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MAY IT PLEASE THE COURT: PODCASTING, LEGAL STORYTELLING, AND DIVERSITY ON THE BENCH

by MARY-CHRISTINE (M.C.) SUNGAILA

Podcasts are exploding in popularity. But legal podcasts hosted by lawyer podcasters (rather than journalists) are still relatively rare on Apple or Spotify playlists.

A few of us are changing that. We are using legal storytelling in the podcast format to educate the public about the law, and to encourage more diversity across the profession, including on the bench.

Lady Justice: Women of the Court is the first podcast hosted by sitting judges. The podcast features three women state supreme court justices (Arkansas Justice Rhonda Wood, Michigan Chief Justice Bridget McCormack, and West Virginia Justice Beth Walker) discussing what it's like to sit on their state's highest courts. Podcast topics include state constitutions and how state courts work, women trailblazers, well-being in law, writing opinions, appellate advocacy, and many more. The monthly podcast, now in its second season, was inspired by an educational project led by Arkansas Justice Rhonda Wood.

The podcast got its start in the summer of 2020, when Justice Wood invited her friends—Chief Justice McCormack, Justice Walker, and Texas Justice Eva Guzman—to join her in recording answers to questions about the judicial branch of government posed by Justice Wood's granddaughter, Blakeley. The Lady Justices quickly realized that a podcast discussing state courts would be a powerful and accessible way to advance their shared enthusiasm for civics education. After Justice Guzman stepped down from the Texas Supreme Court in 2021, the



other three Lady Justices carried on with the podcast, which is produced by the Arkansas Supreme Court's Public Education Program.

The Lady Justices frequently discuss their paths to their current roles and hope to inspire other women. "All three of us are first-generation lawyers who did not have a family member to show us the way at the beginning of our legal careers. We are thrilled that our little podcast might shine a light on career possibilities," says Justice Walker. Justice Wood adds: "Our paths were different. But they share a similar thread: we didn't start our legal careers with the judiciary in mind, yet when the opportunity arose, we all took it."

The podcast is designed to appeal to listeners inside and outside the legal community. The Lady Justices hope to educate the public about the important—but not often discussed—work of state courts, where the vast majority of cases in this country are handled. As Chief Justice McCormack observes: "Even though we have the same job, our courts do things differently, constitutions are structured differently, norms are different, and then we have lots of things that are quite similar. We've talked about all of those topics and then some, and we look forward to continuing the discussion."

Another podcast that aims to reach listeners inside and outside the legal community is the *Portia Project™ Podcast*. The *Portia Project™ Podcast* was born out of twin desires to highlight women on the appellate bench, and to encourage more women to apply to positions on appellate courts by sharing the many varied paths women have taken to get there. The podcast guests include current and former state and federal appellate and trial judges, general counsel, firm managing partners, entrepreneurs, and nonprofit lawyers and leaders.

Launched in February 2022, nearly twenty episodes of this weekly podcast have aired and fifty more have been recorded. In collaboration with Girls Inc. Orange County, the podcast will conduct outreach to high school girls this summer through a live, in-person panel of prior podcast guests.

The podcast is named after Portia, a character in Shakespeare's *Merchant of Venice* who disguised herself as a man to assume the role of a lawyer's apprentice; her name became synonymous with women lawyers and women's entry into and early progress in the legal profession. The podcast

celebrates individual women's progress in the profession—from the 1970s to today—and seeks to inspire the next generation of women lawyers and judges. Collectively, their stories demonstrate women's overall progress in the profession, and the number of doors that have opened and opportunities that have expanded for women in the law over the last fifty years.

The podcast is a powerful adjunct to mentoring and diversity initiatives adopted by the courts themselves. On July 10, 2021, Governor Newsom announced the formation of the California Judicial Mentorship Program, a statewide undertaking between the executive and judicial branches to advance the shared goal of an inclusive judiciary that reflects California's diversity.

The California Judicial Mentor Program (Appellate) seeks to assist in developing and recruiting a qualified and diverse applicant

not yet submitted an application. For those uncertain about whether to apply, a judicial mentor can help the individual consider how best to prepare for a future application.

The Los Angeles Superior Court has also implemented a Judicial Mentor Program. The purpose of this program, too, is to assist in the recruitment and development of a qualified, inclusive, and diverse judicial applicant pool. This program was designed by Los Angeles Superior Court judges in collaboration with the Office of Governor Gavin Newsom. The program is designed to identify, encourage, and provide mentors for all individuals considering a judicial career. One of the chief goals is to communicate to all sectors of the legal community the uniform message of Governor Newsom's judicial criteria and commitment to appointing a capable bench reflective of California's rich diversity.

The *Portia Project™ Podcast* complements these efforts by providing insights on the path to the bench to a wider audience, including those who have not yet entered law school. The potential through the podcast format to reach those already in law school or law practice, as well as those in high school or college, is exciting.

As Judge Michelle Williams Court of the Los Angeles Superior Court, one of the first guests on the podcast, has observed: "I decided to participate in the *Portia Project™ Podcast* because

I wanted to add my voice to the chorus of diverse women encouraging and advising others through telling our own unique stories," which, in Court's case, included a "rather unconventional path to the bench." ❏

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pool for service on the state's courts of appeal. The program seeks to demystify the application process and improve transparency and accessibility for all members of the legal community who are interested in serving on the appellate court.

Outreach efforts are directed at all superior court judges and attorneys eligible for judicial office within the area served by the First District Court of Appeal.

Mentoring is available to individuals interested in learning more about the appellate court and the process for applying for an appointment. Mentors are active and retired appellate justices, usually chosen from outside the First District Court of Appeal in order to minimize the need for judicial recusals. Mentors do not promote or recommend candidates to the governor, but do discuss with the candidate and demystify the work of the court and the process for applying to join it. Mentors are available for those who meet the formal requirements of appointment and have