during my time as Director, we took on, in partnership with a private attorney, a case to reform the state’s dysfunctional foster care system—a system that shuffled children from home to home while failing to adequately protect them from abuse.

In addition, public benefits teams were responsible for watchdogging agency policies and legislative proposals that adversely affected poor people, and housing and consumer advocates watchdogged agency policies and legislative proposals that could have disparate harmful impact on poor communities, including affordable housing losses, predatory lending practices and so on. In family law, we advocated protections for primary caregivers and victims of domestic violence as mandatory joint custody proposals by so-called father’s rights groups throughout the 1980’s became increasingly popular.

I recall being invited to make a presentation before the Washington State Legislature’s Republican Caucus—a rare invitation for legal aid in those days—about the need for primary caretaker and domestic violence victim protections in Parenting Act legislation. I was 8 1/2 months pregnant, and I had a cast on my left leg, so a colleague had to drive me (I could not reach the steering wheel or operate the clutch pedal!). I arrived early and was seated in an anteroom by a distinguished, tall, grey-haired African American gentleman in a Sergeant-at-Arms uniform. After about a half an hour he asked what I was going in the caucus room to do. I explained that I had been invited to make a presentation on the need for legislative protections for poor women in contested custody cases. Amazed, he said "Other than me, you’ll be the only person of color to ever go into that room!" I was received with courtesy and interest, and have often wondered whether the reason we got the votes we needed was because the messenger was a pregnant woman hobbled by a cast on her leg.

Interviewer: Describe some of the most significant challenges you faced as Director of a statewide civil legal aid program as well as the most significant satisfactions.
I became Director of Evergreen Legal Services (ELS), in the midst of what would turn out to be nearly a quarter century of struggle to keep civil legal aid alive at the local, statewide, regional and national levels in spite of vehement opposition to legal aid for poor communities emanating from many quarters including agribusiness, government, private parties and the business and corporate sectors.

In 1988, LSC, our primary funding source, began what became known in the legal services community as “attack monitoring visits” to certain high profile legal aid programs such as California Rural Legal Assistance (CRLA), Texas Rural Legal Assistance (TRLA) and ELS. One of the monitors would tell me that these programs were being targeted because they were “beacon programs”, and that “taking them down” could help demoralize the entire national field.

The investigatory process of ELS included periodic multi-week-long visits on site by teams of 8-10 investigators who would place dozens of official “Document Requests” on my desk each morning at 9:00 am, and then by 1:00 pm would demand to know where the requested documents were (“on a Greyhound bus coming from our Longview, WA bus, sir”...). This was in a pre-fax and pre-email era. Over the four year period this went on, my staff members were required to produce nearly 20,000 pages of organizational records dating back to 1976. All the pages had to be reviewed and confidential client information redacted with gallons of “Wite-Out” correction fluid (the fumes!).

The essence of LSC’s case against ELS was that there was a symbiotic institutional relationship between the program and the National Lawyers Guild, built in substantial part on the fact that a number of ELS staff attorneys were members of the NLG and participated on their own time in important NLG-supported litigation. In 1992, with both sides exhausted by this giant and prolonged digging process, our (pro bono) legal counsel at Preston Gates & Ellis, now K & L Gates, advised us to accept an agreement under which LSC would cease the investigation, which by now had easily cost over a quarter million dollars in time and resources, in return for payment of a $35,000 fine for a recordkeeping violation. In reality, it was what lawyers call a “nuisance settlement,” one that allowed Evergreen to close the door on an ugly and incredibly disruptive chapter of regulatory overreaching and abuse. While Evergreen received closure, I am saddened to know that these abuses continue to this day. (LSC v. CRLA)

During this period, although we had a handful of stalwart equal justice champions, many judges and bar leaders were largely indifferent or oblivious to the plight of poor clients and the legal aid lawyers charged with serving them. In one of my earliest forays into court seeking temporary restraining orders, the Presiding Judge asked me, “How can you stand to represent these kinds of people?” (meaning poor women). I like to think that such a thing would never happen today. Fortunately, this situation would change for the better starting in the 1990’s, when the equal justice community benefited from strong leadership and allyship support from all the Chief Justices and the majority of Justices on the Washington Supreme Court as well as all other levels of court, and from courageous support from bar leaders at the local and statewide levels.
In some places, however, some members of the private bar initially saw legal aid lawyers as direct competitors, or as second-class citizens within the profession. If we showed up, we were met with hostility, and if we failed to show up we were chastised for not being there. No amount of public education about funding cuts, office closures and staff lay-offs silenced the complaints.

These were very bleak years. People would ask what kept me going through these times. I always gave the same answer, "If Nelson Mandela could endure 27 years in prison, never knowing when that imprisonment would end, and could emerge without bitterness in his heart, then what could I possibly have to complain about?"

There were tough challenges at the internal level as well. Staff members lived in a perpetual state of uncertainty, as we never knew if or when public funding would come through or be reduced. New and onerous scope restrictions and limitations on client representation were constantly being imposed on the work the lawyers were allowed to do for clients. In this difficult context, I attempted to rededicate the work of the program to the mission, and strengthen our ability to engage in multi-forum, multiple dimensional advocacy using multi-disciplinary teams and an expanded holistic approach to client representation. It would take well over a year for the advocacy leaders to get on board, and a few folks never did make the change. Upon reflection, it was probably too much to ask of folks at a time of prolonged siege.

Prior to my time as a program director, in the early 1980's, a team of lawyers led by the late Charles Goldmark pushed for adoption by the Washington Supreme Court of an IOLTA (Interest on Lawyers Trust Accounts) Rule, providing for the pooling of interest to be administered by a new entity, the Legal Foundation of Washington (LFW). The founding Executive Director was Barbara Clark, who had been in my Reggie class. The funds generated were to help underwrite civil legal aid for poor people. This rule was the brainchild of Florida Supreme Court Chief Justice Arthur England, who could not abide the continuing erosion of civil legal aid funding in his state.

By the late 1980's, while IOLTA funds were helping the three federally-funded civil legal aid programs in Washington, the Puget Sound Legal Assistance Foundation (PSLAF), the Spokane Legal Services Center (SLSC) and ELS, to somewhat lessen the corrosive effects of nearly a decade of stagnant funding from LSC, we were still only able to meet a fraction of the civil legal needs of the state’s poverty population, which, by the 1980’s had grown to well over 800,000, and by 1990, to 960,000.

The leaders of the three programs, John Purbaugh at PSLAF, Jim Bamberger at SLSC and Mac and me at ELS had our governing boards start to consider a formal consolidation that would allow us to achieve better coordination, effectiveness and economies of scale. At the same time, we launched what would become a grueling four-year long campaign to secure state funding for civil equal justice for the state's poorest and most disadvantaged populations.
A long succession of bar leaders would provide key support in this effort. Our champion in the state legislature was then a member of the Washington State House of Representatives, Representative Marlin Appelwick, a Democrat, who would go on to serve on the Washington Court of Appeals, Division I. While passage of a bill authorizing a change in court filing fees to include funding for civil legal aid depended on the help and support of key bar leaders and hundreds of others, Representative Appelwick’s ability to reach across the aisle to find legislative partners from both parties willing to ensure equal justice for poor and disadvantaged populations made it possible. Just one of many examples of a courageous partner was then-Senate Majority Leader, Senator Jeanette Hayner, a deeply conservative lawyer-legislator from very conservative district. Some of her constituents considered themselves to be “victims” of legal advocacy by ELS on behalf of migrant farm worker clients. In a remarkable floor speech, Senator Hayner was able to persuade her colleagues to defeat an amendment to the filing fee bill that would have diverted all of the funds away from civil legal aid. This was the beginning of a more than 20 year history of leadership and support by leading Republican attorneys and elected officials joining with Democrat leaders to ensure bipartisan support for civil legal aid funding in Washington State. This has distinguished our experience from the continuing, highly polarized partisan debate at the national level.

In 1991, when the tech bubble burst, the resulting economic downturn would cause a 50% drop in IOLTA revenues. In 1992, the four year-long effort to secure state funding came through, just in time to mitigate the worst of the harm that would otherwise have resulted from the loss of half of the IOLTA funds previously available.

We were in a constant struggle for survival on two intertwined fronts, first, in the struggle for political survival, and second in the struggle for sufficient funding to live up to our equal justice mission. It was clear that we had to develop a stronger, broader base of allyship support from powerful leaders in the bar, judiciary, governmental, business and corporate sectors in order to survive and generate independent resources free of the scope restrictions that hampered effective, full range, multi-forum representation for poor and disadvantaged client communities.

Our chance to get this to happen came in 1990 when I was invited to make a 15 minute presentation to the Washington State Bar Association’s (WSBA) Long-Range Planning Task Force, which was co-chaired by a former WSBA President, William H. Gates, II (who goes by Bill Gates, Sr., to distinguish himself from his son, Bill Gates, founder of Microsoft) and a member of the Board of Governors, Julie Weston. I brought along what came to be known as “The Circles Chart”, a giant drawing of about 100 circles reflecting the many different equal justice-related efforts I knew of, such as the State Bar’s 1981 Pro Bono Committee Report, 1986 Report, local and State Bar pro bono efforts, Governor’s and Supreme Court Task Forces Commissions and work groups on gender and racial justice-related issues, the ABA’s Standing Committee on Legal Aid & Indigent Defendants and its Standing Committee on Pro Bono & Public Service, LSC, National Legal Aid & Defender Association (NLADA), and so on. Many of these efforts were not integrated or coordinated with the others, and most were stand-alone “silos”.

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My "pitch" was that the energy of the best and the brightest in the profession was being squandered like "Roman Candles", each firing off for a brief flash, and then falling to the ground. The WSBA needed to take leadership in creating a coordinating, collaborative infrastructure for these efforts, which would allow us to accomplish so much more.

The Task Force report issued in 1991 and presented to the Board of Governors contained a section written by Mr. Gates. The report declared that equal justice for our state's poorest people had to be a top priority for the WSBA, and recommended that the WSBA take this on. I heard about the presentation from various colleagues who reported with amazement that Mr. Gates had said that equal justice for poor people in Washington State could not be dependent on a short Asian woman with eye-glasses running around the state legislature each year with a tin cup! The Governors apparently found this to be persuasive, because they created an Access to Justice (ATJ) Committee, which recommended establishment of an ATJ Task Force. The Task Force would be chaired by then-WSBA Governor Tom Chambers, who would go on to serve as WSBA President and then as a Washington Supreme Court Justice. It met for 18 months, and recommended that the State Supreme Court adopt a court rule establishing an ATJ Board to be responsible for ensuring access to justice for poor and moderate income people in the state.

On our first attempt to persuade the Court to adopt the rule, I was accompanied by then WSBA President Paul Stritmatter and Chair of the Board of the LFW, James Fearn. One of the Justices said that surely we did not mean that EVERY poor person needed a lawyer, as that would break the system, surely we meant just matters before the Court. I said no, that access to justice meant that poor and vulnerable people needed to understand their rights and obligations under the law, and also how to enforce the protections. I gave the example of a farmworker who was covered by multiple provisions of the Agricultural Worker Protection Act at the federal and state levels meant to ensure access to clean drinking water that had not been sitting out in a cistern in the fields in 100 degree weather, and to hand-washing and toileting facilities within 12 miles (!) of the work place. I said the trouble was that the workers had no way of either knowing about or enforcing those regulations.

In a remarkable exchange, one of the Justices reflected on how he had had to hire a Social Security specialist attorney to help him and his 92-year old mother understand a notice she had received from the Social Security Administration. "Now, I am not the smartest person in the world, but I am a State Supreme Court Justice, and when I need to hire a lawyer to help my mother understand an administrative agency notice, it means ordinary people face real barriers to understanding their rights and the law. Is this what you mean?" I said yes.

We were thanked by the Court's Administrative Committee for the good work we did, and sent on our way. Several months later, the Court wrote advising us that they rejected the proposed rule because the WSBA could take care of it. By then, there was a new WSBA President, Tom Chambers, who had led the Task Force. He called with the bad news, and asked what we should do. I said "Move for reconsideration!" He
said, "Ada, this is an administrative matter, not an adjudication. There is no motion to reconsider." I said, "Just make something up to get us back down there again."

A few months later, we were invited back to discuss the proposed rule once again. This time, I had WSBA President Chambers and new LFW Chair Greg Dallaire (yes, my former boss) at my side. This time it was the Court's Executive Committee. They started by repeating what they had said earlier—that they were grateful for the good work we were doing on behalf of poor people. They then told us that they still disfavored the proposed rule because the WSBA could take care of it, and also because of judicial restraint doctrine. They were reluctant to proliferate Court rules. I excused myself and went to the Administrator's Office, asking the Assistant if there was a list I could have of any and all Boards, Commissions and Task Forces in which the Court had a role. She handed me a list of seventeen items from the "Baby Justices Handbook", including such entries as "Patterns Forms Practice". When I got back to the meeting, they were still talking about judicial restraint. The Chief asked if we had any questions. I raised my hand and said, "Here is a list of all the Boards and Task Forces and Commissions in which the Court is engaged. Surely, equal justice for our state's poorest and most vulnerable people is as important as...", and I started reading through the list. "We know what's on the list, Ada! What is your question?" "My question is this, "How can you, as our state's highest body responsible for the administration of justice, look yourselves in the mirror if you abrogate your leadership responsibility to ensure justice for our poorest, most vulnerable people? That is my question." At this point, my colleagues dragged me out of the room while thanking the Justices for their time.

The ride back to Seattle was tense. "What were you thinking?! Now they'll NEVER adopt the rule and they are really ticked off!" I said they were never going to adopt the rule anyways, that much was crystal clear, but that I just wanted to force the issue and make them uncomfortable about their failure to act. A few months later, Tom called and said the Court had sent him a letter once again rejecting the rule, and what did I want to do. I said "We have done what we could, let it go. Now we try our best to accomplish the same goals without the Court's help."

A few months went by, and one day, when I was away from my office, Justice Charles Johnson stopped by to see me. Pat McIntyre (Mac), my Deputy, took the meeting and later reported that Justice Johnson wanted to be the one to give me the good news—the Court had just signed an Order Establishing an Access to Justice Board! Mac asked the Justice what had turned things around. He said that Justice Richard Guy had made a nuisance of himself going around asking each Justice about objections to the proposed rule. "What if it turns out to be a waste of time and money and doesn't accomplish anything?" "Well, I'll add a sunset provision." He circulated a revised proposed rule, and it was voted down again. Frustrated, he nonetheless persisted, asking what was standing in the way. "Judicial restraint—we don't want to proliferate too many rules." "What if we were to sign an Order instead of adopting a new rule?" He drafted the Order and it passed! On the fourth try!
I saw Justice Guy at an LFW event a few weeks later, ran up to him to thank him, and asked, “What happened?” Choking up, he said “Ada, I just could not look myself in the mirror.” The Order Establishing an Access to Justice Board was signed in April of 1994. This was the first ATJ Board/Commission in the nation.

In 1991, we were facing the 50% drop in IOLTA revenues I mentioned earlier, our ninth year of reduced and stagnant federal funding, and our third attempt to secure funding for civil legal aid from the Washington State Legislature. At this point, my husband Ken told me that he was tired of hearing me complain about our perpetual funding crises, and said he had asked the head of philanthropy at Seattle Children’s Hospital to meet with me to help advise me what to do. I sent a packet of background information to Doug Picha, and met with him for lunch. The conversation went something like this: “Well, Ada, I have reviewed your materials, and I have good news and bad news.” I said I always take the bad news first. He said, “The concentric circles model of giving is the usual template for fundraising. In the center of the “bulls-eye” are the people directly helped or affected by an organization or cause, and for you, these are poor people who have no money. The next layer is those directly supporting or working for the organization, which means a staff that earns little and is motivated by belief in the mission and not money. The next circle is the general public that has interacted with you. Many of those who have money hate you because you sue them. So, you really have nowhere to go in this model.” I said, “OK, I get it. What’s the good news?” He said, “You have no choice but to fundraise because you cannot continue to be dependent on the vicissitudes of public funding.” Vicissitudes—I had to look that up! But it was true.

A week later, Mac, my Deputy Director, and I happened to be meeting with our labor counsel, Mark Hutcheson of Davis Wright Tremaine over a collective bargaining issue that had come up. Before he would let us get down to business, he said “Wait! I haven’t seen you two in over a year! Tell me how things are going.” I buried him under a tsunami wave of bleak news, and he uttered the fateful words, “How can I help?” I told him Doug Picha said we had to start fundraising private funds to support equal justice for poor people in our state so we would not continue to fall victim to the vicissitudes of public funding. He said “Sign me up!”, and the idea of LAW Fund (Legal Aid for Washington) was born.

Mark, J. David Andrews of Perkins Coie and Kirk Dublin, at that time of Preston Gates & Ellis (now K & L Gates), would work as a collaborative team to turn the idea of LAW Fund into a reality by building a powerful statewide board and advisory council. Bill Gates, Sr. and then Attorney General (later two-term Governor) Christine Gregoire, would be the founding members of the Advisory Council. So-called next-generation “Growth Stock” board members were recruited, including Sal Mungia from Tacoma and Stan Bastian from Wenatchee—both of whom would go on to serve as Presidents of the WSBA. So many others from around the state have served as LAW Fund leaders, including Pat Wagner and consumer law attorney Bill Kinsel, who introduced the idea of cy pres awards being directed to LAW Fund. I want to make special mention of the late Dick Byington, who served on the LAW Fund Board for many years, and who, as a non-
attorney, insisted that equal justice for all was a solemn duty of the public as a whole, and not just of the legal profession and justice system.

**Interviewer:** It sounds as if your attention grew increasingly focused on external matters. How did this affect the program and your relationship with your Deputy and your staff?

Well, it may be that I am not the best person to answer this question. Mac and I were an almost perfect team of complementary strengths and weaknesses. He brought professionalism, organizational management skills and litigation and advocacy strength, and I brought strategic planning and political scanning to the mix. Both of us had entrepreneurial drive, which meant we supported one another’s ideas however far-fetched they might initially seem. After the meeting I described earlier with Mark Hutcheson, Mac and I were in the elevator heading to the parking garage, and he said wryly, “Next time you’re going to hit someone up like that—with a request that they found a new organization, you might want to give me a little heads up beforehand. Just sayin’.” To which I replied, “But I didn’t even know I was going to do it until he asked if he could help!” He just shook his head all the way down to the garage.

In terms of how some members of the staff viewed the focus and attention I was placing on external relations and institutional survival, I can offer this example. Once, during labor negotiations, I returned to my office to find a photocopy on my chair of a page from a biography of Mohandas Gandhi, with the following sentence highlighted in yellow, “While Mohandas Gandhi was off trying to liberate India from British Colonial rule, the people in his own village starved.”

In 1994, the Clinton Administration appointed a new LSC Board Chair, New Jersey attorney Douglas Eakeley, and the LSC Board assembled an LSC Transition Team to restore LSC to its original mission after over a decade of internal and external erosion. I was tapped to join that team in Washington, DC, and served from January through August of 1994, the only member of that team from a field service program. Mac served as Interim Director of Evergreen during that time.

New York lawyer Alexander Forger was appointed LSC President. He tapped Martha Bergmark to serve as his Vice-President, and she would recruit a team that included James Head from the Bay Area, John Tull, a longtime ABA consultant from Colorado, Gerry Singsen of Massachusetts and me (Martha would go on to found the Mississippi Center for Justice and serve as founding leader of the Civil Legal Aid National Communications Hub). Many folks on the professional staff who had survived the preceding decade saw us as liberators from unfriendly and oppressive regimes. We knew that turning things around was going to be a difficult challenge. James and I were assigned the task of helping the Board refocus on mission, and I also worked to bring a renewed awareness of the unique equal justice-related needs of marginalized special populations. I was also able to provide first-hand information on how monitoring and investigation had been used for political ends, and helped the transition team assess how program advocacy could be evaluated on its client service merits.
Washington State is a kind of microcosm of the United States in terms of intractable divisions such as urban/rural, inland/coastal, geographically defined ideological difference, and other dimensions. This made it easy for me to see that the optimistic exuberance over the anticipated positive effects of the election of President Clinton (based, in large part on the fact that Hillary Rodham Clinton had served as Chair of the LSC Board in the late 1970's) was not well-founded and would be short-lived. As a result, some of my colleagues jokingly called me “the wet blanket” of the Transition Team. But by November, with the mid-term election and the Contract with American turning control of Congress over to long-time opponents of civil legal aid, I was sad to have been correct in my prediction.

Interviewer: What were your greatest challenges and satisfactions when you returned as Director?

My greatest satisfactions came, not because I was the Director of anything. They came because of equal justice movement-building efforts coming to fruition after years and years of struggle. In some ways, our most daunting challenges produced some of our greatest satisfactions. The day I learned that the Washington Supreme Court had entered the order establishing the ATJ Board, the day we held the first LAW Fund Board meeting, the day Representative Appelwick called to say that the filing fee bill authorizing state funding for civil legal aid for the state’s poor people had finally, after four years of trying, passed into law, well, these were pretty satisfying moments.

Other important satisfactions, impossible to quantify, include the sense of gratitude I felt toward the staffers who volunteered to be laid off in order to save the jobs of co-workers in times of funding cuts; then-Attorney General Christine Gregoire’s call offering to hire as many of my laid-off attorneys as she could; the leadership of LFW’s Executive Directors, Barbara Clark, now Caitlin Davis Carlson, who were relentless in pursuit of ways to preserve and expand IOLTA revenues in support of last resort advocacy for client communities that would otherwise be forgotten; the privilege of working shoulder-to-shoulder, decade after decade, with an ever-growing community of the smartest, most dedicated colleagues and partners on the planet, all demonstrating the same commitment to making equal justice for the poorest and most disadvantaged communities a reality and not just an empty promise.

One of my greatest satisfactions came when, in December of 1994, John Purbaugh, Jim Bamberger, Mac and I were able to figure out a way to adapt and change in response to the imposition by opponents of onerous scope restrictions on full-range multi-forum client representation. Together with heroic board members at PSLAF, SLSC and ELS—folks like Sue Jones, Cecile Greenway, Gordon Wilcox, Michael Hanbey and so many more—who would transcend their own organizational skins for the benefit of client communities, and with an army of supportive access to justice community colleagues, mobilized and led by Access to Justice Manager Joan Fairbanks, we were able to build a statewide equal justice delivery system governed by a common, shared set of core values which we called “The Hallmarks of a Civil Equal Justice System”:

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• No one gets written off or written out of our justice system because they are politically disfavored;

• We commit to work together to form an integrated, coordinated and collaborative equal justice system because together, we can do more, and because failing to do this results in wasteful duplication of effort and ineffectiveness;

• “It’s the clients, stupid!” meaning we are about real people and real communities facing real problems today;

• We mean to hold ourselves accountable to these values.

Adherence to these values made it possible for us to restructure the statewide delivery system when we faced total elimination of federal funding through the so-called "Glidepath to Zero" being proposed by the newly elected 104th Congress in 1994 and its "Contract with America" which included elimination of LSC as one of three primary objectives. The ATJ Board's first Chair and Immediate Past President of the WSBA Paul Stritmatter enlisted Seattle lawyer John McKay to serve as the founding Chair of the first Access to Justice Board Committee, the "Equal Justice Coalition", or the "EJC". The EJC was initially charged with protecting federal and state funding in the face of active efforts to eliminate all public support for civil legal aid. Under John's leadership, a strong base of bi-partisan support for federal and state funding was built, and that support continues to this day. Other leading lawyers like Paula Boggs, now Washington State's ABA Delegate, would be tapped by John to serve as EJC Vice-Chairs, and continue to play pivotal roles decades later. A true servant leader, John would later leave his position as managing partner of a major Seattle law firm and accept an appointment to serve as President of LSC in Washington, DC at one of the most politically volatile and contentious periods of the agency's turbulent existence (he would go on to serve as United States Attorney for Western Washington, among the eight US Attorneys famously fired by the Bush Administration for their failure to comply with the administration's political wishes, then to teaching as a colleague and law professor at the Seattle University School of Law, and then to lead a special team assisting the Palestinian government in establishing and strengthening the rule of law).

During this same period of intensified threat, major statewide restructuring took place using the values articulated in the "Hallmarks". PSLAF, SLSC and ELS each dissolved and merged into a new entity, Columbia Legal Services (CLS), which would walk away from $6.2 MM in federal funds, reduced to $4.2 MM shortly thereafter, because accepting these funds necessitated acceptance of a "poison pill" provision extending all federal restrictions on the use of legal aid funding to every other source of funding received by the LSC grantee, including private and state funds. A team of courageous leaders set out to start a new entity to bid for the restricted federal funds. That entity was the Northwest Justice Project (NJP), created by a pro bono lawyer, Robert Kaplan, and former King County Bar President and now Federal Judge Mary Alice Theiler. A three-person team consisting of my Deputy Director, Pat McIntyre, Administrator, Sue
Encherman and Director of Private Attorney Involvement, Joan Kleinberg, resigned from their positions at ELS. Using private funds from LAW Fund, and working out of a supply closet at the LAW Fund offices, they would work on an application for LSC funds, secure the funds, and become NJP's founding leaders, soon to be joined by former statewide litigation, advocacy and training coordinator Debi Perluss, former PSLAF Executive Director John Purbaugh and many others.

Almost a decade later, in 2004, we again faced the need to place clients first and "reengineer" our delivery system. The cause was two-fold. First, we continued to be faced with deep cuts in funding, increases in the poverty population in need of help, and the prospect of mounting operating deficits. In response, we tried, unsuccessfully, over a number of years to secure increases in state legal aid funding. The obstacle to our ability to obtain increased funding? Effective and meaningful client representation funded with IOLTA and other non-public funds – class actions on behalf of children faced with the loss of Medicaid benefits, suits against agricultural employers for unfair practices, legal actions that cost the state significant money in times of great fiscal stress, etc. This non-state-funded work served as an anchor that dragged down our ability to secure increases in funding for critically-needed services in authorized areas of state representation and fueled efforts by opponents to impose the full panoply of federal restrictions, including the "poison pill" to our state appropriated funding.

The second reason, while directly related to the first, was more insidious. In the effort to meet prevailing political expectations and the corresponding effort to be more careful about whether, when and how we communicated about some of our most effective client work, we realized that we were unwittingly sending internal messages that effectively "chilled" the environment needed to foster the kinds of cutting edge, client-centered legal advocacy that Columbia was charged with doing using non-state funding.

During this difficult and divisive period, there came to be a painful weekly ritual at our early morning EJC meetings. Advocates trying to secure increased state funding for an increasing poverty population with increasingly complex problems would attempt to persuade me to spin off the farmworker advocacy in an effort to placate opponents. I would counter (unhelpfully and ineffectively) by reciting a version of "First they came for the Catholics, and I did not speak out because I was not a Catholic. Then they came for the Jews, and I did not speak out because I was not a Jew. Then they came for me and there was no one left to speak for me." Or words to that effect. This would draw a collective eye roll and exasperated sighs. We continued in this excruciating manner for too long. It became clear that we would once again have to adapt and change in a major way in order to protect the overall statewide delivery system’s ability to stay true to the Hallmarks.

In an amazing exercise of leadership, the CLS Board directed that we ask the state agency with which we contracted to terminate our contract and to contract instead with NJP. This had the impact of effectively bringing the state-funded legal aid program under the realm of the federal restrictions, but doing so on our terms – and without the "poison pill" being attached to state funds themselves. As state funding represented the
majority of CLS’s budget at the time, we once again had to shrink and change and NJP had to expand and grow into a larger statewide role.

I knew that this time, I could not remain standing after the structural changes that would have to be made. My team and I had done what we could to protect the integrity of the overall statewide delivery system’s capacity to be responsive to client needs without the constraints on client representation imposed by public funding rules, restrictions and prohibitions.

The new program had to be operationally freed from the past, and so I laid myself off, along with members of my statewide leadership team who volunteered to be laid-off alongside me—my Chief Financial Officer, Debbie Juntunen, Human Resources Director Gail Jackson, statewide coordinator for external affairs, Jim Bamberger (he would eventually become the founding Executive Director of the Washington State Office of Legal Aid, OCLA), and statewide coordinator, Michele Storms, who would head over to NJP for a time (she now serves as Assistant Dean for Public Service and Director of the Gates Public Service Law Scholarship Program at the University of Washington School of Law). The remaining members of the leadership team, John Midgley, Aurora Almeda Martin, Dan Ford and Liz Stonehill would stay on to lead the new Columbia Legal Services, which, while smaller, would grow stronger and gain greater ability to focus on core mission.

The groundwork for this new team had already been laid years earlier because the CLS Board understood that an important stewardship responsibility to clients, the program and the Alliance for Equal Justice was to ensure that an up-to-date leadership development and succession plan was in place. Board members were partly motivated by what they half-jokingly referred to as the “what if Ada gets run over by a truck?” scenario. We had only to look at examples around the nation of program leaders well into their third or fourth decade of service, some of whom resisted succession planning, and were determined to “die with their boots on”. We knew that this was not the approach we wanted to take.

Another significant motivator behind our intentional approach to leadership development and succession planning was our belief that this would give us the ability to strengthen inclusion, diversity and cross-difference competence into our leadership recruitment and development efforts by “growing our own” diverse leadership.

Interviewer: When you and I first met, you had been called in to help the King County Bar’s Initiative for Diversity effort, which had hit some roadblocks. How did you get involved in diversity advocacy?

I would have to say that advocacy in the diversity arena found me as much as I found it. When I began my career as an equal justice worker in the 1970’s, the racial justice struggles of the civil rights movement had set the stage for offshoot civil rights efforts challenging sexism and misogyny, age-ism, able-ism, and so on. You can see this history reflected in the Executive and Judicial Branch creation of various Boards,
Commissions and Task Forces (e.g., Governor’s Commission on African-American Affairs, Hispanic-American Affairs, and so on, Washington Supreme Court Gender & Justice Commission, Minority & Justice Commission, Interpreter Commission, etc).

At a personal level, when I found myself serving as a “token” and as a “double minority” (terms coined by others, not by me), it created a great deal of cognitive dissonance. Did I identify first as a feminist? As a person of color? How could these identities be integrated into my identity as a whole person? Even within the civil equal justice community, the number of Asian-American women project directors out of over three hundred numbered—exactly three.

At a professional level, as a member of the civil equal justice lawyer community, I was confronted every day with poor and otherwise disadvantaged client communities facing disparate treatment based on multiple and compounding bias factors such as race, gender, disability, immigration status, limited English proficiency, and so on, to which is added the very related compounding of poverty. Truly client community-centered civil legal aid work requires awareness of these compounding bias factors, and how they operate in ways that are harmful to clients.

Because intractable poverty in this country has been and continues to be inextricably linked with the legacies of slavery, Jim Crow, genocide, misogyny and fear of “the other”, learning how legal tools and justice work can be used to dismantle their remnants has been a long and difficult journey. As I have struggled to gain greater understanding and competence in this challenging arena, I have had the benefit of some great teachers, one of whom is Dr. Leticia Nieto, who taught me about frameworks for understanding status, social rank and power, and what privileged “agent” groups can do (use their privilege in allyship with target groups, engage in lifelong learning about cross-difference competence) and what “target” groups can do (learn how to choose to educate or refrain from educating privileged agent groups about difference, grow healthy and strong in the face of oppressive systems through affinity groups, not assume every person is intentionally engaged in oppressive behaviors) to dismantle oppressive systems.

Another extraordinary thinker and teacher is Professor John Powell. He talks about how structural racialization, white privilege and heteropatriarchy operate in ways that can be subtle or even invisible, to perpetuate societal constructs that systematically place certain groups “outside the circle of human concern”, and make it “acceptable” that they be treated as less than fully human. Thanks to pioneers like Professor Anthony Greenwald at the University of Washington, we are learning more and more about the role that implicit associations (IAT) and cognition play in the perpetuation of oppressive societal dynamics and structures. In trying to find a way to more clearly articulate how our own equal justice community’s strategic intent related to these concepts should be articulated, Mac and I spent an entire day trying to come up with language that we thought would capture it. What we came up with was the unwieldy phrase, “inclusion, diversity and cross-difference competence as a justice imperative,” or “IDC”. Try as we
might, we were not able to shorten it, as we felt that each of the words was necessary to articulate a very different dimension of diversity.

My efforts to strengthen our ability to “walk our talk” at my own program were met with varying degrees of active and sometimes passive resistance by some. At the program level, where everyone is so deeply committed to equal justice, notions of unearned white privilege, agent and target social rank and horizontal oppression elicited extreme psychic discomfort in white men and women. By contrast, many of the people of color, and especially women of color, felt empowered by the alignment of their advocacy with their own lived experiences.

In a related struggle, I was trying to find ways to understand and stop the divisive so-called “oppression Olympics” that sometimes afflicted my advocates. This troubling and counter-productive dynamic was exacerbated by extreme scarcity of program resources (thus, “…my Native American clients have suffered more than your migrant farmworker clients…” etc.).

Another obstacle to IDC was the way in which lawyers define and categorize legal problems by substantive areas of law as opposed to more holistic, client-centered approaches. Thus, there is no simple intake “box” to check when complex, compounding bias factors are in operation (e.g., as with a poor client who is an immigrant, a non-English-speaking woman of color and a victim of domestic violence whose child has special needs). Yet we lacked the language and frameworks by which to tackle this deficit. Advocates felt more comfortable defaulting to existing categories “…this is a housing case”, “a family law case”, a consumer protection case”, etc.).

While I found this IDC work to be tough enough within my own organization, it was even more challenging to raise these issues within the Alliance for Equal Justice and with justice system leaders. Some reacted with openness, and others have understandably seen these efforts as a direct threat to their ability to make forward anti-oppression progress in their specific arena of work given a highly competitive environment for scarce resources. This has sometimes been a lonely and discouraging path, but I believe that changing demographics, greater understanding of how communities experience disparate treatment and how we are all unavoidably influenced by our implicit biases will operate in ways that will find these ideas to have been on the right side of equal justice history.

**Interviewer:** How did you make the transition, after twenty-nine years in the equal justice community, to the Seattle University School of Law after you laid yourself off?

I was on unemployment, engaged occasionally as a consultant to the equal justice community in other parts of the country, and attempting to follow the counsel of friends who advised me to take some time off after 29 years. About a month had passed when I was contacted by Kellye Testy, who had just been selected as Dean of the law school. She wanted me to serve as a bridge to the equal justice community for the benefit of the
law students, and to strengthen the law school's capacity to deliver on its social justice mission.

I dreaded telling my dad that I would be going to work at a Catholic Jesuit University, since he believed that organized religion had been, in his view, responsible for so much strife and the corrupt use of power over centuries. I finally got up the nerve to send him an email, and endured "radio silence" for three long weeks. When I finally got a reply, it read, "My darling daughter, I have been studying these Jesuit people, and it turns out that, throughout their history, they have gotten in just enough trouble with those in power that they must be doing something right."

Since Dean Testy's departure to the University of Washington, it has been my good fortune to have been asked by Deans Annette Clark and Mark Niles to continue to serve and teach such courses as an "Advanced Civil Equal Justice Seminar", a 1L Elective called "Lawyering for a More Just & Humane World" and Poverty Law, doing what I can to help inspire the next generation of equal justice champions by offering them critical lenses through which to see unfairness and inequality, and helping them to gain a greater understanding of their special role and responsibility as members of the legal profession to serve the ends of justice.

I have a confession to make, which is that during my tenure as a statewide legal aid program director, I was approached several times by law schools to serve as a partner in the equal justice education and training of their law students. I declined, as I always felt this would be a digression from our main function, which was direct client service and advocacy. How foolish I was to squander the opportunity, one that I have come to treasure, to reach and teach the next generations of leaders committed to equal justice early on in their educational growth and development!

Luckily, I was granted another chance. Our Washington State law schools are now fully-engaged partners in the Alliance for Equal Justice. We have terrific law school-based equal justice leaders at all three of our Washington State law schools—Laurie Powers at the Gonzaga University School of Law, Diana Singleton at the Seattle University School of Law and Michele Storms at the University of Washington School of Law. I have heard from equal justice community employers from around the country and internationally about the vitality and energy my former students have been able to inject into their organizations through their capacity to engage in strategic and systems thinking, and to apply and model some of the powerful leadership and client advocacy frameworks they learned in class.

Seattle University is led by a strong, mission-driven leader, President Steven V. Sundborg, S.J. His articulation of the institution's strategic intent is contained in the mission statement, "At Seattle University, we educate leaders for a just and humane world". This mission turned out to be a perfect fit for a person who has spent her career serving communities facing obstacles and barriers to justice.
Interviewer: You get asked in when people know that they need a fresh look by someone not tied to the status quo, who can think beyond people's comfort zones to find the right solution or approach.

A colleague of mine who heads up the ABA's Division of Legal Services, Terry Brooks, once called me his favorite iconoclast. While I certainly never set out to be an iconoclast, upon reflection, I believe the reason I can be perceived this way is due to the gift I received, in stages, from my dad, from Greg Dallaire and from the community of colleagues who live and breathe the values contained in the Hallmarks. That gift is fidelity to the clients we serve in the equal justice movement. Being grounded in the client community means you will always be trying to hold whatever system you are called to advise and those in positional authority accountable to the stated underlying values of our democracy, including the words etched in the parapet of the US Supreme Court, "Equal Justice under Law". Some people are uncomfortable when you point out a disconnect between their stated values and their delivery on those values—it causes psychic discomfort. It is easier to discount the speaker (me) who is bringing it up than it is to do the hard, sometimes painful work of aligning values and behavior. I sometimes feel that my role has been that of the seven year-old child in "The Emperor's New Clothes"—the one who points and says "But, but, he isn't wearing any clothes!"

Interviewer: Along with the education and leadership development work you are doing at the law school, you have continued to reach out and mentor individuals throughout the justice community in very intentional and highly strategic ways. Can you tell me where your motivation to do this comes from?

I have had extraordinary mentors throughout my career, but it took me a very long time to understand their importance in my own development. My mother was a fantastic role model for strength and decisive action—something it took me many years to appreciate adequately, and not take for granted. Summer camp gave me strong female and male role models for how to take responsibility for the safety and welfare of others—I did not understand their importance at the time either.

My father's Zen Buddhist and highly philosophical approach to life, coupled with his insistence that we learn the importance of careful observation and reflection trained us to "get up on the balcony" and "scan" the horizon to gain bigger-picture and longer term perspectives, including the ways in which history manifests itself in the present day. I also think that having been a biology major in college gave me frameworks, taken from nature, for understanding organizational structure and dynamics. Graduate studies in community organization and planning helped me to carry frameworks thinking (kingdom, phylum, class, order, family, genus, species) into the realm of human organizational behavior and processes, although I have to admit that my staff team did not always appreciate this ("Oh, no! Not another analogy from the animal kingdom!").

Thus far, my so-called leadership journey has been a complicated and convoluted one—learning through the messy process of on-the-job crisis management training, or the equal justice "school of hard knocks". I came to the equal justice movement with a
"knapsack" that was fortunately packed with educational and life-experience-related privilege and assets that would enable me to do the work. Civil equal justice advocates are dealing with people living on the razor’s edge of poverty and distress. This clarifies the mind. Add perpetual opposition and funding crisis after funding crisis, and those without cast-iron stomachs can tend to get weeded out. While I may have been “blessed” with a cast-iron stomach, it would take many years—decades, even, before I would come to understand what equal justice leadership is about, and to understand it well enough to be able to articulate and try to transmit it with intentionality.

It took our state’s founding ATJ Manager, Joan Fairbanks, nearly 5 years to get the rest of us to heed her pleas that we engage in intentional leadership development training for all field staff leaders and pro bono directors as a way to strengthen our community’s coherence and heal divisions caused by years of “them/us” dynamics—dynamics which exist in some form throughout the country. It took me those five years—from 1998-2003, to come to fully appreciate the importance and urgency of developing a deep, multi-generational “bench” of people, regardless of official title or position, who are capable of understanding and executing leadership behaviors in the context of equal justice movement work for poor and disadvantaged individuals and communities.

Once we decided to move forward, various pro bono and staff members identified a leadership trainer, Ellen Hemley, then Director of the Center for Legal Aid Education (CLAE) in Boston, and now Vice-President for Training at the Sargent Shriver National Poverty Law Center (Shriver Center). She introduced our community to a curriculum for emerging civil legal aid leaders developed from over twenty years of training experience in the New England region. Almost every one of the “Seven Core Leadership Capacities” she taught resonated so powerfully with what I had experienced and attempted to do that I thought my head would explode from all the “Aha! moments”.

The “Seven Core Capacities” model, which has evolved over time, is now a part of the Shriver Center’s training curriculum. It is taught in the image of spokes around a hub. The hub represents vision and core values (equal justice for all and the Hallmarks described earlier). Fanned around the hub are the seven leadership capacities:

1. Communicating strategic intent;
2. Achieving workable unity;
3. Strategic and systems thinking;
4. Self-awareness;
5. Understanding the duty to engage in leadership development of people who do not look like you;
6. Delivering on strategic intent; and
7. Fostering processes of renewal (aka the drive for continuous improvement).
In 2007, the Chair of the ATJ Nominating & Leadership Committee, Dan Gottlieb, would ask me to help the committee figure out how to make progress on the ATJ State Plan recommendation that the Board put in place a sustainable infrastructure for leadership development. The committee reviewed many different training models, and Dan spent three days in Massachusetts participating in a “Seven Capacities Leadership Retreat”. The ATJ committee went on to identify three key features for a Washington State leadership development initiative. These were that the initiative:

1. Be intergenerational;
2. Not be about positional authority;
3. Incorporate community-based partners as a way to build effective equal justice/client community teams.

It took over six years to get the Washington State Equal Justice Community Leadership Academy off the ground, but in January 2013, twenty-eight Leadership Academy Fellows inaugurated the program. These Year One Cohort I Experienced Leaders, who are being trained as trainers for future Fellows, dived right in, probing and evaluating vision and values and learning practical leadership skills as well. Year Two Cohort II Emerging Leaders is planned for 2014. Each year involves four retreats over three days each, with significant online preliminary work and work between retreats.

It has been especially gratifying to see inclusion, diversity and cross-difference competence incorporated into the curriculum, equipping the Fellows with critical lenses essential to self-awareness and other-awareness, achieving workable unity, delivering on strategic intent and the other core leadership capacities. At the end of the second retreat, I told the Fellows that if I were to “get run over by a truck”, I would go with a smile on my face, as I feel my work is done.

**Interviewer:** Are there any other lessons you would be willing to share?

I have learned that it is important to articulate a vision based on universal values that transcend individual and organizational interests, to hang onto it no matter what, and to always act in ways that demonstrate confidence that the vision is attainable, whatever the personal cost (loneliness, isolation, being laughed at or marginalized by some who call you crazy, etc.) Patience and gentle persistence over time provide others the opportunity to connect with the vision and become part of the struggle to turn it into reality. Warning--sometimes this can take a really long time!

I have learned that you must be fiercely tenacious about asserting and modeling the values underlying the vision. A common set of core values helps a community stay together in the face of difficulties and challenges that might otherwise drive it apart. Clarity of purpose makes a community stronger, more united and more resilient. Adapting to change is easier because your overarching common purpose is clear.
There is, however, a fine line between effective articulation and over articulation. I have been told on more than one occasion that I have crossed that line ("...Ada, if I have to hear you regurgitate the Hallmarks one more time, I am going to be sick"). I forge on because I learned from media consultants the "Seven Times Rule" of communication, and that is that people do not really "hear" a message well enough to repeat it back until they have heard it seven times (and here I was all those years scratching my head when people wouldn't "get it" after just one time...).

I learned from Dr. Ronald A. Heifetz, one of the leadership gurus at the Harvard Kennedy School of Government that people do not resist change per se: what they resist is the loss that accompanies change. Fail to understand, acknowledge and address this, and you cannot succeed as a leader.

I have been called a "velvet fist". I believe that this is because I rarely use direct confrontation. I try instead to find some common point of agreement (that we both believe in our democracy, in life, liberty and the pursuit of happiness, in fundamental fairness, etc.), and keep checking until I reach the end point of agreement. Then I try to develop a genuine point of empathy with those I am trying to persuade to act or to act differently, to show I can identify with and understand their point of view. Then I attempt to raise a possible entry point of empathy for the position I am taking, ideally basing it on an earlier point of agreement (that farmworkers ought to be tested for toxic pesticide overexposure, as should the growers and their families), and gently suggest it. At worst, we end up with a reasonably amicable "agreement to disagree" but also a clearer understanding of where and why we differ. At best, I can get an "I never thought about it that way" response, and a person who better understands and feels good about how their fundamental values can be aligned with principled actions.

Acting in ways that are consistent with your stated values leads some to trust you and others to fear you. The trust part is universally good. The fear part is not, as it is often based on the other person's need to discredit you because the cost of agreement is perceived to be too high.

I have learned that people equate principled action and sacrifice with courage. But think of it this way instead: what would your life be like if you FAILED to act in a way that was consistent with your core values? Now, to me, THAT would be a real sacrifice—of your identity and of your humanity. So, it's really not that courageous, it is just the less bad choice.

Let me close by saying that perhaps the most important lesson I have learned in my journey (so far) is that failures in the face of daunting challenge are made bearable through sharing, and that successes in the pursuit of justice for those who would otherwise be invisible or forgotten is only possible through dogged and persistent community-building and team work.

Thank you so much for agreeing to serve as my audiographer.