

- Sheila Prell Sonenshine: Sheila Prell Sonenshine, S-O-N-E-N-S-H-I-N-E, and I am a retired Associate Justice of the California Court of Appeal.
- William Rylaarsdam: I am Bill Rylaarsdam, and I am a sitting justice at the Court of Appeal. I spell my last name R-Y-L-A-A-R-S-D-A-M. Okay, hello.
- Sheila Prell Sonenshine: Hi.
- William Rylaarsdam: We're here as part of the Appellate Court Legacy Project, and Justice Sonenshine served in Fourth District California Court of Appeal, Division Three, in Santa Ana, from 1982 till I believe 1999?
- Sheila Prell Sonenshine: 1999.
- William Rylaarsdam: Okay; and we were colleagues from 1995 to 1999.
- Sheila Prell Sonenshine: The best four years of my career.
- William Rylaarsdam: *[Laughing]* So we very much enjoyed working together. I think that we should probably start with a little bit about your own beginnings. Tell us a little bit about your parents and your growing up and the circumstances under which you grew up.
- Sheila Prell Sonenshine: All of the above?
- William Rylaarsdam: All of the above.
- Sheila Prell Sonenshine: Well, my parents—my father was born in 1905, my mother in 1906, and I was their first and only child. They didn't think they could have children and so I came as quite a surprise to them. And I was born in Butte, Montana—my father was in the gaming business there—and we stayed there plus or minus a year. And then my mother had an epiphany which brought my parents to Las Vegas, and that's really where I grew up.
- William Rylaarsdam: Did you go through grade school and high school there?
- Sheila Prell Sonenshine: I went through the fifth grade, and when I was around seven I told my parents that they should send me away to school—not because there was anything wrong with Las Vegas, but because my father was very established, very successful, and I felt that I needed to find out if the success that I was having in school and socially was because of them or because of me. And so I've heard this story so many times; I've heard it so many times from my mother and other people that it's as though I

[Sheila_Prell-Sonenshine_6033.doc]

can remember nagging and pestering her from the time, as I said, I was seven.

And finally when I was 11 and going into the sixth grade, my parents said, okay, they could understand my point, and I went off to boarding school, where I was from sixth grade through when I graduated high school. And I should add that neither of my parents finished high school. It was quite an accomplishment for them to have a daughter who also from the time I was seven said I wanted to be a lawyer.

William Rylaarsdam: Oh, really?

Sheila Prell Sonenshine: Yeah.

William Rylaarsdam: You decided that, but what made you make that decision?

Sheila Prell Sonenshine: You know, obviously I've been asked that many times, and the best answer I can come up with is—and it's not all facetious—is that living in Las Vegas probably now, but definitely then, there were the people who were, as I used to say, at the head of the line and then people who waited in line. And so I always enjoyed being at the head of the line. It never occurred to me that I would get there on somebody's arm. Both of my parents were very supportive of me as an individual, and I grew up in a very adult environment, living in the hotel. And I probably realized that I wasn't going to make it as a showgirl, so I can only imagine that maybe I saw *Perry Mason* on television. I had one uncle who was a lawyer; but when everyone else said they were going to be a nurse, you know, at that age and I said I was going to be a lawyer, it must have gotten a lot of positive response, or at least a lot of response, and so I stayed with it.

Also, I was encouraged from a young age to speak my mind, always have reasons, and I was leading petitions in like, not maybe kindergarten, but first or second grade for one thing or the other at school.

William Rylaarsdam: You said you decided you didn't think you wanted to be a showgirl, but I remember some experiences we had with the Orange County bar where they put on a show for several years . . .

Sheila Prell Sonenshine: Right. The bar foundation.

William Rylaarsdam: . . . and I think you presented yourself very well as a showgirl. *[laughing]*

[Sheila_Prell-Sonenshine_6033.doc]

Sheila Prell Sonenshine: Well, I didn't say I didn't want to be a showgirl; I said that my success would not come as a showgirl *[laughing]*, and I was probably right on that.

William Rylaarsdam: Okay. *[laughing]* You say you lived in a hotel as a child. That must have been a rather different way of growing up. What was that like?

(00:04:52)

Sheila Prell Sonenshine: Well, you know, I think a lot of my childhood was different. My mother never worried what time I came home at night. She used to say that whatever you're going to do at 2:00 in the morning, you can do at 2:00 in the afternoon. So she was always worried that I was going to catch cold; so even in the middle of summer, I think, I had to always have a sweater on. But my parents involved me, and they never talked around me; whatever discussion was taking place, I was part of it or at least I could be there. I attended floor shows and met a lot of show people from the time I was little. And I think that one's upbringing so much depends on what's happening within the family as opposed to, you know, outside; and that said, my parents were involved, considerate, very wonderful human beings.

So I don't think my childhood was that much different—although I will tell you that when I was really little, before my father had the Sahara, he had a place called the Club Bingo, which was on the same property as the Sahara, and they had a showroom that you could only go into if you were over 21, because they didn't serve any food. And so my parents used to say that if I was really good that they would check with Butch Leopold, who was the sheriff, to get special permission to go to see this particular show. And the particular show was a woman, an entertainer who also babysat for me, and her name was Yvonne Moray and she was a striptease, a midget striptease who worked with a parrot.

So maybe that's unusual; maybe not all five-year-olds—

William Rylaarsdam: The parrot. *[laughing]*

Sheila Prell Sonenshine: Yeah, right *[laughing]*, have a striptease as a babysitter. But, you know, she was a lovely person and I didn't think anything different of it.

William Rylaarsdam: Yeah. It sounds as though at a particularly young age, you were pretty much surrounded by adults.

Sheila Prell Sonenshine: Totally, yeah.

William Rylaarsdam: Not too many of your own age.

[Sheila_Prell-Sonenshine_6033.doc]

Sheila Prell Sonenshine: Well, I went to school. I mean, I don't remember going to nursery school; but I definitely had friends, and I still have in the house here a picture from my fifth birthday party, and a lot of the people in that picture I'm still friends with.

William Rylaarsdam: Then so when you were, what'd you say, fifth grade that you went to boarding school?

Sheila Prell Sonenshine: I went to boarding school at sixth.

William Rylaarsdam: I'm sorry?

Sheila Prell Sonenshine: At sixth, when I was 11, yeah.

William Rylaarsdam: And where did you go then?

Sheila Prell Sonenshine: I went to Chadwick in Palos Verdes. It's still a very fine school. It is now only a day school. When I was there it was day and boarding, and it was a very unusual school at the time because, first of all, it was day and boarding. Secondly, it was boys and girls. It went from kindergarten through 12th grade, and it was totally ethnic, gender, any kind of neutral that you can think of. Mrs. Chadwick had a theory like a soup full of humanity—that just like soup, the more you mix people together and the longer you let them simmer, the better they turn out, not necessarily losing their own characteristics, but blending and being better seasoned by those people with whom they are studying or living. So it was a fantastic experience.

William Rylaarsdam: What were some of the life lessons that you learned during that period?

Sheila Prell Sonenshine: Well, I can tell you one that someone else learned. *[laughing]* Jann Wenner; I don't know if you know who Jann Wenner is. He is the founder/editor of *Rolling Stone* magazine, and when we were in ninth grade he stuffed the ballot box for me, and when I found out I turned him in. He goes, "Well, why would you turn me in?" I said, "Because, you know, that's not a way to win an election"; and so they had a reelection, and I won.

Well, I think that two most important lessons I learned from Chadwick—and probably they're more of the same than not—and that is that to which I just alluded about the diversity of people and learning from them. And as part of that, the total lack of gender bias in the school and never feeling odd that I wanted to be a lawyer. A very high percentage of our class, both of men and women in our class, went on to some kind of graduate school and are practicing lawyers, doctors, whatever.

[Sheila_Prell-Sonenshine_6033.doc]

And that's pretty unusual when you think we graduated from high school in 1963. And it wasn't anything that was taught. It was observed, it was . . . the head of the biology department, Mrs. Quinlan, was revered and, you know, she was a woman. Her husband was the head of journalism.

(00:09:50)

So maybe the roles could have been reversed, but in that school that's the way they were. And nothing . . . one was never felt to be hindered by any limitations, and one was always encouraged to exploit that which made them particularly good, whether it was art or music or whatever.

William Rylaarsdam: Did you miss Las Vegas or your parents when you first went there?

Sheila Prell Sonenshine: Well, that's another life lesson, although that wasn't from the school: when I started and my parents came to visit at Halloween and I wanted to go home desperately because I was so homesick, and my mother is the one who didn't want me to go. My father was the one who, you know, thought it was a good idea. And then when I was crying and I wanted to go home, my father said, "Oh, come on, bring her home," and my mother said, "No. This is what she wanted to do. She is going to finish the year, and then she can make up her mind." And so I was very homesick; and then after that I loved it, and I never . . . not that I never wanted to go home, but I never looked back.

William Rylaarsdam: So then you graduated, you say, in 1963?

Sheila Prell Sonenshine: Right.

William Rylaarsdam: And then where did you go?

Sheila Prell Sonenshine: Well, I wanted to go to Stanford, and there were 52 people in our graduating class; 15 graduated with honors. Out of the 15 who graduated with honors, 12 applied to Stanford. And the 3 people who got into Stanford out of those 12 were the two valedictorians and the one all-American swimmer, and I did not fit into any of that group. And so I was devastated, because it was before college counselors, and my parents were not the least bit involved because they didn't have any concept of the process. And so I was hysterical and I went to see Mrs. Chadwick and I said, "I don't have a college to go to," and she said, "Yes, you do." And she had always wanted one of her students to go to Brandeis, which is in Waltham, Massachusetts. So she had a pretty good idea I wasn't going to get into Stanford and she also knew how stubborn I was; so she just took my

[Sheila_Prell-Sonenshine_6033.doc]

application and forged it, and whatever the essay questions were, she just kind of rewrote them and signed my name. So then she whipped out my acceptance to Brandeis.

My father in the meantime got me into Stanford and I wouldn't go, because I said that I couldn't look at those other people in my class who didn't get in who were just as deserving as I.

So I went to Brandeis, and it wasn't so much that I didn't like it as I had an opportunity that summer to go to UCLA for summer school. And I liked it much better than I thought, and my father was not in particularly good health, and so I transferred and finished at UCLA.

That's a long answer to your short question.

William Rylaarsdam: Your first year at Brandeis, then the next three years at UCLA.

Sheila Prell Sonenshine: Yeah, yeah.

William Rylaarsdam: What was your major?

Sheila Prell Sonenshine: Economics from day one.

William Rylaarsdam: Okay, in both places? How did you . . .

Sheila Prell Sonenshine: How'd I get into economics?

William Rylaarsdam: . . . compare the two schools?

Sheila Prell Sonenshine: Well, Brandeis . . . and it was one of the reasons I didn't like it. Chadwick was such an exceptional school, in that you really had an opportunity to be well-rounded—athletics, music, studies, socially. And Brandeis was, I felt, almost depressing in that everyone was inside the cave trying to figure out what life was all about; but they never went outside the cave and just lived it.

Then I got to UCLA, and it was like everybody was outside the cave and never went inside to just contemplate. And I probably would have left UCLA had I not met my husband, Ygal.

William Rylaarsdam: Oh, you met him at UCLA?

Sheila Prell Sonenshine: Yeah, uh-huh.

William Rylaarsdam: So what year were you when you first started . . .

Sheila Prell Sonenshine: First started what? *[laughing]*

- William Rylaarsdam: Started to go with . . . I don't know what you started.
- Sheila Prell Sonenshine: Well, we met in November of 1965, which was my beginning of my junior year, and then we had our first date in May of 1966, and then we got married in June of 1967; and Ygal was in my last year.
- William Rylaarsdam: Okay. You were married while you were still in school, then, or was that—
- Sheila Prell Sonenshine: No, we graduated. We graduated on Wednesday and got married on Sunday. Can I show you a picture? I have a picture of our graduation day.
- William Rylaarsdam: Ygal was a foreign student.
- Sheila Prell Sonenshine: He was a foreign student. He had finished the Army in Israel. He is two and a half years older than I am, and he'd been in the Army. And his sister was married, living here, and actually teaching at UCLA. So when he finished the Army, which was a year and a half before that, his parents gave him a one-way ticket on the *SS France* to come visit his sister on the theory that—well, not just on the theory, but that's what they could afford, was the one-way ticket. Then the idea was, he'd either stay here or he'd figure out how to get home.
- (00:15:24)
- William Rylaarsdam: *[Laughing]* Okay. So did you go straight on to law school after you graduated?
- Sheila Prell Sonenshine: Yes, we graduated on Wednesday, got married on Sunday—and June 18 will be our 40th year this year—and then I started law school that August.
- William Rylaarsdam: All right, at Loyola Law School.
- Sheila Prell Sonenshine: At Loyola Law School.
- William Rylaarsdam: My old alma mater.
- Sheila Prell Sonenshine: Yeah.
- William Rylaarsdam: Your first year there was my last year. Well, actually, I graduated in '64. When you started, was Loyola on the new campus already?
- Sheila Prell Sonenshine: Yes, yes, I think for a couple of years.
- William Rylaarsdam: Now, the first year . . . no, because I think that's the first year, because I never was at the new campus and I graduated in '64.

- Sheila Prell Sonenshine: Really?
- William Rylaarsdam: Yeah. So, anyway, what kind of an experience did you have in law school?
- Sheila Prell Sonenshine: I loved it. I loved high school, I loved law school, and college was . . . It's not that I didn't like it; but compared to my other experiences, it just didn't measure up. I made lifelong friends. I got a tremendous education, as I really came to appreciate more and more not just in practice, but particularly on the Court of Appeal. So many . . . did you have Professor Ogrin?
- William Rylaarsdam: Yes.
- Sheila Prell Sonenshine: And Tevis?
- William Rylaarsdam: Yes, I had him, too.
- Sheila Prell Sonenshine: Okay, I mean, and the constitutional law professor, starts with a "D."
- William Rylaarsdam: Dibble.
- Sheila Prell Sonenshine: Dibble, Dibble, okay. So, I mean, like what else did you ever . . . I mean, it was all there, right? *[laughing]*
- William Rylaarsdam: *[Laughing]* It sounds like we had pretty much the same faculty.
- Sheila Prell Sonenshine: Yeah, yeah; and lifelong friends Judy Ryan and friends from . . . As a matter of fact, we had in our class Kathy Doi, who sits on the Court of Appeal in Los Angeles now; Judy Ryan, who's retired from the bench in . . .
- William Rylaarsdam: Orange County.
- Sheila Prell Sonenshine: . . . in Orange County. I have to cut this off, because I can't sit here. Roberta Lee, who's a retired commissioner from the court in Los Angeles. There were quite a few women in our class.
- William Rylaarsdam: About how many graduates were there in your class? Because it was a lot smaller . . .
- Sheila Prell Sonenshine: Night and day? Night and day, I think it was about 250.
- William Rylaarsdam: Oh, that many . . .
- Sheila Prell Sonenshine: Yeah.
- William Rylaarsdam: . . . in the graduating class?

[Sheila_Prell-Sonenshine_6033.doc]

- Sheila Prell Sonenshine: Right, but that was night and day together.
- William Rylaarsdam: Okay. Any particular activities that you engaged in in law school that you feel are—
- Sheila Prell Sonenshine: Besides being married? *[laughing]*
- William Rylaarsdam: Well, that's right. *[laughing]*
- Sheila Prell Sonenshine: Well, I was very close to my parents, as you may have noticed. And I started law school in August, and September 26 my father had a disabling stroke in Las Vegas, and it was really not clear in my mind whether I was going to stay in school or not. But his friends, I flew up to Vegas and wasn't even sure that he was going to live, and his friends pinned me against the wall, I mean literally, and said, "You're finishing whether your father lives or doesn't; he would want you to," and I realized they were right.
- So he came back, and he was at Cedars Hospital my whole year, my whole first year of law school. And I was working part time, I was a new bride, and I was trying to stay in law school, and I was at the hospital every day. And then I worked full time every summer, and I worked full time . . . I mean, I worked part time during the school year and full time each summer.
- William Rylaarsdam: What kind of work did you do?
- Sheila Prell Sonenshine: My first year I worked for different lawyers, you know, just freelance work. And then my first summer, I worked for the law librarian.
- William Rylaarsdam: At the Los Angeles County Law Library or—
- Sheila Prell Sonenshine: No, at Loyola.
- William Rylaarsdam: Oh, Loyola. I probably know his name; but I can't think of it either.
- Sheila Prell Sonenshine: Yes. And so that was probably in terms of law school the best job that I had, because learning how to use the library, how to appreciate the library, was fantastic. I had worked for two years while I was at UCLA at Neighborhood Legal Services, which was the first poverty program, pro-bono program, in the United States on a national level. And I sought that job out because when I was a junior in college, I realized that I had never tested my hypothesis that I wanted to be a lawyer. You know, it sounded good; but I wasn't really sure what it was all about.

(00:20:00)

[Sheila_Prell-Sonenshine_6033.doc]

So totally on my own, one of my classmates, who was a sociology major at UCLA, heard about Neighborhood Legal Services opening, and I went down; I couldn't find a number, because they didn't have a phone yet. So I went down and Arnett Hartsfield, who was the director of the program, first executive director, was literally there unpacking boxes, and I introduced myself and told him why I was there. And he asked if I had a CV, and I said, "No, what's that?" And he goes, "Well, it's like a story about yourself." So I sat down and wrote him a story and he hired me, and I was the first person hired; and I worked there for two and a half years, till I started law school.

William Rylaarsdam: What type of work did you do there?

Sheila Prell Sonenshine: I did everything. I did interviewing of clients, and I had to go and ask one of the lawyers working there, "What is a tort?" because I was in charge of all the paperwork that went back to Washington; and so, you know, contract matter, family law, I could figure that out, but I didn't know what a tort was. So I did that. I did typing and whatever. I kind of semi-ran the office; I even did the interviewing for the new lawyers, for the summer lawyers who were being hired. I can't think of her name—Rosalie, retired superior court judge from Los Angeles very, very well-known judge, she worked there, I can't remember if it was in the summer or full time after she graduated from Stanford. We had some pretty heavy-duty people coming in and out of there.

William Rylaarsdam: Well, it obviously reinforced your plans to be a lawyer.

Sheila Prell Sonenshine: Yes, yes. And it also gave me an abiding interest in certain areas, including pro-bono work.

But to finish about what I did in law school, so then I worked at Mattel Toys as a legal intern in their labor-law department and their law department, their legal department, and that was what I did during the summer and then part time during the school year aside from the . . . Vachon? No, that—

William Rylaarsdam: Father Vachon?

Sheila Prell Sonenshine: Yeah, but who was the librarian? That's going to bother me.

William Rylaarsdam: I want to say Frakt and I know that's wrong, because he was a dean later.

Sheila Prell Sonenshine: Yeah. Okay, we'll think of it. It'll come to me in the middle of something.

William Rylaarsdam: Later, yeah. So at some point either during your experience with legal services or at law school, did you get an idea as to what you wanted to do with the law degree?

Sheila Prell Sonenshine: Uh-huh, yeah, besides practice?

William Rylaarsdam: Well, practice what?

Sheila Prell Sonenshine: And I say . . . no, I know, but I'm just saying because at the time it was not uncommon for employers to say, "Well, you're not going to . . ." or people to say, "You're not going to practice." "No, right, I'm just going to law school because . . ." *[laughing]* Actually, I did like law school. Yes, I was an economics major in college, as I told you, and I kind of sub-specialized in labor economics, and I really, really liked that. My father had been president of the hotel association in Las Vegas and very involved in labor relations, very good relationship with labor unions. I felt very comfortable with the whole concept.

And so by the time I finished law school, I had taken again every labor-law course there was, and that's another reason I got to know . . .

William Rylaarsdam: Ogrin.

Sheila Prell Sonenshine: . . . Ogrin so well.

William Rylaarsdam: So you decided you wanted to go into labor law.

Sheila Prell Sonenshine: That's what I wanted to do.

William Rylaarsdam: And then you took the bar?

Sheila Prell Sonenshine: I took the bar eight months pregnant.

William Rylaarsdam: Oh, my god. *[laughing]*

Sheila Prell Sonenshine: You asked what my activities were in law school.

William Rylaarsdam: Yeah, you didn't tell me about all of them. *[laughing]*

Okay, you took the bar when you were eight months pregnant and you passed the bar, and then what did you do? Well, first you went and had the baby, I trust.

Sheila Prell Sonenshine: I had the baby in between, yeah. And I told you I made such lifelong friends in law school, and I studied with some of them for the bar. And one of my good friends, Perry Silver, said that he was very worried, so he was

[Sheila_Prell-Sonenshine_6033.doc]

going to drive me to take the bar exam. The whole way there, he lectured me about how no wife of his would be, you know, taking the bar eight months pregnant.

So we took the bar August 25th, -6th, and -7th of August, and Coby was born—he was due October 15—he was born October 21, and the bar results came back in those days, if you remember, in December, and then you actually were sworn in in January, as opposed to now.

William Rylaarsdam: Yeah.

Sheila Prell Sonenshine: And I had started to look for a job long before I was visibly pregnant, and maybe even before I was pregnant, and we had made a determination to move to Orange County, because Ygal was working here for Far West for Coco's/Reuben's; they offered him a fantastic job.

(00:25:04)

Well, he was here for I think like a year and a half, almost two years; while I was finishing law school, he commuted.

William Rylaarsdam: Right.

Sheila Prell Sonenshine: And one day he came home and he said, "Here's the deal: I can quit, we can get a divorce, or we can move." So I said, "Okay, we'll move." So I started looking for a job. I started looking for a job.

William Rylaarsdam: Okay, Ygal was working here in Orange County.

Sheila Prell Sonenshine: Right.

William Rylaarsdam: And you started looking for a job in Orange County.

Sheila Prell Sonenshine: And it was not an easy or fruitful job search; it was impossible. Professor Ogrin was very generous in helping me with his connections in trying to find something in the labor-law field. And there were just two firms at the time that did any kind of labor law: one was Rutan, and the other was the old Nagel, Regan & Davidson firm. So through him and through, actually, Far West—because they were in some ways clients of Rutan—I got interviews in both, and Rutan offered me a job if I promised never to expect to have an office with windows or ever to be a partner; I would be only doing probate work. And then Nagel, Regan & Davidson, Pat Nagel didn't even get close to offering me a job. He said—I mean, I went back, I had like 10 million interviews there—and finally I came in and he said he'd narrowed it down to two people and that I was the more qualified, but that he'd given it a lot of thought and none of his partners would feel comfortable. . . . No. First of

[Sheila_Prell-Sonenshine_6033.doc]

all, it was none of the wives would feel comfortable, because there was a lot of traveling. None of the secretaries would take orders from a girl lawyer. None of the clients would pay for legal advice from a woman. And then the real important thing was that none of . . . his partners would feel uncomfortable and so would I, because it was a real macho firm and there was swearing and so forth.

So I said, "What in the fuck are you talking about?" I don't know if I want to leave that in. *[laughing]* I've told the story so many times, might as well.

William Rylaarsdam: Yeah.

Sheila Prell Sonenshine: And with Rutan they had a policy it only took one partner to blackball somebody, and there was one partner who actually went on the superior court who said he would never practice law with a woman. And they had a woman there, a very fine woman who was sharer of the estate probate department—I mean, section—and very accomplished. And every time her name came up, this particular person would say, "You know, I really like her; but I won't practice law with her." And so some of the younger people in the firm, particularly on the recruiting committee, didn't know what to do with that; so they decided that as long as this partner was there, they would not offer . . . Any job they would offer to a woman would only be based on telling that person kind of the truth, which is "You'll never be a partner." And the day he left the firm, Colleen Clare became a partner and I got a call. By then I'd been in practice quite a few years.

So the bottom line was that I didn't have a job, and the bar results came back in December, sworn in in January. Ygal came home from work one day and I was still in my nightgown, and he said, "What are you doing?" and I said, "Well, like, I have no reason to get dressed." And he said, "Well, why don't you go and open up your own office?" And I said, "Well, because I'd just stare at the window, at the walls." And he goes, "Well, you're staring at the walls now; at least you'd be dressed." *[laughing]* So I opened up my own office.

William Rylaarsdam: So if we could back up just a little bit here, obviously you've been telling us about the gender issues that were very much issues in those days; I hope they are less today. But were there any gender issues while you were in law school?

Sheila Prell Sonenshine: Not in terms of this school. And at the time I tease Loyola that it was a mistake, because it was such an

[Sheila_Prell-Sonenshine_6033.doc]

idyllic and warm and lovely, you know, call it Catholic, Christian, Jewish, whatever, atmosphere; but I mean, the way things should be, that the real world came as a real big surprise to me. And by the way, I was one of the few women in economics at UCLA; in the whole department the whole four years, I think maybe there were six or seven of us. And in law school, we were about 6 percent at the time, which was very close to what, if not exactly what, the national average of practicing lawyers was.

(00:30:15)

But I know some of my classmates . . . one woman applied for a job in Orange County and got a letter back saying that as a woman she really should consider someplace other than Orange County to practice, and that went up on the bulletin board. That was kind of my first—

William Rylaarsdam: Clue or—

Sheila Prell Sonenshine: Yeah. *[laughing]*

William Rylaarsdam: So, anyway, with Ygal's encouragement, you then started your own office. Where was your office in those days?

Sheila Prell Sonenshine: My office was on 833 Dover Drive.

William Rylaarsdam: In Newport Beach?

Sheila Prell Sonenshine: In Newport Beach, yeah, and it was almost walking distance from home. I went around looking for an office. And not that I particularly wanted to be that close to home, but it was a really nice building and it was a suite with three or four offices, five offices, and a library; and there were two men there, one who drank a lot and the other who did deals. And so I think if I would have come in and said, "I'll come here, but you have to tell me how much you're going to pay me" instead of the other way around, they probably would have. They were absolutely, oh, enchanted, intrigued, whatever, and they said, "You mean you'll take some of our cases? You'll do this?"

So I can't remember—\$150, \$250 a month, that was the office, the library, the secretary; it was everything, plus one of them was always available to help me with pleadings or whatever I needed, and then they gave me a lot of work.

William Rylaarsdam: Okay. So once you had your office established, you pretty much got going right away?

[Sheila_Prell-Sonenshine_6033.doc]

Sheila Prell Sonenshine: Right away. What I did all of that time that I was looking for a job, I kept notes; I kept everybody's cards. And some people really weren't hiring, and some people didn't want to hire a woman; but they were all very nice. And so it was like, "If you ever need help with a pleading, if you ever need help with a lease, if you . . ."

So, first of all, the first thing I did was send out announcements to everybody with whom I had interviewed; and then when I did need help, I would call all these people. And Pat Nagel—the one who said the language was rough—he called shortly after I had opened up my office and said that he had two matters that were going up on appeal in labor law, and no one in his office was really qualified to help with the research, would I do it. So I said, "Yes, but I'm going to charge you an hourly rate." So it was like a big \$40 an hour—it was a lot of money—and I did, the first month I did, two appellate projects for him.

And then the old Compaq firm, Compaq DeMarco. We had a neighbor friend there, and so I met a lot of people in that firm, including two guys who I used to go up to SC with because I took a postgraduate course in estate planning. And so they sent a memo around when anything came in that was a conflict or too small or whatever for them. So really from the first month, I had an unbelievably successful practice.

William Rylaarsdam: I remember somebody telling me years ago that if you want to start your own practice, your best source of business is other lawyers, and certainly, yeah—

Sheila Prell Sonenshine: Absolutely, and particularly when they feel guilty [*laughing*] and, I would hope, confident that, you know, I would do the work.

William Rylaarsdam: Okay. Now, you started out with the idea of becoming a labor lawyer; but I assume when you opened your own office, you were pretty much open to anything.

Sheila Prell Sonenshine: I did anything and everything, and I had some great cases.

William Rylaarsdam: Did you develop a trial practice, also?

Sheila Prell Sonenshine: Yep, I did, criminal, trial—I mean, business. One of the people that we met through Far West who did all the real-estate work was a Realtor, and one of his clients was El Poco Candle & Gift Shop. And this was a man who had at that time eight or nine stores in substantial malls like South Coast . . . I mean, Fashion Island, different places in the West. And he was uneducated,

[Sheila_Prell-Sonenshine_6033.doc]

hadn't finished high school, felt very intimidated by lawyers or the big accounting firms. So he came to see me and I said, "I don't have my diplomas up yet," and he goes, "Well, I trust you." And so I wound up doing all of his leasing, corporate leasing, estate-planning work.

I remember one time I had—maybe it was a PI case, I can't remember—this lovely judge who lived in San Clemente, and he was a judge for years, but he's also been retired for years.

(00:34:59)

Anyway, he retired; and one of his clients, god knows how she got my name, and she came in. I remember her name. And I'm looking at the files, and I'm out of law school about two days and I realize that the five-year statute is going to run. And so I called the court, and I wanted to know how to get a case calendared. And they told me, and I said, "No, like, you don't understand. I mean, *calendared*, like now." And so we wound up in municipal court in front of Cal Schmidt, and he said, "Fine, go to trial; we're ready." And it was a big firm from LA and they said, "No, you can't do this."

So then we went to superior court. Don McKinney is the judge who'd retired, lovely man.

William Rylaarsdam:

Right; oh, yes.

Sheila Prell Sonenshine:

And I don't remember who we got in front of in superior court, because they took a writ up there, and I settled the case. So, I mean, everything, all kinds of—

William Rylaarsdam:

Okay. Tell me about some more of your courtroom experiences, good and bad. *[laughing]*

Sheila Prell Sonenshine:

Well, I only had good. I don't know; have you ever heard my 187 story?

William Rylaarsdam:

I haven't.

Sheila Prell Sonenshine:

Well, this is all when I went to court for the first time on a criminal matter. I didn't have my bar card yet and I wanted to go in the jail to see the client; and, I mean, I had passed the bar, but the bar card hadn't come. And so I took the *Daily Journal* with my name in it. *[laughing]*

So now I'm practicing already several months, and I had a client from Far West who was a baker or something and he was stopped for drunk driving. But he said he was really diabetic, and that was before I was diabetic; I didn't know anything about that.

[Sheila_Prell-Sonenshine_6033.doc]

So I went to the district attorney, to the deputy DA, to explain that my client wasn't really drunk, but he seemed like he was drunk; but it was diabetes. And it was actually in Newport Beach; Al Graham, do you know Al Graham?

William Rylaarsdam: Yes.

Sheila Prell Sonenshine: He was the city attorney. And so he made me go through this whole thing, and I said, "You know, what we really want, because it's through the employer, the insurance and everything, anything that's not a moving violation." So he said, "Not a problem." So he said, "Now, I'm going to be kind of busy. So what I want you to do is go into the calendar, to the courtroom there in master calendar, and introduce yourself to the judge. And what you'll say is, 'Mrs. Sonenshine for the defendant. The City Attorney's Office has agreed to change this from a . . . in the interests of justice, the City Attorney's Office has agreed to change this from a Penal Code 23102a to a 187.' And then you'll say that that's okay with you."

So I was so excited, and I went in the bathroom and I practiced how to say this. And it was like the most crowded master calendar. And so I stood up and introduced myself and, of course, everybody started laughing. I thought they were laughing because here's this 25-year-old girl got this great deal, right?

So Cal Schmidt said, "Do you know what a 187 is?" Something saved me from saying, "No, but I know it's not a moving violation." And so then he said, "Well, why don't you use my library?" I went in and looked and—

William Rylaarsdam: What is a 187?

Sheila Prell Sonenshine: It's first-degree murder. *[laughing]*

William Rylaarsdam: Oh. *[laughing]* My exposure to criminal is sufficiently limited that I don't quite talk the lingo. They're always talking numbers.

Sheila Prell Sonenshine: Yeah, yeah. Well, that reminds me when I did get on the bench and I was in the trial court and I was on the family law panel. But then one day, Capeci decided there was no more plea bargaining, the District Attorney Capeci. So all of a sudden we have to try everything. And I walk in, and Amy, my clerk, says, "You've got some files." I said, "Well, start sending the people in." She goes, "No. These are not . . . these start with 'People' *[laughing]*, 'People versus.'" And then Jennifer Keller was the DA on that case, and I told her before the

[Sheila_Prell-Sonenshine_6033.doc]

end, I said, "You've got to learn to speak English, or we're going to take a lot of recesses."

William Rylaarsdam: You had the same experience I did in that regard.
[laughing]

Before you went on the bench, though, were there certain . . . did you practice developing a particular direction, or did you continue to do pretty much everything?

Sheila Prell Sonenshine: Yes. Well, within a few months of opening up my practice, Wayne Armstrong, with whom I had been good friends in law school, and he was number one in our class and a total genius, brilliant person, and he left the big law firm. He was with Nossaman in LA.

(00:39:57)

William Rylaarsdam: Okay, you were starting to talk about how your practice developed.

Sheila Prell Sonenshine: Right. So I was doing a little bit of everything, and then I heard that Wayne, my former classmate at Loyola, was moving down or had moved down here, and he'd rented space in an office in Santa Ana. And so I called and we got together, and within a short period of time we were sharing a lot of cases. I'd make appearances for him; he'd go do the pleadings for me. We were just working back and forth.

And so within a year we formed Sonenshine & Armstrong and our offices were at 500 Newport Center Drive. And within a year and a half after that, we expanded. Do you know John Nelson? He's also from Loyola. He's an insurance-defense lawyer. He was one of our first associates. And Franz Miller was . . . Judge Franz Miller was also Loyola and—

William Rylaarsdam: He was one of your associates?

Sheila Prell Sonenshine: He was one of our associates. And then we expanded, then we moved to 550 Newport Center Drive, and along the way, I mean, we did everything. It was like if you've got the fee, we can do it. And we did a lot of work for Bank of Newport at the time and just across the board kind of a very interesting general practice in criminal defense as well.

And one day I looked down. And the one thing I did not want to do was family law, and I did not want to do family law because that's what girl lawyers were supposed to do and I didn't want to be pigeonholed and I thought it was demeaning. And, you know, I had thought at the time when I graduated from law school

[Sheila_Prell-Sonenshine_6033.doc]

that I didn't want to be a \$350 divorce lawyer—because that was the going fee, \$350 plus costs, and—

William Rylaarsdam: Per case.

Sheila Prell Sonenshine: Per case, yeah. So, anyway, one day I looked down at my desk and I thought, "Oh, okay. So almost everything on my desk is family law, some estate planning, and I really like it." And so I decided that the fact that I wasn't supposed to do it just shouldn't outweigh the fact that I really liked it—enjoyed it. And it's been a continuing theme professionally for me is the low status, undeserved status, unrecognized status, whatever, of family law. I became very proud then to be a family-law lawyer. I was in the first group of certified family-law specialists, and, well, my firm continued to do everything. We wound up representing Bank of Newport in almost everything. My specialty was really family law and some estate planning.

William Rylaarsdam: Are there any other cases that come to mind during your practice that particularly stand out, other than the one where you pled your client guilty to first-degree murder?

Sheila Prell Sonenshine: Yeah, to first-degree murder. *[laughing]* Well, that was at the beginning, and a case that happened at the end . . . It's a reported case, *In re Marriage of Jacobs*, and I had already gone on the bench when it came up to the court. But it was a case where Mrs. Jacobs was referred to me by a . . . it doesn't matter who, but anyways, a very good referral. And when she came in I told her that I thought almost for certain she was going to lose; but if she wanted to go forward . . . And she would have to raise a huge sum—I think it was \$5,000 as a retainer—and sign something that said that I thought, you know, I'd take her money, but I thought we were going to lose. And in that case, her husband was the managing partner of one of the Big at that time Eight accounting firms; and they had two children, one of whom was deaf, and he had convinced her along the way that the best thing they could do would be to put everything they owned in trust for the children and over which he would be the trustee.

And then after that transpired, then he left and she wound up with a two-bedroom condo in Irvine and a station wagon, and he got the four-seater Mercedes and the house in Tustin. But she did all this with an attorney and actually signed off on it. So when she came in to set it aside, it was very hard to think of how to do it. And I came up with a lot of different theories, one of which was, you know, you've heard of post-stress syndrome;

[Sheila_Prell-Sonenshine_6033.doc]

well, it was kind of that kind of theory about how people can be so torn down that they could sign anything and not know and da-da-da. And we set it aside, and it was upheld on appeal.

William Rylaarsdam: Your experiences in the Orange County Superior Court—do you have any general impression as to the quality of the judiciary?

(00:45:20)

Sheila Prell Sonenshine: Yeah, I can tell you one other story, and that's I participated in one of the first cases after the Uniform Child Custody Jurisdiction Act was enforced. And the question was whether that superseded the habeas corpus process or not. And that was another really fascinating case.

Yes, I thought it was maybe a little bit like Loyola, a very good experience. It's got to be, to some extent, because I made it so for some of the judges. I mean, there was one judge who literally anytime a woman lawyer came in his courtroom, he would walk off the bench or he'd let you start and then he'd say, "I can't listen to this anymore; you're wasting my time." And so I just had an arrangement with his clerk that whenever I was assigned to him that somehow the file would get out and go someplace else.

But I've always thought, and more so in later years, that the real issue was not woman lawyers; the real issue is the decision-making process and how gender is affected. And I remember—I think it was Ogrin who referred a case to me when I first started practicing—a young man who had come back from Vietnam and wanted custody of his son, or at least substantial visitation rights. And we got what they used to call the probation report, but really the whatever report back. It was prepared by the probation department, saying that they were concerned about his ability to be a good parent because he loved the child so much; he was so caring. What they were really saying was, "You're showing attributes of a mother, and therefore we question your paternal capabilities."

William Rylaarsdam: Did you represent that husband in that particular case?

Sheila Prell Sonenshine: The father, yeah.

William Rylaarsdam: Yeah. So, well, when you started your practice, women were still a very small minority of the bar, and very few of them did trial work, as I recall from that era, other than the ones—

Sheila Prell Sonenshine: Right. Very few of them did anything. *[laughing]*

William Rylaarsdam: Other than the judge that you talked about who basically didn't want to hear from you, did you have other experiences where your gender became an issue or seemed to be an issue?

Sheila Prell Sonenshine: Well, I had one judge once, I walked into chambers to discuss the case and he said to the other attorney, "Things were sure a lot easier when we could still buy and sell them." *[laughing]* I mean, but aside from that . . . well, I tell this story all the time. It's one of the ways that I got to the Court of Appeal. The case that I told you about with the Uniform Child Custody Jurisdiction Act, that was very interesting from the beginning, because the father in that case was a lawyer from New Jersey; in fact, both parents were from New Jersey. And he told the wife that if she ever really left him that she would never see the children again.

So for several years he took off and hid the kids. She finally traced them to living in Eastbluff in Newport and with an off-duty police officer from New Jersey came out here. They went to the Newport Beach Police Department. That's how she got my name. Then we went into court—it was on Good Friday, actually—for this warrant, and then I think we got to court and Judge Dickey said I needed a writ, not a warrant. He redid the paperwork.

Now we get the kids, they bring the kids in. Dickey says, "Stay in here." He stayed till 7:00 at night; they brought the kids in. Now it's Monday morning, and there's an argument over whether 170, the affidavit?

William Rylaarsdam: 170.6.

Sheila Prell Sonenshine: . . . 170.6 should have been filed or couldn't have been filed because he wasn't there. We went up in front of another judge. Now we're in chambers with Sumner, and the attorney representing the father leans across the table, and we all think that he's had a heart attack; I mean, he puts his head down, and he goes, "I can't go on." And Judge Sumner said, "What's wrong?" And imagine, I mean, this is really exciting; got a great case, great client, great fee, great issue. And I'm thinking, "Oh, god, he's going to die." And he goes, "She is wearing a black bra, and it's driving me crazy."

(00:50:03)

William Rylaarsdam: Were you the—

Sheila Prell Sonenshine: Yeah, so *[laughing]* . . . and I had a blouse on.

- William Rylaarsdam: I hope you had something over it. *[laughing]*
- Sheila Prell Sonenshine: I mean, I had a blouse; I had a blouse, you know, like that.
- So anyway, we settled that, and then for years whenever I'd have a case with this particular attorney, I'd see him in the hallway and I'd say, you know, "You know what I'm wearing." *[laughing]* Then I became a judge. He's one of the first people in my courtroom on superior court, and he walks in and I said, "Mr. Schwam, to everyone else I'm just another black robe; but you know better." *[laughing]*
- So now I'm going to go to the Court of Appeal.
- William Rylaarsdam: Okay. Before you get there, though, you practiced law for how long?
- Sheila Prell Sonenshine: Ten years.
- William Rylaarsdam: Ten years, and then you went to the—
- Sheila Prell Sonenshine: Trial court.
- William Rylaarsdam: Trial court, the superior court.
- Sheila Prell Sonenshine: Right.
- William Rylaarsdam: And how long were you there?
- Sheila Prell Sonenshine: Two days; no, a year and a half.
- William Rylaarsdam: Yeah, I know it wasn't very long.
- Sheila Prell Sonenshine: Yeah, I think it was April to December.
- William Rylaarsdam: Okay. And any particular experiences you had there that spring to mind other than when that criminal case walked into your door?
- Sheila Prell Sonenshine: Well, I had one attorney—yeah, I think it was the trial court—who said, "My, I think the court looks nice today. I think the court has lost weight." *[laughing]* I was thinking in my mind, "Would you ever do that to a man?"
- William Rylaarsdam: Well, I wouldn't dare do it to anybody. *[laughing]*
- Sheila Prell Sonenshine: Yeah, to a woman. And then I used to routinely stand out at my clerk's desk at recesses or at lunch or something, and then the attorneys would come in and

[Sheila_Prell-Sonenshine_6033.doc]

one attorney said, "So, what's this judge like?" And I said, "Oh, brilliant." *[laughing]*

No, I think in terms at least of the attorneys, that either my reputation preceded me and they knew with whom they were dealing, or they got to know me. And I remember one specific instance where I had attorneys from LA come, and the body language—we were in chambers—the body language was pretty incredible, you know, like this, hand on the briefcase. And whatever I did and said over a period of time, you could see . . . I mean, they took their hand off the briefcase, they relaxed, and then every time kind of like this fear of recognition increased, so did the respect. I'm not sure how different that is for a man.

William Rylaarsdam: Let's see now. You were not the only female judge on the Orange County Superior Court, were you, or were you?

Sheila Prell Sonenshine: No, Alicemarie preceded . . . No, Judge Lamoreaux preceded all of us, and then Alicemarie.

William Rylaarsdam: And then you probably were the third one, yeah.

Sheila Prell Sonenshine: Yeah. Actually, I think . . . she's dead. I can't think of her name, and I knew her really well. Linda McLaughlin.

William Rylaarsdam: Oh. Oh, yeah, yeah.

Sheila Prell Sonenshine: She may have been there. I think so only because we had a case together and . . . oh, no, you know what? I got confused. I think she was in municipal court, and then she got elevated.

William Rylaarsdam: Yeah, I think so, yeah. So, anyway, now you started to tell us about your—

Sheila Prell Sonenshine: The black bra?

William Rylaarsdam: Well, you did tell us about your black bra. *[laughing]* But how about your elevation to the Court of Appeal?

Sheila Prell Sonenshine: Well, that was very controversial, as was my first appointment to the trial court, mostly because there were certain people that were not particularly thrilled with me becoming a judge; and then when I became a judge and I was actually doing a good job, then they became even more concerned when I was going to be elevated.

And so Capeci, who was a district attorney who was particularly not excited and much more excited that

[Sheila_Prell-Sonenshine_6033.doc]

someone else should have the position, set up a committee to report back. I don't know, it was like a state—

William Rylaarsdam: They had a local committee here.

Sheila Prell Sonenshine: They had a local committee, right.

William Rylaarsdam: Because I went before that, too. It was Capeci and Tom Malcolm, I think, and a couple of others.

Sheila Prell Sonenshine: Right. So but what he did is, he put all people who didn't know me and who were DAs and, you know, would have had no reason to know me—except the person that he appointed to be head of that subcommittee only knew one divorce lawyer in all of Orange County, and of course that was my friend, the black-bra friend. *[laughing]* So it turned out okay. That's why I say the black bra did a lot to get me appointed.

William Rylaarsdam: Oh, I see the connection now, yeah. *[laughing]* So that was in December of '82, I think, that the division—

(00:55:05)

Sheila Prell Sonenshine: We were actually sworn in.

William Rylaarsdam: Yeah, this was a brand-new division in the Fourth District, and you . . . and Jack Trotter was the presiding justice, and Tom Crosby and Ed Wallin and you.

Sheila Prell Sonenshine: Right.

William Rylaarsdam: The four of you were Division Three of the Fourth District.

Sheila Prell Sonenshine: Right.

William Rylaarsdam: And I have heard stories about how the four of you got started before you had any court or office or library.

Sheila Prell Sonenshine: Yeah, in Jack Trotter's kitchen.

William Rylaarsdam: That's the story I've heard. So how long did that last?

Sheila Prell Sonenshine: It just lasted, oh, I don't know, less than a month, three weeks, and then we moved into very temporary space in the place that became our more permanent space.

William Rylaarsdam: That was on Fourth, Ross and Fourth Street there.

Sheila Prell Sonenshine: Right. And I remember it was kind of . . . there were . . . the first space, none of . . . the first space was not that great, and there was some dispute as to who was going to get which office and I said, "You know what? I don't

[Sheila_Prell-Sonenshine_6033.doc]

really care." So naturally, I got the worst one; I mean, I'd set myself up for that. That office was so small that you couldn't have a chair and a desk in there at the same time. I mean, you were crawling over something to get to something.

- William Rylaarsdam: So but then how long were you there?
- Sheila Prell Sonenshine: Before we moved to Spurgeon or before we moved to—
- William Rylaarsdam: I thought you meant there was another interim.
- Sheila Prell Sonenshine: Well, in that same space.
- William Rylaarsdam: Oh, I see.
- Sheila Prell Sonenshine: In that same building, but just . . . yeah, and that was a beautiful chambers. That was really nice.
- William Rylaarsdam: I remember arguing a few cases there. I do not recall if you ever heard one of my cases or not. And then the court acquired a new location at Spurgeon, where we're still located now. How'd that come about?
- Sheila Prell Sonenshine: Well, we needed to move. I don't know if it was space-wise, for whatever reason; and Tom Crosby set it upon himself to find an atypical office space that didn't have, as he said, cottage cheese on the walls or the ceiling. And that was just a nice environment, and he was . . . Every day it was a different. He and Kim used to go around driving, looking for the building. And one day he came back and he said, "Okay, I found it," and it just like did not sound like it could be possible. And we all went to see it and it was fantastic, and it was . . . We got it when the inside was more shell than not; so we really got to specify what we wanted and how we wanted it.
- William Rylaarsdam: And like you say, functionally it's a great building, too.
- Sheila Prell Sonenshine: Yeah, it was.
- William Rylaarsdam: And I'm very sorry that we're going to be moving out of there in another year or two or sometime. But it does not look like a courthouse.
- Sheila Prell Sonenshine: No. Well, it wasn't designed—
- William Rylaarsdam: It looks more like a bed and breakfast.
- Sheila Prell Sonenshine: It was designed as an office building, but with different suites in it.

[Sheila_Prell-Sonenshine_6033.doc]

William Rylaarsdam: Yeah. So, let's see, do you know approximately when you moved to Spurgeon?

Sheila Prell Sonenshine: No. I mean, I haven't thought about it.

William Rylaarsdam: In general, as between practice, trial court, the Court of Appeal, professionally, which was the most exciting part of your career?

Sheila Prell Sonenshine: You know, I remember . . . Well, first of all, I remember when the phone call came from a friend whose mother had dreamt that she saw her name on the bar list; that was my first inclination that I passed the bar. Everything has been unbelievably exciting. I remember the moment the phone rang, I remember being sworn into superior court and saying that what was happening was something that I hadn't even . . . Not that I dreamed it possible; I hadn't even dreamt about it, because it was so beyond my self-sense of reality. And not having an appellate practice . . . And, you know, obviously we didn't even have an appellate court in Orange County; so the concept of . . . and I had argued a few appeals. But the concept of being on the Court of Appeal was . . . I still sometimes can't believe that it happened. So it was all exciting, and that's not just a standard Goody Miss Two-Shoe answer. I can tell you, I see people now that I represented in the 1970, and I can tell you about their cases the same way that I can about the cases that I decided. So it was all very exciting.

William Rylaarsdam: It must have been for you. Most courts—certainly when I came on the court—four, or actually three of the original people and David Sills had all been doing this for quite a few years, so it was not that hard to find out what the routine was. It must have been very different when you're starting a brand-new division, because everything has to be negotiated, I assume.

(01:00:15 *Break in interview*)

William Rylaarsdam: Okay. We were starting to talk about getting the division going. I assume it was pretty difficult to just figure out who was going to do what and who was going to handle what and what procedures would you adopt, and it was all . . . How did all this come about?

Sheila Prell Sonenshine: I don't think in retrospect—excuse me—I don't recall it being difficult. I think there were, you know, administrative things: ordering stationery, finding a home for us that . . . I don't know if you remember, but originally the courtroom was not in that building. We had to walk and use some public hearing . . . I don't know whether it was the Board of Supervisors.

William Rylaarsdam: I remember where it was, yeah.

- Sheila Prell Sonenshine: But when you look at the number of cases that our court wrote during that time, I think there were a lot of legal questions that were questions of first impression obviously for this division because we were a new division, and so we tackled a lot of procedural type of cases.
- William Rylaarsdam: Well, Jack Trotter did have experience. He sat in the Division Two for not very long, as I recall.
- Sheila Prell Sonenshine: Right, right. No, just . . . right, several months.
- William Rylaarsdam: But at least he'd had that exposure, so that probably proved helpful.
- Sheila Prell Sonenshine: Well, as you could imagine, between Trotter, Wallin, Sonenshine, and Crosby, there was never a lack of an opinion as to how . . .
- William Rylaarsdam: And they didn't always coincide, I'm sure. *[laughing]*
- Sheila Prell Sonenshine: . . . as to how . . . no, but we weren't shy. Everybody had their own thoughts. And not just that I look back, but I remember being aware of it at the time. We each represented different specialties: you know, with Trotter civil . . . I mean, PI; Wallin civil; Crosby criminal; and me family law. Plus, we all had a really good, healthy attitude about ourselves. So I was particularly put out when they would try and tell me anything about a family-law case; but I had no problem telling them anything about any of the other fields. And so it was staking out territory.
- William Rylaarsdam: By the time I came aboard in 1995, cases were essentially assigned on a rotation basis, regardless of who had experience in what. Was that always the case?
- Sheila Prell Sonenshine: That was always the case.
- William Rylaarsdam: That was always done.
- Sheila Prell Sonenshine: Yeah, yeah. That wasn't always the criteria; but in other words, it wasn't always simply by rotation. But it was never according to specialty.
- William Rylaarsdam: Okay, because I think in looking at published cases that in some districts and divisions, it seemed that certain . . . well, Justice King in family law . . .
- Sheila Prell Sonenshine: Right.

[Sheila_Prell-Sonenshine_6033.doc]

William Rylaarsdam: Justice . . . I can't think of his name right now, but he does a lot of insurance cases. But your court never operated in that fashion, so—

Sheila Prell Sonenshine: Yeah.

William Rylaarsdam: How long did it take for the four of you to get organized and really feel that you were working on a normal rhythm?

Sheila Prell Sonenshine: I kind of think from the beginning. I mean, doing writ conferences, preparing for oral argument, all of us had had—well, with the exception of Wallin—but we'd had experience in running our own law offices, and I think that that went a long way in making us feel comfortable in setting up our own organizations.

I recall, actually, the most difficult aspect for me was finding the appropriate law clerk because of the . . . or research attorney.

William Rylaarsdam: Staff.

Sheila Prell Sonenshine: Yeah, because at the time most courts were still using law clerks or junior lawyers; and I don't remember who came first in what order, but I know that Richard Schwartzberg was there with me somewhere in that beginning stage and that was very comforting, because he had real-world criminal experience.

William Rylaarsdam: Yeah. But was the decision made by the people in your division to go to full-time staff attorneys, experienced staff attorneys, as distinguished from the traditional law clerk, or is this something that was imposed from above?

Sheila Prell Sonenshine: I think it was just . . . you know, it definitely wasn't imposed from above, because as I recall Justice Bird preferred the rotating in and out.

William Rylaarsdam: Of law clerks.

Sheila Prell Sonenshine: Yeah. But I think we were not the first to do it; but we were . . . it still was a little bit unique.

(01:04:58)

William Rylaarsdam: Right. And of course now all we have is full-time staff, except for our law student externs.

Sheila Prell Sonenshine: Yeah, which is the way it should be.

William Rylaarsdam: And I think that's pretty much the way throughout the system now, I think. I didn't realize that was a development of the last 30 years or so.

- Sheila Prell Sonenshine: Yeah. Well, one thing when we started, we didn't have computers, and I just absolutely . . . Justice Trotter was on the . . . I don't know if he was the chair or just on the committee statewide, with the Wangs? Remember?
- William Rylaarsdam: Yeah. Well, I remember Wang computers. By the time I came in 1995, we already were on Microsoft. But when the Wang computers came in, were they used by the justices or just by staff or—
- Sheila Prell Sonenshine: As I recall, in the beginning it was just the secretaries.
- William Rylaarsdam: Then how would you write your opinions, longhand or typewriter or . . .?
- Sheila Prell Sonenshine: I didn't use the typewriter. I wrote them by longhand, and cut-and-paste has a whole new meaning—had a whole new meaning—for me then. I literally took scissors and cut things up and stapled or, you know, when I used to travel my husband would say, "What are you bringing?" because I'd have the scissors, the Scotch tape, the staple machine, and I would . . . The copy machine was my favorite, because—I'm surprised I didn't bankrupt the court—I would copy so much so that I could cut it up and move it around.
- William Rylaarsdam: Well, you know, I've been intrigued, because since I've been there we have used a computer, and I know that there're so many changes we make as the opinion progresses and I always wonder how people dealt with that when they had to be typed out by a secretary. And I'm sure you couldn't have the secretary retype it over and over and over again. How did that work? I mean, how did you make corrections?
- Sheila Prell Sonenshine: How did it work? *[laughing]* I don't remember.
- William Rylaarsdam: Well, maybe it's just a question that we are so careless, because we know we can make these changes continuously that maybe—
- Sheila Prell Sonenshine: Well, I also think . . . I mean, I remember back doing marital settlement agreements and pleadings and trial briefs and having to go back to the beginning on something. In a way I think that it's easier to be more careless now, because I've always said on anything I write or remember when I left the court, you start at the beginning; and I don't care if you're fixing the last paragraph, you start at the beginning, because you may have said something and you haven't seen it now in three drafts, you don't even remember what it is, and it doesn't match up to the end.

- William Rylaarsdam: But when the secretaries had to type it out, they hardly would have the time to type three, four, or five different drafts. I assume when it went to the secretary, it was already finished.
- Sheila Prell Sonenshine: It was already more final, yeah. I just remember these ridiculous-looking documents, manuscripts that I'd give her that had a combination of Scotch tape, arrows, go to the back, move this from page 11.
- William Rylaarsdam: Did all four of you write the opinions in longhand, or did some of your colleagues use a different system?
- Sheila Prell Sonenshine: As I recall, Tom was the first on the computer. I don't really remember Wallin or Trotter being on the computer.
- William Rylaarsdam: Did they use typewriters, or did they write longhand, or do you know?
- Sheila Prell Sonenshine: I don't remember. But I know I was awfully impressed with Tom.
- William Rylaarsdam: Uh-huh. Now, you had as far as legal research is concerned, that's very different today, of course, too. We find almost everything on Westlaw or Lexis.
- Sheila Prell Sonenshine: Right, right.
- William Rylaarsdam: When did that become available to you, do you recall, or was it there when you started?
- Sheila Prell Sonenshine: No. You know, I don't know, because I never . . . I've become much more computer-oriented now since I've left the court than I was when I was there. I didn't do e-mail at all; now I can't live without it. I have it on my new Blackjack, and I don't go anyplace without it. I used it much more as a word-processing tool than anything else at the time. And it's like I had enough to do not to worry about how they were typing their opinions or not.
- William Rylaarsdam: Did you from the start use the system that . . . the only system I have seen used there in terms of getting summaries out to the colleagues before oral argument and then have a final opinion after that?
- Sheila Prell Sonenshine: Right. That, I don't remember ever changing.
- William Rylaarsdam: Now, were those summaries typed, or were they—
- Sheila Prell Sonenshine: Oh, no, they were typed.

[Sheila_Prell-Sonenshine_6033.doc]

- William Rylaarsdam: They were typed out. Now, we have, but they no longer call them secretaries. I think instead of a raise, they gave them a different title.
- Sheila Prell Sonenshine: Judicial assistants?
(01:09:55)
- William Rylaarsdam: Judicial assistants. But we have . . . and each chamber has just one judicial assistant, and there's four of us there, three attorneys and I. I can't imagine when the secretaries had to type everything that one secretary could serve that many people.
- Sheila Prell Sonenshine: They did, uh-huh.
- William Rylaarsdam: Did you have a higher proportion of secretaries?
- Sheila Prell Sonenshine: No, and I think that the number, the quantity of briefs—I mean, the quantity of opinions—has increased.
- William Rylaarsdam: Has increased?
- Sheila Prell Sonenshine: I mean, has decreased.
- William Rylaarsdam: The number of opinions per justice, yeah.
- Sheila Prell Sonenshine: Per justice. I think it's down; that's what somebody told me.
- William Rylaarsdam: Well, it's definitely down for us this year, because we're so caught up. We're getting everything out as soon as it's ready.
- Sheila Prell Sonenshine: Right. So there were . . . I mean, the gross number may be larger; but that doesn't . . . that's not reflective of how many each secretary or judicial assistant is actually typing.
- On the other hand, I think probably the state of the document by the time it gets to the judicial assistant is probably in better condition than it was, because they're not getting it handwritten and—
- William Rylaarsdam: Do you think using the computers has made us more verbose than when you had to write it out in longhand?
- Sheila Prell Sonenshine: I don't know. I kind of was looking when I was looking over my opinions from '83 to '99, and I don't see that they got particularly longer, shorter, or anything else. I've always tried to be concise, and I don't think that changed much. Actually, I think the computer makes it easier; personally, I think it makes it easier to be shorter.

William Rylaarsdam: Well, that's interesting.

Sheila Prell Sonenshine: Because for me it's much easier to see things and line them up and see where I've said the same thing a different way two paragraphs before.

William Rylaarsdam: And get it out, yeah.

Sheila Prell Sonenshine: Yeah, so—

William Rylaarsdam: Okay. Do you recall any particularly interesting cases, cases that stand out in your mind that you worked on? I'm sure there are some cases of the many hundreds that you wrote, thousands, maybe.

Sheila Prell Sonenshine: Thousands.

William Rylaarsdam: I notice you had almost 300 published opinions, which is quite an average. You were there for 18 years, right?

Sheila Prell Sonenshine: Sixteen and a half on the Court of Appeal.

William Rylaarsdam: Sixteen and a half.

Sheila Prell Sonenshine: Yeah.

William Rylaarsdam: So that's almost 50. Let's see. My math isn't very good. *[laughing]*

Sheila Prell Sonenshine: I don't know, I started doing that plus . . .

William Rylaarsdam: But, anyway, it seemed like you had a lot.

Sheila Prell Sonenshine: . . . plus concurrences, plus dissents, you know.

William Rylaarsdam: Yeah.

Sheila Prell Sonenshine: Well, on many different . . . I mean, I can answer the question on many different levels in terms of historic significance or statewide significance; others just because they were fun, intellectually satisfying; some I still feel I don't know, I still don't know the answer. So probably my landmark case or that which defines me the most for many reasons is *Koire* versus the car wash.

William Rylaarsdam: Tell us a little about that.

Sheila Prell Sonenshine: Tell a little about that, okay. Well, the case is so wonderful on so many different levels, and I'll just interrupt myself to say that several years after I had decided the case or actually wrote the dissent I was lecturing and this case came up, and an attorney in the audience raised his hand and said, "You keep calling that

[Sheila_Prell-Sonenshine_6033.doc]

your case. It was my case." *[laughing]* He was the plaintiff's attorney on it.

But this was a situation where Mr. Koire had gone to a car wash and heard the lady in front being told in line that it was free that day. So when he came up he just got his money out to pay for his gas, and they said, "Oh, no, it's Ladies' Day; so it's free to the ladies, but not to you." So then that Saturday night he went to a bar, and he saw the women in front of him going in so he just walked in, and the bouncer came up and said, "No, it's Ladies' Night, but you have to pay." So he went to an attorney, and he filed two actions under the Unruh Act, which says very simply that no business establishment may discriminate in the offering of its services based on gender. Okay.

So they filed it, and Justice Wallin, who was then Judge Wallin, was the trial judge, and he said, no, this doesn't fit within the parameters of Unruh, because the men can go on a different day, and women on a different day have to pay. And women have to pay on a different night, so it's not discriminatory. And besides that, it's really good for business, because more women come to get their car washed, and more bars do better businesses on Saturday night because more women come and so do men; so it doesn't violate the Unruh Act.

(01:15:05)

So he brought it up to our court, and by now it's Wallin, Sills, Crosby, and myself; so we knock out . . .

William Rylaarsdam:

Wallin.

Sheila Prell Sonenshine:

. . . Wallin. And blind rotation or not, I'm assigned the case. So I write like a two-sentence opinion: "This violates the Unruh Act, because it was discriminating on the basis of gender in the offering of its services." And I wound up as the dissent. And I don't remember if Crosby or Trotter wrote it, I think probably Crosby. And it went to the California Supreme Court—which was a feat unto itself, because they could have just de-published it or something—and reversed it, quoted—

William Rylaarsdam:

From your dissent.

Sheila Prell Sonenshine:

Quoted from my dissent. And the significance of the case, I mean, beyond the fact that Wallin was the trial judge, beyond the fact that it was our first Unruh Act case that we decided, I'm still shocked at a number of things. I'm still shocked, and no less so when I went back and read it in preparation for talking to you today, the unbelievable logic of both the trial court and my brethren when the case was written. If you would have

[Sheila_Prell-Sonenshine_6033.doc]

used any other example, including one's eye color or race or religious preference . . .

William Rylaarsdam: They wouldn't have had a question about it.

Sheila Prell Sonenshine: . . . it wouldn't have been an issue. And for grown people, let alone judges, to write it's okay because it's good for business and that, I mean, it still is shocking to me.

The other thing that struck me at the time was the criticism and commentary that this engendered throughout the state.

William Rylaarsdam: The criticism of the Supreme Court decision or—

Sheila Prell Sonenshine: Supreme Court, the criticism that the Supreme Court was wasting its time hearing this kind of nonsense when there were murderers and robbers out there. And I don't know if you paid any attention to the NBC News commentator who was in trouble because he made a racious (sic) comment?

William Rylaarsdam: Yeah, I heard something about it.

Sheila Prell Sonenshine: Yeah. And I heard some discussion of it this morning, and one of the people said, "Wait a second. This was not only racial; this was a gender issue as well." But—

William Rylaarsdam: Something about a women's basketball team, yeah.

Sheila Prell Sonenshine: Yeah. I don't even know what it was.

William Rylaarsdam: Yeah.

Sheila Prell Sonenshine: But no one, not . . . you look on any news commentary, this is the first I heard anybody raise the fact that it was a gender issue; everybody's all upset, you know. The NAACP, da-da-da, they're all marching, as well they should; but we should also react on the gender issue.

And so it is not a waste of time. I mean, the Unruh Act is there for very good and specific purposes. And I think it was great that the Supreme Court took the case and it was a unanimous opinion, which was unbelievable. I think Richardson was on the Court. Kaus, I think maybe Kaus and one other person may have written a concurrence that said something like, "I suppose we won't be able to give out flowers at Mother's Day anymore." It was like, "Okay, we have to go along with this; but this is really dumb." So that was . . . I'll always be proud of that. I'll be proud of . . . I mean, it took me a lot of time to think about the dissent. The dissent was

[Sheila_Prell-Sonenshine_6033.doc]

then quoted in the majority opinion, as, by the way, is *People v. Bravo*, which was at that same period of time in the '80s and—

William Rylaarsdam: What was that case about?

Sheila Prell Sonenshine: That, I wrote the dissent in that also, and that was Crosby and one of the others. That was whether when one gives up one's right to search and seizure, whether one gives up one's right to have it be a reasonable search and seizure. And again, it's like my father used to say, "If you have to ask the question, you already know the answer." I mean, excuse me? So if I'm not mistaken my dissent wound up almost the entire majority Supreme Court opinion, and that was instructive on a lot of different levels.

(01:19:52)

First of all, it was criminal law, which was everything in the field with which I was the least familiar, aside from my 187 experience. And also when I look back at my opinions, I was very conscious of it when I was writing my opinions. When I look back now, I'm impressed with how well I was able to carry off my intent—which was what's the question, what are the factors, what's the answer—and not get all involved in philosophical debate.

William Rylaarsdam: Was that your general philosophy in opinion writing, or are you referring specifically to this?

Sheila Prell Sonenshine: One hundred percent. One hundred percent. You know, people . . . And I know they say the same to you. "It must be so hard to be a judge and know all those answers." And I go, "I never had trouble with the answers; I only had trouble with the questions."
[laughing]

William Rylaarsdam: Yeah. [laughing] But did you have a particular philosophy, overriding philosophy, in terms of how to go about deciding cases or how to write?

Sheila Prell Sonenshine: Yes. Yes.

William Rylaarsdam: What's that?

Sheila Prell Sonenshine: Find the question, and then find every single bit of precedent to determine what the answer is. But so often, in so many cases, the question was different than that which was actually presented.

Another case that was one of my favorites is *ADV* . . . I don't remember, I'll tell you; oh, *ADV v. Wikman*. And that was a 1986 case, and in that case the plaintiff had leased property upon which he had a used-car lot, and

[Sheila_Prell-Sonenshine_6033.doc]

the lease specified options; but the lease did not specify how the options were to be renewed. So came the time for the end of the lease, and the lessee stayed on, sent in the money. The lessor sent it back saying, "Sorry, you didn't tell us before the lease ended whether you were to exercise; and we don't want you, so we're not taking your money." And the trial court found that there was substantial evidence in the actions prior to the termination of the lease that the lessee had intended to stay on, and those prior actions included paving the parking lot and advertising in the newspaper.

Well, I remember having a discussion with my colleagues that that probably was the right answer, but not for the reason stated, because it wasn't a substantial-evidence question; it was a question as a matter of law when you don't . . . When the lease doesn't specify how it's to be exercised, then how is it to be exercised? That's the question, not substantial evidence; and even if it were substantial evidence, there isn't . . . that wouldn't qualify as substantial evidence, because he had to pave the parking lot whether he stayed on or not, and if he wanted to stay in business he had to advertise. And what does that have to do with the landlord?

So I couldn't believe—I felt like a detective—that in all the history of jurisprudence in California, this question had never come up before. And I finally found a treatise, real-property treatise that in 1906 in Colorado, da-da-da. I found one sentence in a California Supreme Court case from the late 1800s which answered the question and, you know, it's pretty simple: If the lessor wants to know the lessor should ask; and if the lessor doesn't ask and the lessee stays on, that's it.

William Rylaarsdam: That's how it decided.

Sheila Prell Sonenshine: Yeah.

William Rylaarsdam: Do you have any general comments about the relationships between the justices on your division?

Sheila Prell Sonenshine: No. *[laughing]*

William Rylaarsdam: No. Okay, let's go on to the next question. Let's talk a little bit about your life outside the law. I know you've been very involved in community organizations, and you've received many, many honors for your involvement. What have been some of your favorite—

Sheila Prell Sonenshine: Awards? *[laughing]*

[Sheila_Prell-Sonenshine_6033.doc]

William Rylaarsdam: Well, we'll get to awards a little later; but the community activities that you've engaged in, what are you most involved in, which have you been most involved in?

Sheila Prell Sonenshine: Well, they kind of break down into Human Options, which is a domestic-violence shelter. It started, coincidentally, the first year that I went on the bench in 1981, and because of the issue when I was working at Neighborhood Legal Services and the lack of representation for women; the lack of credibility that women had, whether it was in the courthouse or the police department; the lack of resources. It was very . . . I've always been very proud of my association there.

(01:25:18)

And going forward quickly, our second son is now on the executive committee of Human Options, on the board, and he and his wife were chairing the big gala; and so he's . . . they're taking it to the next generation.

But in 1981 when Human Options was first started and really ran as an apartment building in Laguna, I used to go there at night when I'd leave the court and just talk to the women and just give them some credibility within their own selves.

William Rylaarsdam: Were these abused . . . are these abused women?

Sheila Prell Sonenshine: Yeah. And of course, what I found, it's a topic that I've become fairly conversant with over the years; I had women neighbors that were there. I mean, it cuts across all economic and social lines, ages; so that's been a very worthwhile and meaningful relationship for me.

A lot of our activities with which I'm still involved in our temple, anything to do with women, the law . . .

William Rylaarsdam: And you're very . . . your religion is important to you too.

Sheila Prell Sonenshine: . . . and our religion.

William Rylaarsdam: Yeah. So you retired in 1999 and took quite a different course, didn't you?

Sheila Prell Sonenshine: Yes. *[laughing]*

William Rylaarsdam: Most of us either sit on assignment or go into arbitrations or sit on our duff and read books. Tell us a little about what you did after you retired.

Sheila Prell Sonenshine: Well, I left the court because of this opportunity. I think maybe I'd still be on the court if this opportunity hadn't come along; but I started an investment bank, and our

[Sheila_Prell-Sonenshine_6033.doc]

company focused on representing companies that were too big for business brokers and too small for Wall Street on a national basis. And we started in '99; we sold it to H&R Block in 2001. And then I left there, retired there, at the end of 2004.

William Rylaarsdam: Well, that's a totally different thing for you to get into. Was that a good experience to get totally outside of any aspect of the law?

Sheila Prell Sonenshine: Well, you know, I jokingly say that no one should do anything for more than 10 years at a time except be married. I think it's very healthy to change directions, to enlarge your mind or use your brain in different ways. I still sometimes wake up and, you know, can't believe . . . just like I can't believe that I was on the Court of Appeal for 16 and a half years, I can't believe what we accomplished in the 4 or 5—

William Rylaarsdam: Five years, yeah.

Sheila Prell Sonenshine: Yeah, it's just . . . and when we first started, I had a partner who was very conversant in this field, had done something similar before, was just turning 70, had at that point started and sold six businesses. I was his first partner ever, and I said . . . you know, I asked him two questions. One, why would you want me as a partner—I mean, this is not exactly in my background—and two, what is it that you see me doing? And so as far as what I was going to be doing, he said, "Well, you're going to get us established, get us our SEC license and then set us up in Europe." And one of my legal friends, law friends, said, "What are you going to be doing, Sheila?" and I told her, she was, "Oh, I understand that; but exactly what is it you're going to be doing?" *[laughing]* And I said, "I don't know, but I'll figure it out." And I did.

William Rylaarsdam: Well, obviously you did figure it out. But what have you been doing since you sold the business?

Sheila Prell Sonenshine: I have been investing in privately held companies, mostly women-owned, sitting on the board, boards of them.

William Rylaarsdam: And you're still very involved in a variety of charitable groups, aside from the one—

Sheila Prell Sonenshine: Right, including the Bar Foundation.

William Rylaarsdam: Yeah. And aside from the group that you talked about a minute ago, the Orange County Bar Foundation. And I know you . . . there's a long list of rewards and recognition that you've received both within the legal

[Sheila_Prell-Sonenshine_6033.doc]

profession and for your other charitable work. Without undue modesty, why don't you tell us about a few of those?

(01:29:48)

Sheila Prell Sonenshine:

Well, I think several come to mind that are particularly meaningful for different reasons. One was the West Award from the Orange County Bar Association, one of the first women . . . And considering what life was like in 1970 for women lawyers and for new lawyers without being part of a firm or anything, I mean, to be recognized by your peers has got to be the best thing that could happen to anyone. And particularly when you love the people who are honoring you, that makes it even more special.

And then when I left the bench a few years afterwards, I received the first Justice Kaufman Anti-Defamation League award. And I'd already been off the bench a couple of years, and they had a sellout crowd of lawyers and judges recognizing me. That was very special, because I loved Justice Kaufman. I very much believe in the cause of ADL. And then again, it's one thing for lawyers to say nice things where you're on the bench; but when they say nice things and pay money . . .

William Rylaarsdam:

Yeah, when they don't have to do it anymore. *[laughing]*

Sheila Prell Sonenshine:

. . . when you're off the bench, you know, that was very special.

And I also received the DOVE Award from Human Options, which is their big-deal award every year. And because that cause is so dear to me, that was very special.

But I don't do anything . . . I mean, I don't put myself in a position to get an honor unless I think . . . I mean, unless I know that I really believe in the organization and the cause.

William Rylaarsdam:

Can we stop a minute? And then we'll talk a little more about your family. I'm at the age where I have to write down everything.

Sheila Prell Sonenshine:

Yeah.

William Rylaarsdam:

I don't even remember what I had for breakfast this morning. Okay, let's go back on.

Another activity that you were involved in, I think you and Justice Trotter, involved the Public Law Center or its predecessor?

[Sheila_Prell-Sonenshine_6033.doc]

Sheila Prell Sonenshine: Well, it was originally Amicus Publico, and Gar Shallenberger, Justice Trotter, myself, it was . . . When I look back on that—I'd actually just totally forgotten until you brought it up—the Amicus Publico then became the Public Law Center. And one of the most exciting things about my career in Orange County is that I've had the opportunity to be at the beginning of so many different things: the formation of the Public Law Center, the formation of the court; I was the . . . with Marge Fuller we were the first chairs of the Gender Bias Committee for the Orange County Bar Association. Way back when, in 1971 or '72 when I first started practicing, I was asked to set up the human rights section of the bar. And there was a specific reason that we weren't the women's section, because that would have been too discriminatory; so we were the human rights section.

William Rylaarsdam: But, you know, in your earlier comments about the difficulties that you encountered on account of your gender toward getting started in the practice of law, what is your perception? Has it become easier for women? Are there still problems for women within the profession? What is the status of today's new lawyers?

Sheila Prell Sonenshine: Well, yeah. I was on the first statewide commission, judicial commission, on gender bias, and I . . . There's a couple of paragraphs in the introductory portion of the document for which I'm responsible or a couple of concepts, and one is that "gender" is a two-sex word and—

William Rylaarsdam: Is a what?

Sheila Prell Sonenshine: Two-sex word.

William Rylaarsdam: Two-sex word.

Sheila Prell Sonenshine: And so . . . And the other is that that commission intent never should have been and hopefully wasn't to study women lawyers; it was to study how gender issues are determinative of the legal process. And using that commission or their report as some of the examples, we found that juvenile girls get harsher sentences for the same type of crimes than juvenile boys do, because while it's never acceptable—while assaults are never acceptable—they're more acceptable coming from juvenile boys than they are from juvenile girls.

The lack of parental treatment or availability for fathers are much worse, whether it's termination rights or visitation or whatever. I can, you know, just go down the list on some. And of course one of the things that I first noticed when I started practicing was the custodial

[Sheila_Prell-Sonenshine_6033.doc]

problems that fathers have in trying to be parents as opposed to mothers.

(01:35:11)

So I don't know how much things have changed. Personally, I think that, well, the fight has gone out of a lot of women, and younger women particularly. They're much more willing to and proud of being on the mommy track at work, as opposed to being on the . . .

William Rylaarsdam: Partner track.

Sheila Prell Sonenshine: . . . partner track. And I see that a fault of all of us, and I'm not just pointing fingers at women. But until we can hold our head high and say, "What a man! He's staying, he's going to take off the first 10 years with his children's life and work less, because he really feels it's important," as opposed to "Oh, my god, what's wrong with him?"—which is what we all do, consciously or not—that we're going to continue not just in law, but across the professions, to have this problem. I've often said, I mean for years, that we never worry about secretaries and the fact that they have to stay past a certain time and their kids are in daycare. We get very concerned, "Well, what's she going to do? She's a lawyer" And the lawyer's in a much better financial situation than the judicial assistant or the secretary to worry about childcare.

William Rylaarsdam: Let's talk about the mommy track. We mentioned Coby here, firstborn, who was born shortly after you took the bar exam.

Sheila Prell Sonenshine: Right.

William Rylaarsdam: And how many children do you have?

Sheila Prell Sonenshine: We have three children; I say we have six children, because our three are all married. Our oldest, Coby, he and his wife are both lawyers from SC. He's also an MBA from SC. And the day that he—I swore he and his wife in; I swore the whole SC class in—he got sworn in and immediately became inactive, and he's never practiced.

His wife practiced for a while. She's been in a business for a while, and now she's interested in going back to public-interest law.

William Rylaarsdam: What's Coby doing?

Sheila Prell Sonenshine: Coby is running—Coby was one of my partners in the investment-banking business—and he's now running an insurance-product business.

[Sheila_Prell-Sonenshine_6033.doc]

- William Rylaarsdam: And do they have any children?
- Sheila Prell Sonenshine: We have Solomon, who's going to be seven, and Max, who just turned four.
- William Rylaarsdam: Okay. And then your second one is also a son.
- Sheila Prell Sonenshine: Then Danny, Danny went to Loyola Law School. He is now selling chicken wings.
- William Rylaarsdam: *[Laughing]*
- Sheila Prell Sonenshine: He did not like being a lawyer.
- William Rylaarsdam: He's in some sort of a selling franchise, as I understand it?
- Sheila Prell Sonenshine: He's operating chicken-wing franchises. And his wife is an MBA from UCLA, and she is the marketing director for a new franchise group that just opened. And they have two daughters—Maggie, who just turned five, and Sarah, who's one.
- William Rylaarsdam: All right. And then you have . . . your youngest is a daughter.
- Sheila Prell Sonenshine: And she is, as we speak, pregnant with twins.
- William Rylaarsdam: And expecting momentarily, right?
- Sheila Prell Sonenshine: A girl and a boy, and expecting momentarily. And she . . . yeah.
- William Rylaarsdam: So those will be number five and six?
- Sheila Prell Sonenshine: Right.
- William Rylaarsdam: Okay.
- Sheila Prell Sonenshine: Yeah, and I worked from the day I took the bar exam waiting for Coby; I took off two weeks with Danny. That's because I got the chickenpox and was in the hospital. And then with Mandy, I actually planned on staying out longer, and things came up and I couldn't, and I think I was back in two days or something.
- William Rylaarsdam: Were you on the bench already when Mandy was born?
- Sheila Prell Sonenshine: No, no.
- William Rylaarsdam: All right. Is there anything else that you think would be worthwhile for us to discuss?

[Sheila_Prell-Sonenshine_6033.doc]

Sheila Prell Sonenshine: No, this was fun.

William Rylaarsdam: Yeah, it was fun. Okay.

*Duration: 99 minutes
April 10, 2007*