

## Rhode Island Women Lawyers: Past, Present, & Future

This series was inspired by Roger Williams University School of Law's annual *Women in Robes* event and was created in alliance with their exciting new project, *The First Women*, which recognizes and honors the first women of the Rhode Island Bar.



Elizabeth McDonough Noonan, Esq.

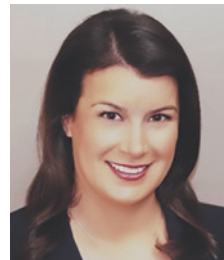
When we sat down to interview Attorney Elizabeth McDonough Noonan, we did not know the fun facts and lessons we would learn from such an outstanding female role model. One of the first things that Attorney Noonan mentioned, aside from insisting we call her Beth in this article, was that the current board of the Rhode Island Women's Bar Association had been operating under a bit of a misunderstanding. Although the group did not incorporate until 1998—and is thus celebrating its official silver jubilee this year—its origins could be traced back even earlier. During the late eighties, she explained, as female attorneys turned to each other for mentoring, support, and socialization in a male-dominated field, an informal association began to form. Attorney Noonan, who had graduated from the University of California Hastings Law School (now UC Law SF) in 1989—along with a fellow trailblazer who would just happen to become the first female vice president of the United States—soon became a vital part of this group, serving as one of its first presidents. As the gender makeup of the Bar began to shift during the ensuing decade, these women recognized the importance of placing themselves at the “front and center” of the legal community and supporting each other in making that happen.

That would be, of course, no easy task. Yet she was used to being the only woman in the

room, as she had begun her career at a high-tech company in Silicon Valley after graduating from the University of California at Berkeley in 1984. This was a time of tremendous opportunity and change in the Valley—it was the same year that Steve Jobs introduced the first Macintosh computer, after all—but gender diversity, and significantly, equality, was practically nonexistent. Despite this uneven playing field, Beth found her footing and, after a couple of years, turned her attention to a long-held goal: law school. After graduating from Hastings, Beth and her husband, William Noonan (now a magistrate at the Rhode Island Traffic Tribunal), moved across the country to his home state of Rhode Island. Beth clerked for one term with the Rhode Island Superior Court, then practiced plaintiff-side litigation before joining Adler Pollock & Sheehan P.C. In 1998, when she became a partner, she was the third female partner. Today, she remains a current firm shareholder along with six other female partners and has developed a practice both robust and varied, centered on land use, zoning, administrative, municipal, and litigation practice.

As a new lawyer, Beth wanted to be in the courtroom as much as possible. Accordingly, she jumped at the chance to be staffed on “every trial that walked in the door.” While many litigation attorneys must wait years before actually representing clients at trial, Beth was able to gain valuable experience before juries quite early in her career. One of her major land use trials resulted in her first case before the Rhode Island Supreme Court only a few years after joining the firm, when she was co-counsel with Michael Kelly, a partner at AP&S, in **L.A. Ray Realty v. Town Council**, 698 A.2d 202, 211 (R.I. 1997), where the Court found that, due to the “egregious conduct” of certain government officials, the Town of Cumberland had violated the substantive and procedural due process rights of their landowner clients. This extremely rare holding brought the case outside the purview of the Governmental Tort Liability Act and allowed the landowners to recover the full amount of their damages and attorney fees pursuant to U.S.C. Sections 1983 and 1988. *Id.* at 213.

Of course, litigation battles are not limited to



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the august halls of the state's courthouses; indeed, much of her career has been spent battling for her clients' rights before various boards and other administrative bodies. By its very nature, land use law requires an attorney to become familiar with the rules and regulations of a veritable alphabet soup of government agencies—such as the Department of Environmental Management, the Coastal Resources Management Council, the Energy Facility Siting Board, the Environmental Protection Agency, and the Army Corps of Engineers, to name just a few—and appear before those boards during administrative hearings. In recent years, there has been an increased interest in “adaptive reuse” development in history-rich Rhode Island, where older mill buildings—often vacant and in disrepair—are transformed into vibrant new housing and mixed-use properties. Such work, however, requires the guidance of experienced legal counsel, as the permitting and zoning processes, which are never simple to begin with, become even more complex when environmental issues, including contamination, coastal, and wetlands, are present. Thus, Beth spends quite a bit of her time preparing for and presenting at these administrative meetings. As she put it, “the hearings are everything,” and they often require the presentation of complex and technical expert testimony from engineers, architects, planners, and wetland and coastal biologists, to name a few. It is the lawyer's job, she explained, to break down this information into relevant, manageable pieces and submit it to the board in a compelling narrative.

Decades of involvement in the legal field have given Beth the perspective to see how things have—and haven't—changed for female attorneys over the years and the experience to help mentor newer attorneys as they figure out their place in the legal landscape. She pointed out that female lawyers have tended to have to do more for the same thing compared to their male colleagues, and there is often “no room for error” for female attorneys. “Your reputation is everything,” she reminds them, especially in a small state like Rhode Island. In California, where she grew up, the Bar is much larger, and it is possible that an attorney could never encounter the same op-

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ponent or judge while litigating. That is not so here in the Ocean State, and thus, she cautions, it is even more important that a young lawyer develop a reputation as a diligent, knowledgeable, and trustworthy litigant. Similarly, she believes more experienced female lawyers should be continually reaching down and helping new female lawyers, which she has done throughout her career.

While acknowledging that women are no longer the minority of students at law schools, she pointed out that there are still some legal spaces that remain predominantly male. For example, nationwide, the disparity between male and female equity partners has not changed much since her own school days. The recent appointment of more women to judgeships has been encouraging, and she is particularly enthusiastic about the fact that the Rhode Island Supreme Court is now composed of a majority of female justices for the first time in its history. Although she has had generally positive experiences before the many male Rhode Island judges, the importance of continued diverse representation on the bench cannot be ignored.

Indeed, one cannot take such representation for granted, she reminds us, and it is why interest groups such as the Rhode Island Women's Bar Association are so important, and it is why she was part of the band of attorneys who reinvigorated and formalized the organization in the late 1990s. She has always been a proponent of women's rights and an advocate for other female lawyers— it is this sense of leadership and civic duty that led her to serve as a representative for both Bill and Hillary Clinton at the Democratic National Conventions in 1996 and 2008, respectively. In her words, the founding of the RIWBA helped female attorneys “step out of their individual practice silos” and help grow their personal and professional networks. It was so important for this band of female lawyers to connect with others experiencing the same struggles in a male-dominated field and lean on each other as they fought to be recognized as intelligent and competent as their male counterparts. As the organization took shape, institutional traditions—such as the Annual Meeting and the presentation of the Ada Sawyer Award (given annually to a female attorney who exemplifies the mission of the organization, which is the promotion and enhancement of the status of women in the legal profession)—were soon born. Beth recalled that many of the pioneering female judges, such as Supreme Court Justice Maureen McKenna Goldberg and Superior Court Presiding Justice Alice Gibney (whom Beth clerked for in the Superior Court), were and continue to be superb role models; they also expressed support from the earliest stages of the organization and provided mentorship to the younger attorneys. While it is important to celebrate the many advances that women attorneys have made over the years, Beth warned that it is also essential to remain vigilant and be careful not to grow complacent about gains that have been hard won. There are still areas of the law where female equality is lacking, and she is proud of the female lawyers fighting the current battles. After all, as she points out, the opportunities we have today are built on the hard work, perseverance, and sacrifices of those who came before us. ◇



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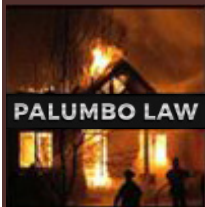
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