

Minority Powerbrokers Q&A: Jones Day's Hilda Galvan

Law360, New York (February 13, 2015, 10:00 AM ET) --

Jones Day's Dallas partner-in-charge, Hilda C. Galvan, has tried complex intellectual property cases before courts across the country and in the International Trade Commission for more than 20 years. She has represented clients as plaintiffs and defendants in patent, copyright, trademark and trade secret cases. Her experience in patent cases extends to a variety of technologies, including software, smart utility metering systems, telecommunication systems, computer networking, semiconductor chip packaging and circuitry, and navigation systems.

Galvan has successfully represented clients in some of their most important lawsuits. Recently, on behalf of SAS Institute, she won summary judgment of invalidity in a patent infringement case involving a software patent that had been the subject of an earlier case against various software companies. She was also successful in staying a multipatent case filed by Intellectual Ventures against members of the financial institutions sector, including BBVA Compass. Galvan also represents clients in re-examination and post-grant proceedings at the U.S. Patent and Trademark Office and the Patent Trial Appeal Board.

Galvan is actively involved in the community, including serving as president of the Honorable Barbara M.G. Lynn Inn of Courts, chairwoman of the Dallas Bar IP Section, and chairwoman of the Hispanic National Bar Association's Latina Commission Leadership Program Committee.

As a participant in Law360's Minority Powerbrokers Q&A series, Galvan shared her perspective on five questions:

Q: How did you break the glass ceiling in the legal industry?

A: I have made good choices in three important areas. My son would roll his eyes if he read that sentence, because we say that to him all the time: "Make good choices." But, it is true.

Making good choices, especially on the important stuff, is critical. First, I married a man who supports me in everything I do and who keeps me grounded. Second, I joined a law firm whose philosophy and



Hilda Galvan

practice is to give every one of its lawyers the opportunity to succeed. Throughout my career, I have been given challenging assignments, I have had a role in high-profile matters, I have been introduced to clients, and I have been asked to serve in roles that taught me more about the firm, its people and its ways. And, finally, I have chosen to do what my parents instilled in my siblings and me through their actions: work hard, never quit and make no excuses.

Q: What are the challenges of being a lawyer of color at a senior level?

A: The one challenge that has existed at all levels of my career, and that I thought would diminish with time, is that I must prove my competence when I am taking on a new role or dealing with a client, judge or lawyer for the first time. My nondiverse male counterparts, on the other hand, typically are assumed to be competent. And, trust me, it is much easier to start with an assumption that you are competent. I have seen those same lawyers make mistakes (some significant ones) and because they were favored with an assumption of competence, their mistakes were brushed off or explained away. When you aren't the beneficiary of that same assumption, you cannot afford to make a mistake, even a minor one. While this challenge can be frustrating, the positive outcome is that it has always motivated me to excel.

Q: Describe a time you encountered discrimination in your career and tell us how you handled it.

A: I would start by saying that my interpretation of discrimination may be different than another's interpretation. To me, discrimination is what my father experienced as a young man, when he was not permitted to drink from a water fountain or ride in the front of a bus because he was a person of color. Hispanics, like African-Americans, have been subjected to such discrimination. I, on the other hand, have simply experienced comments from others making assumptions about my abilities based on my gender and/or ethnicity. There is a huge difference between the two situations; unlike my father, I was never denied access.

I was, however, on the receiving end of comments and behavior targeting my gender and ethnicity. A particular example is as a young lawyer I was working on a high-profile patent litigation matter. There was a large team meeting and I was a fairly new addition. Other than me, the team was comprised of all white male attorneys. A senior partner walked into the meeting and said "I didn't think we were having legal assistants at this meeting." When I pointed out that I was a lawyer, he then assumed that I was handling the non-technical issues. I quickly let him know that I was, in fact, assigned to handle the infringement side of the case since it dealt with electronic circuits and that, as a trained engineer, was my background. He didn't say anything else that day, but he became a big supporter over time.

Again, back to my father, the difference is that I had access — I had the opportunity to overcome the assumptions about my abilities.

Q: What advice would you give to a lawyer of color?

A: As you know, with age comes wisdom, so at this stage in my career I feel like I have so much advice to give. But, for this article, I'll focus on one piece of advice that I don't often hear: Develop close personal relationships with your colleagues and your clients.

While I have always understood the importance of close relationships with my family and friends, I did not understand the importance of having those same close relationships with my colleagues and my clients. In fact, I thought it was important to keep a certain "professional" distance. I didn't know any better because I didn't have the benefit of having lawyers or other professionals in my family. This is

often the case with lawyers of color.

What I have learned over time, however, is that personal relationships with your colleagues and clients can help you succeed in your career and can carry you through the tough times. As we know, the practice of law can be stressful. There is often much at stake and there are long hours, lots of time away from the family, and unexpected losses and disappointments. You can deal with all of it, if the person working by your side is someone you know well, someone you like, someone you trust. Plus, the reality is that when you care about someone, you will go the extra mile for them no matter how busy or tired you may be. You will look out for them and they will look out for you.

Bottom line, those relationships can have a huge impact on your career, both in your satisfaction with your career and in your success.

Q. What advice would you give to a law firm looking to increase diversity in its partner ranks?

A. Give your diverse lawyers the same opportunities that you give your nondiverse lawyers. Giving the most challenging assignments to your nondiverse lawyers has the same risk as giving them to your diverse lawyers. Similarly, putting your nondiverse lawyers in leadership roles has the same risk as putting diverse lawyers in those roles.

Some of the nondiverse lawyers have succeeded, while others have failed. Those failures have not resulted in lessening the opportunities for other nondiverse lawyers. Do not be afraid to do the same for your diverse lawyers. If one of them does not succeed, do not let that be an excuse for not giving an opportunity to another diverse lawyer.

Diverse lawyers will stay with a firm and move into its partnership ranks if they are given the opportunities to succeed.

The opinions expressed are those of the author and do not necessarily reflect the views of the firm, its clients, or Portfolio Media Inc., or any of its or their respective affiliates. This article is for general information purposes and is not intended to be and should not be taken as legal advice.