

**Of Fish, Bosses and Roses: Acceptance of 2014 Woman
of the Year Award from the New York University Law
Women Alumna NYU School of Law
February 19, 2014**

Thank you Dean Morrison and Ally Wang for your remarks and kind introduction, and to NYU Law Women for honoring me with this wonderful award. It is always a joy to come to home to NYU, and today is no exception.

Former Secretary of State Hillary Clinton has said, “Women are the largest untapped reservoir of talent in the world.” Many academics, advocates, thought leaders, and industry executives have opined on the low numbers of women in positions at the top of their respective fields. As one of three – soon to be four – women Commissioners at the Federal Trade Commission, I am proud to say that we break glass ceilings every day. However, we can’t deny that this disparity exists between men and women at the top of their chosen professions.

Sheryl Sandberg, Facebook’s COO, has three “messages” that call on professional women to take personal responsibility to help rectify the situation. Her first “message”: sit at the table. Her second “message”: make your partner a real partner. And third, don’t leave before you leave. This is great advice. Women should always reach for opportunities, seek partners who contribute equally to maintaining a household and raising a family, and continue to be motivated and focused on the present even as they are thinking about the future.

As I reflected on my own unique path, I’d like to share with you three additional messages: (1) be a big fish in a small pond; (2) find a good boss who will give you room to grow; and (3) smell the roses.

Be a Big Fish in a Small Pond

There is an old Yiddish proverb that advises: “God created a world full of small worlds.”¹

One of my heroes, Louis Brandeis, undoubtedly took that proverb to heart. Brandeis began his career focusing on local issues in the small world he found in his adopted home of Boston. There, he opened up a practice with a law school chum, and, from this vantage point, eagerly took up local causes. These crusades, in his small Boston world, won him a national reputation as the “people’s lawyer,”² and the attention of national policy makers like Woodrow Wilson.

I found my small world in Vermont. I first landed there after law school, by clerking for Federal District Judge Franklin Billings. After a brief stint at a big law firm in New York City, I returned to Vermont to work in the state Attorney General’s office. State AGs usually have relatively few attorneys compared to federal agencies, but they have a much broader mandate. State AGs prosecute consumer protection, competition, environmental and civil rights, and other

¹ Gott hot ein velt fill kleiner velt bershaffen.

² Louis Brandeis, The Opportunity in the Law, Address Before the Harvard Ethical Society (May 4, 1905).

public protection matters on behalf of the state. Many of them also have authority to prosecute crimes. They advise state agencies on how to comply with the law and defend them when their actions are challenged. This broad mandate, coupled with the relatively small staff, gave me the opportunity to have a lot of responsibility at an early stage in my career.

I joined the Vermont AG's consumer protection unit in 1991 at a time when there were only two of us focusing on consumer protection and antitrust. Immediately upon arrival, I started hearing complaints from a large number of consumers, from all walks of life, who were being rejected for mortgages and refinancing. Working with town clerks, we discovered that the large, national credit reporting agencies had misread Vermont's town records, registering everyone who received a property tax bill as failing to pay. Entire towns were falsely listed as tax dead beats.

We focused on a local issue: big errors by big companies that affected people in small towns across Vermont. My work to set things right in Vermont led me to the U.S. Senate and House of Representatives, which, at that time, were considering changes to the Fair Credit Reporting Act. I testified about the real life impact on Vermonters of inadequate national consumer protection laws, and that testimony was one reason Congress substantially revised the Fair Credit Reporting Act for the first time in 25 years.

I had the great privilege to find, within the small world of the Vermont Attorney General's office, issues of national importance. And that experience and exposure in my small world ultimately led to where I am today. You don't have to be in New York or Washington, or to work at a large corporate law firm, to be successful or make a difference. You can excel in many of the worlds within worlds of the legal profession.

Find a Good Boss

My second message is to find a good boss who trusts you and gives you the freedom to grow. In the Vermont Attorney General's office, I had the great pleasure to work with some wonderful role models. Bill Sorrell, the Vermont Attorney General for the past 16 years, is a man who, no matter what the issue – tobacco, obesity, or a police officer's use of deadly force – deliberates and acts with reasoned consideration and bottomless integrity. And he is generous to his staff.

Bill Sorrell gave me the opportunity to become a national expert on privacy, tobacco, and pharmaceutical issues, among many others. I travelled around the country, speaking to industry groups, consumer advocates, and law enforcement. I got to know many other wonderful leaders in the state Attorney General community. One who always stood out was Roy Cooper, Attorney General of North Carolina.

In 2008, Business Week called North Carolina Attorney General Roy Cooper one of the visionaries who had warned us that a mortgage crisis was on the horizon.³ Back in 2003, he and

³ Berner, Robert and Brian Grow. "They Warned Us About the Mortgage Crisis", Business Week (Oct. 9, 2008), available at http://www.businessweek.com/magazine/content/08_42/b4104036827981.htm.

his counterpart in Iowa, Attorney General Tom Miller, met with the United States Comptroller of the Currency to warn that lenders were pushing increasingly risky loans – with exorbitant interest rates and fine-print fees – on consumers who couldn't afford them. The Comptroller sided with the lenders and refused to give the states the power to reign in abuses.⁴ General Cooper characterized Washington's attitude as taking "50 sheriffs off the job during the time the mortgage lending industry was becoming the Wild West."⁵

General Cooper asked me to come to North Carolina to lead his consumer protection division and join his fight against predatory lending and Washington's obstructionism. I was eager to take that on, as well as the challenge of managing a much larger staff. I was on the job in North Carolina only a few months when the White House called and asked me to serve on the Federal Trade Commission. In the nine months it took my nomination and confirmation process to unfold, I watched with admiration how General Cooper wielded the power of an Attorney General of a large state with commitment, creativity, and humility.

My bosses trusted me with projects that required a lot of responsibility and also gave me the opportunity to show that I was up for the task. There are, to be sure, many reasons why there is so much untapped talent among women. But one of those reasons is because women aren't always given the opportunity to shine. Find a boss who won't dim your light, one that encourages you to shine brighter every day.

Smell the Roses

My third message is to occasionally follow the advice of that sage of the workplace, Ferris Bueller, who said: "Life moves pretty fast. If you don't stop and look around once in a while, you may miss it." As you strive to navigate successfully the legal field, be sure to develop a lifestyle that offers a healthy balance between professional and personal success. All too often, professional women pay a high personal cost for their professional success. Think about the things that you enjoy and that matter the most to you, and work just as hard to pursue those personal interests as you do in pursuing professional ones.

When I worked to solve Vermonters' problems with credit reporting agencies, I didn't think of it as a first step on a path in public service that would bring me to a job that allows me to play an important national role in shaping consumer protection, competition, and privacy laws and policies. I was simply working in my small world where I found issues and people that interested and inspired me. Now I have the extreme privilege to help develop the law that frames the world in which you will start your legal career – as you will someday end up working on the law that frames the world of future students.

Find your own small world in which to practice law, where – if you look hard enough – you will discover issues that have great significance for us all. And in those small worlds, find

⁴ *Id.*

⁵ *Id.*

some great bosses, who will give you the freedom to grow. And while you spread your wings, take time to smell the roses.

Thank you.
