

An Interview with Heather R. Gushue

Susan L. Pollet
Chair of the Archive and
Historian Committee

Q: When and why did you become involved in the WWBA?

A: I became a member of the WWBA in September 2019 after transitioning from working at Hogan Lovells LLP in its NYC office to practicing in Westchester County as an associate at Shapiro Gettinger Waldinger & Monteleone LLP. Soon after becoming a member of the WWBA, I was appointed co-chair of the Appellate Practice Committee in December 2019. I joined the WWBA for the professional opportunities that the organization has to offer in Westchester County and to be involved with an organization that advances legal issues involving women.

Q: Which WWBA activities have you participated in?

A: Unfortunately, the COVID-19 pandemic began soon after I became co-chair of the Appellate Practice Committee. I did attend the WWBA holiday party in December 2019 and look forward to attending more in-person and virtual events in the future.

Q: Tell us about your legal background.

A: I have followed what some may consider a non-traditional path. I would describe it as diverse and varied, but one that has always drawn me to being a litigator with an interest in research, brief writing, and appellate practice.

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After graduating law school in Florida and taking (and ultimately being admitted to) the Florida bar, I moved to New York in the summer of 2016. I then took the New York State Bar in February 2017 and obtained my first job as an attorney in September 2017 at the Appellate Division, Second Department as an Appellate Court Attorney. In this position, I learned from dedicated and intelligent public servants and I also gained invaluable experience that I currently draw upon in my private practice.

I spent two years in London, United Kingdom where I obtained my L.L.M. from the University College London. After returning to NYC, I began working at Hogan Lovells LLP where I worked primarily on consumer finance matters within the litigation department. I ultimately became co-supervisor of the appellate practice in the consumer finance department and drafted, edited, and argued numerous appeals and trial court motions for almost 7 years.

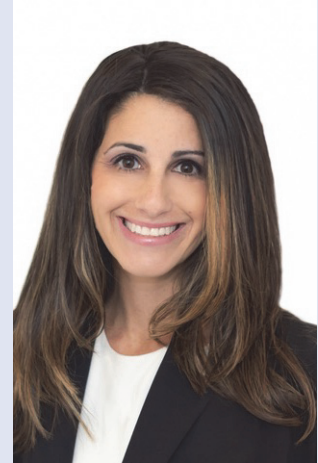
Currently, I have been practicing in the litigation department at Shapiro Gettinger

Waldinger & Monteleone LLP in Mount Kisco for almost one year.

Q: Tell us about your legal practice, including what you like most about it and what you find most challenging.

A: My litigation practice primarily focuses on commercial, real estate, employment, estate, and community association matters. I find great pleasure in drafting briefs and participating in oral argument. I enjoy researching and formulating creative and winning arguments. I cannot and will not advance arguments that I do not believe will be successful. I will work endlessly until I know I have the answer that will resolve my clients' issue(s) in their favor.

Litigation in general presents many challenges for all attorneys either coming from clients, adversaries, or judges. I have found that being a woman in a field that is predominately male dominated is the biggest challenge (in fact a recent NYSBA study looking into equality for women attorneys in the courtroom shows that approximately 25% of attorneys in lead counsel roles



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are women). And, this has become an issue that I am particularly passionate about. My perspective as a female litigator allows me to challenge the status quo.

Q: How do you think the legal profession will change in this time of the coronavirus pandemic, and how do you believe it will impact women in the profession and in the community?

A: The legal field is going to have to adapt and embrace technology. After litigating numerous cases in packed New York courtrooms, our old “normal” cannot continue. Courts have started creating virtual and remote courtrooms, and this will likely continue. Additionally, litigators will have to get comfortable with video depositions. This is a great opportunity for women to improve upon their technology skills and use those abilities to gain an advantage in the virtual courtroom.

There is no doubt that this pandemic has affected all professionals regardless of gender. However, profes-

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sionals with children will face the most challenges with potential school closures and increased distance learning. There is no question that women will have more demands placed on them in relation to their responsibilities at home. I am hopeful that law firms and the legal community will be mindful of these challenging times and permit work from home scenarios when needed. Women can again use technology to help them achieve the same quality of work that

they had achieved pre-COVID-19.

Q: When you are not practicing law, what are your activities in the community pre and post coronavirus pandemic?

A: I am a mom to three wonderful girls under the age of 8. They keep me quite busy! Pre-COVID-19, you could find me around my hometown of Chappaqua on the weekends with my 3 girls.

Unfortunately, post-COVID-19, my community activities have been on hiatus so I can meet my family and work obligations.

Q: How have you been balancing your career and family life?

A: I am extremely grateful to have a supportive husband. We work together so that we can each have "alone time" to clear our heads and pursue hobbies. We communicate our needs and are able to support each other. For me, running and yoga are my go-to activities for balance.

Q: What advice would you give new lawyers entering the profession?

A: (1) *Work hard.* The learning curve is steep. I have

been practicing over 14 years and I am still learning; (2) *Find a mentor.* I am currently working with two accomplished litigation attorneys who provide me support and guidance. These relationships help me achieve my professional goals; (3) *Exercise.* Exercise releases endorphins. We need that. Also, sitting all day in front of a computer is not good for physical or mental health. Get outside!; (4) *Enjoy life.* Life right now is serious enough. Get lost in the moment and try to have some fun. ▀

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Neighbors Link Community Law Practice, providing direct legal assistance to immigrants throughout the Hudson Valley in a wide range of cases before the United States Immigration and Citizenship Services and the Immigration Court. Elizabeth also co-chairs the WWBA Immigration Committee. As part of the panel program, Elizabeth discussed laws and policies related to immigration status of students and their families, including Deferred Action for Childhood Arrivals (DACA), the Trafficking Victims Protection Act (TVPA), application for Special Immigrant Juvenile Status (SIJS), and the presence of ICE officials.

■ **Stefanie Shabman**, Legal Director of Student Advocacy, Inc. in Elmsford, is an

attorney and educational advocate representing students who are significantly at risk for academic failure and those who are faced with school access issues, such as suspension or residency challenges. Many of Stefanie's clients live in poverty, are non-English language speakers, or are single parents or foster care parents. Stefanie shared with attendees a host of strategies on advocating for immigrant students in the educational setting, including addressing parent access to educational materials in native language, access to appropriate special education services and programs for English language learners, and cultural competencies.

■ **Stephanie Roebuck**, a partner at Keane & Beane in White Plains, represents school districts and municipi-

ties. She has been an adjunct professor at Manhattanville College School of Education, teaching a class in School law, and she is a frequent presenter for the New York State Bar Association and the State and County School Board Associations. Stephanie shared the school district perspective on the issues facing immigrant students and discussed the seminal case of Plyler v. Doe, 457 U.S. 202 (1982), which held that undocumented children have a right to attend public schools. She discussed school districts' role in managing requests from government agencies to enter school buildings, and addressed the role, efforts, and challenges public school districts face in protecting immigrant students and ensuring equal access to the school setting.

Following the panelists' individual presentations, they were presented with two fact patterns and they offered their perspectives and opinions on each scenario: one fact pattern focused on a native English-speaking preschool student with a suspected disability, and a second fact pattern described a student enrolled in DACA who was anxious about ICE confronting her in her Westchester public high school. The panelists' written materials and accompanying resources were a terrific complement to their presentations. Panelists wrapped up the program by addressing participants' questions in the Zoom chat room. The engaging and dynamic program imparted to the 24 attendees a wide range of perspectives and insights on the challenges faced by immigrant students. ▀