

APRIL 2019

# THE JUSTICE GAZETTE

GOROVSKY LAW NEWSLETTER



## THE GENDER ISSUE

## LET'S TALK ABOUT GENDER AND INCLUSION

When I was around 8 years old, I walked across the street from my house and rang the neighbor's doorbell. The family was new to the neighborhood and I noticed that they had two kids. Woohoo – kids for me to play with!

When one of the parents opened the door, she later told me, she had no idea whether I was a girl or a boy. Who cares, she let me inside to play and the friendships were golden. Her son became my first boy friend and my first boyfriend. Her daughter became a great friend.

I was/am female from birth. I have always identified as female. As the millennials are sure to tell you, my pronouns are she/her. My sexuality is heterosexual. However, at eight years old in the 1980s I had characteristics that people stereotyped as not being associated with females.

I wore my hair short. I enjoyed sports...a lot. I didn't like to wear dresses. I had sensory issues with wearing button down shirts and lace and stitching. I liked transformers and race cars more than Barbies. What's more, I didn't care a bit about how that looked.

But other people did. A lot.

My Mom begged me to do my hair, wear "girl" clothes and as I got older, to wear makeup. She told me to sit like a lady when I didn't constantly keep my legs closed.

Something else was happening to me at that young age that made me gravitate toward the boys and "boy things". The girls in the neighborhood were bullying me. "Bullying" is a word that has become too soft and clean for what was happening to me and what happens to other kids so often today. The girls would assault me. They held me down by my arms and shoved grass down my throat in an attempt to stop my breathing. They forced me to eat grass right after the fertilizer truck came and then told me I was going to die. Their parents were physically abusive too. You see, they hated Jewish people. But I didn't know or understand that.

I just knew I wasn't safe around the neighborhood girls and their families. The boys seemed safe. I liked boy stuff. I was "boyish."

My home didn't feel safe either. It was full of gender stereotyping. Belittling stereotypical female traits –like being emotional or showing interest in material things like clothes, all while putting women down for not having a stereotypical feminine appearance – thin, great makeup, great hair, etc. was common. Yet, gender stereotyping also went the other way - assuming a man should automatically provide his wife with the standard of living she grew up with.

I wasn't thin enough, pretty enough, and I didn't dress well enough in my home. Femininity was not intelligent. Manhood was insufficient without the provision of material wealth.

My house was not full of bad people. These were normal people stuck in old fashioned views of gender stereotyping. Gender stereotyping is a euphemism for forcing people to be who they are not -all because of arbitrary antiquated views.

I ended up spending every free minute at the neighbor's house across the street. The mom let me in despite her confusion about my gender identity. The kids played with me. The Dad, was so kind to me and so supportive, that I'm not sure I would have lived without him. He built me up emotionally every time he saw me. He gave me praise and understanding. Without explicitly understanding what was going on in my life (or maybe he did), he gave me empathy. Most importantly, if he thought I was weird, he never showed it like other people did.

I am an adult now. I am a strong, assertive, unafraid lawyer. I think my genetics and my childhood shaped me to be this way. Yet I am often criticized in my professional career based on gender stereotyping. When I speak my mind, I'm too bold, or a bitch. When I have passion, I am emotional. When my voice cracks from pure excitement, I'm shrill or whiney.



I still wear my hair short. I still don't know how to dress myself like a "lady." I am not thin. I root for the Chicago Bears and my son's favorite soccer teams. Both of my kids have the freedom to be who they are. If you have negative thoughts about these things I don't want to hear about it. If you tell my daughter to do anything "like a lady," I might punch you. I believe in inclusion and letting people be who they want to be.

Are you LGBT? Are you non-binary? Are you like me and just gender stereotyped to your sticking point? Screw it. It's their discrimination, their abuse. You're just fine. (Thankfully the Missouri Supreme Court now agrees - finding in February that it is illegal to discriminate against people who do not conform to gender stereotypes.

<https://news.stlpublicradio.org/post/major-ruling-missouri-supreme-court-expands--sex-discrimination#stream/0definition>)

## EMPOWERING WOMEN

Empowering women isn't just complimenting a friend's pearls, noticing how quickly she goes back to her pre-baby weight or putting a chandelier in a conference room and posting a pretty purple logo. Empowering women is gritty, cancer acknowledging, trauma understanding, support filled non-superficial "I see you" sharing with real people in a way that propels them through their true-to-life situations into achieving their full potential whatever it may be.

Unfortunately, a local St. Louis women-only workplace I came across does not empower women. It takes real life women, makes them "try-out" before mean girls until all "drama" (code for anything that does not fit into the pretty purple bubble) is filtered out. At least, that was my experience when I applied to be a part of this workspace nearly a year ago.

I filled out an application to join the workplace and met with an owner for what turned out to be an interview (I didn't know that at the time because they called it a "tour.") I explained clearly that I was a lawyer with 18 years of experience, and that I was just starting my own law firm to represent crime victims.

Specifically, in my proud to be starting my new venture voice, I blurted out that I represent survivors of childhood sexual abuse, survivors of adult sexual violence, victims of school bullying and other crimes. My pride voice quickly turned squeaky when blonde-hair-extension- could-probably- be- my- daughter-except-for-the-fact-that-she's-clearly-not-Jewish lady said "we don't do drama here."

"Oh."

Now, in my head I'm screaming, but in my face and body it's middle school all over again and it hits me that I'm not getting accepted to this "workspace." I smile. I explain that the people who I represent are not going to set the place on fire or have their perpetrators chase them into the building with a knife. That's actually reserved for the clients of divorce lawyers – Just kidding divorce lawyers, but seriously, you know what I'm talking about.

After I left my "tour," my application was soon rejected as I suspected. Within a few weeks, the Founder of the workplace sent me an email about empowering women (apparently when they reject you they keep advertising to you just to pour salt in the wound). I wrote back.

I told her that empowering women means supporting all women – drama may be part of the package. Women come not only in all shapes and sizes, all races and religions, but with all sorts of backgrounds.

That means, sorry ladies at the pretty-purple workplace, some among you have endured sexual violence, physical violence, emotional abuse, childhood neglect, homelessness, food insecurity, and more. Or, as blonde hair lady so artfully put it – “drama.”

The owner responded – “oh no, it’s not that, we just have too many lawyers.” Yet, I still get the email blasts, the Facebook posts, the little marketing pitches that purple place does all over town – they’re still seeking and accepting lawyers. Drama though? Not so much.

Women-only workplaces look perfect. That’s what a no drama policy will do for you. No Adverse Childhood Experience Scores in there, no eating disorders, no blemishes or scars, no way! Just women...although impeccably dressed...not empowering each other.

## Dear Missouri Law Firms

Dear Missouri Law firms...I just finished reading – hmm...maybe skimming is a better word – the Volume 74, Number 6 issue of the Missouri Bar Journal magazine that was published for November – December. No one really reads the whole bar journal. You see, what we really do is flip through the pages... “oh so and so died, so sad”... then ... “wow, he was disbarred? I wonder why?” Lastly, we look at the advertisements. Right fellow lawyers? Are you with me?

Every bi-month (is that a word?) I am angry when I get to that last part. Generally, the same firms advertise repeatedly and generally, they use the same sad photograph of white men in a line with facial hair and dark suits. Or maybe, just maybe, only if there are 10 or more men, you might find a few women sprinkled in the line.



Aparently, even though I graduated Washington University School of Law in 2001 with a class that was 51% women, and had a significant number of people of color, all those people immediately fled Missouri the next day. Poof. This must be true because they can't be found in any law firm advertisement in Missouri anywhere.

Kidding aside, If the makeup of your law firm is all white men, or eleven white men and three white women, why do you believe that these optics make for a good advertisement? Are your marketing firms telling you to do this? Is your marketing firm's motto "we won't get you any clients under 50, but dag-nabbit we've been photographing stuffy suit lines since before Rosie the Riveter and MLK?"

Have you ever used Instagram? Cause guess what? People with problems and money like to spend time on social media and they do not look like your photos. You are ignoring that potential market. (Normally I would say more for me, but this is just sad).

I am a member of a women's solo lawyers Facebook group. We gather those photos, post them on our page and have a snark fest. Though, most of the near 6,000 members of the Facebook group left their firms to be their own bosses because of photographs like the ones I'm referring to.

More importantly, it is what those photographs represent that caused these women to start crushing it at their own businesses and soon, they're coming for you. These women come in all shapes, sizes, colors, practice areas and attitudes but they share experiences of discrimination, humiliation, degradation, and 82 cents on the dollar.

These women will be humiliated by being left out of that suit line no longer. They have new photographs. In Boss suits – red, white and whatever damn color they want. They don't worry about what they bring to your table anymore. They buy their own tables.

Dear Missouri Law Firms – this is 2019. My message is - change the image or lose your intellectual capital.

(Also, Missouri Bar Journal ...I'm sorry for the dig about not reading your articles, but we all know that they are written by the same five law review law school gunners every month and I don't need to know anything else about changes in the tax code.)



Of course I'M A lawyer, so here's the obligatory disclaimer: The choice of a lawyer is an important decision and should not be based solely upon advertisements.

Disclaimer 2: Neither the Supreme Court of Missouri nor The Missouri Bar reviews or approves certifying organizations or specialist designations

Phew, with the disclaimers out of the way, here's why we rock:

At Gorovsky Law we are passionate about what we do. We provide trauma-informed legal services. Nicole Gorovsky has been through and continues to go through countless hours of training provided by victim services organizations, the Department of Justice, survivors groups, and lawyer groups to learn how to provide you with the best service possible.