
Regulatory Oversight Podcast: From the Courtroom to the Capitol: Oregon AG Ellen Rosenblum Talks Leadership, Advocacy, and the Journey to Public Service
Hosts: Stephen Piepgrass and Judith Jagdmann
Guest: Ellen Rosenblum

Stephen Piepgrass:

Welcome to another episode of *Regulatory Oversight*, a podcast that focuses on providing expert perspective on trends that drive regulatory enforcement activity. I'm Stephen Piepgrass, one of the hosts of the podcast, and the leader of the firm's regulatory investigations strategy and enforcement practice group. Our podcast features insights from members of our practice group, including its nationally ranked state attorneys general team, as well as guest commentary from business leaders, regulatory experts, and current and former government officials. We cover a wide range of topics affecting businesses that operate in highly regulated areas. Before we get started today, I want to remind all our listeners to visit and subscribe to our blog at regulatoryoversight.com so you can stay up to date on developments and changes in the regulatory landscape.

Today, my colleague Judy Jagdmann, is joined by a very special guest, Oregon Attorney General Ellen Rosenblum. Judy and General Rosenblum will discuss the journey that led General Rosenblum to her position in the Oregon Attorney General's office. They'll also talk about the significance of cultivating and nurturing professional relationships and the crucial role of mentoring in shaping the future of young lawyers. This is a conversation I think we will all enjoy. Judy and General Rosenblum, I know we're all looking forward to today's discussion.

Judith Jagdmann:

Thank you, Stephen for that introduction, and thank you General Rosenblum being with us today. By way of very brief background, General Rosenblum is a former federal prosecutor and state trial and appellate judge. She is the first female state attorney general in Oregon's history. She was elected in 2012 and reelected in 2016 and 2020. General Rosenblum has been active in local and national associations of lawyers, judges, and attorneys general serving at the highest level. With her packed schedule, she still makes time to mentor those new to the legal profession, sharing tips for a successful, balanced, and enriched life. In fact, earlier this year, General Rosenblum gave the keynote address at a retreat for the women in my practice group that includes the firm's state attorney's general practice. General Rosenblum, thank you for being with us today.

Ellen Rosenblum:

Thanks for having me, Judith. It's great to be with you.

Judith Jagdmann:

Let's begin with an overview of the role and responsibilities of a state attorney general. You have been Oregon's Attorney General since 2012. How do you describe your job and the duties of the Oregon Department of Justice?

Ellen Rosenblum:

Well, I'm really proud to be the attorney general for the state of Oregon. I'm now almost 12 years in, so I hope I know how to describe what I do. By statute, I'm the chief law officer of the state, which I explain to people as basically meaning that I have a client and that is the state of Oregon. I represent the state and basically, it's a monopoly. I represent all the state agencies, boards and commissions, the governor, the legislators when they ask for legal advice. I don't just offer it, but when they ask, I give it. But that said, I also see myself as the people's attorney. In fact, I even sometimes describe myself as the mama bear looking out for her cubs. There's so much that we do on behalf of vulnerable people in our state. Older Oregonians, children, immigrants and refugees, students saddled with debt. The list goes on.

So I see my role as both being the lawyer for state government, but also looking out for those who need some help, maybe aren't all that familiar with how to even go about hiring a lawyer if they needed to. Now, I'm not their lawyer in that sense, but I can look out for all the most vulnerable in my state, in my role, my bully pulpit and in the initiatives that I choose to enact while I'm AG, and there have been quite a few. So that's how I look at what I do, and I have a wonderful staff of 1,400 to help me do that. Believe me, I don't do this alone. We have 10 divisions. We have trial division, appellate division, we have child support division, we have consumer protection, child advocacy, criminal justice, and the list goes on. So there's a lot that we do. People don't really quite understand the breadth of what attorneys general offices do.

Judith Jagdmann:

In reviewing your resume, we find that you've had a varied career from a small firm lawyer to a federal prosecutor, to a trial court judge, and now Attorney General. How have these different roles shaped your perspective on the legal profession and your approach to your current role as Attorney General?

Ellen Rosenblum:

Well, first I can't imagine not being a part of the legal profession. It's my identity. It's my life. My dad was a law professor. I grew up in a family where words like equal protection and due process were household words. That might seem a little strange, but when I think about my career and the various jobs that I've been able to hold as a result of that wonderful piece of paper called a JD, it's a little bit hard to separate out and say, "Okay, how did this particular role affect where I am now?" But I will say that throughout all of these opportunities that I've had in my career, which is now well, close to 50 years, I feel like there's some common threads.

And the common threads are that in the course of all this, I felt that it was important to help make our profession, our legal profession more equitable, to bring women and minorities into the profession and then up in the profession. It's not enough to have diversity, but you need to have inclusion. And these are all things that we've realized over the course of my career. At the

outset, for me, it was just all about, oh my gosh, there aren't very many women in this world. We've got to make sure that we make it not only so that they enter law school, but that they find positions that allow them to have a balance, if there's such a thing in the legal profession, in their lives. And all of these jobs that I've had, I think I've been able to make contributions in that regard.

Judith Jagdmann:

You have mentioned that your response to setbacks has made a significant difference in your career. Can you share more about how you've turned these challenges into opportunities?

Ellen Rosenblum:

Well, I think we all have setbacks, and I think it's important, especially for somebody like me who maybe people meet me and think that I've been touched by gold and never really had to struggle. And look, I'm not going to say that I'm not highly privileged, but the truth is that I've had my setbacks in my career and I have tried to turn those into opportunities. I'll give you a couple of examples. One was when I went back to my job as a federal prosecutor after having my first child. I had a pretty big important case when I left on maternity leave, and guess what? That case had been transferred to somebody else, to a male colleague while I was on leave and was not transferred back. I was really ticked off.

So what I did, instead of quitting my job or making too big of a stink about it, I ran for the Oregon State Bar Board of Governors when I had a little baby and I was elected and I was the second woman ever to be elected to that board. I was the first government lawyer. I was still an assistant United States attorney, and I was the first with a brand-new baby, and I put her in a little pack and carried her to all my board meetings. So that's an example I think because after that I was in a much better position for my career to develop beyond the federal system into the broader world of private practice, although I didn't go back into private practice, but I got to know a lot of the leaders in the Bar, and I was then able to have a better shot at the judiciary, which is what eventually I did do.

Another example was that, a little bit closer to home, that when I retired from being a judge after 22 years, the reason I retired when I did was because I had decided that I wanted to move up in the ranks if I could, of the American Bar Association where I had held the office of secretary before going on the Oregon Court of Appeals. So I left the judiciary to run for ABA president, and it turned out that just wasn't the right year to be doing that. Somebody else was pretty far ahead of me.

But because I had retired from the bench and was unemployed at that moment and was not going to get what I was hoping for at my National Association of Lawyers, guess what? A couple of months later, I learned that my predecessor as Attorney General wasn't going to run for a second term, and there I was very well positioned with the background that you described. I think in some ways I was perfectly positioned to run to be the first woman attorney general in Oregon. So there are two examples of some setbacks that resulted in opportunities that I never could have imagined and that have certainly helped me in my career.

Judith Jagdmann:

I just think that's so important, particularly when you're into your career, to not be discouraged.

Ellen Rosenblum:

And it can happen at any point in your career. That's why I chose those two examples because one was very early on and the other was really not so long ago. So it's important to take some risks, make yourself available, and you never know what's going to come your way.

Judith Jagdmann:

You have also emphasized the importance of building and investing in relationships. Can you share an example of how a relationship you've nurtured has significantly impacted your career or a case you've worked on?

Ellen Rosenblum:

I just cannot overemphasize the importance of developing and investing in relationships. I think this is the key to success and to happiness both in your career and frankly in your personal life as well. And I think that an effective woman lawyer makes it a point to develop relationships and to nurture them, whether it's on your side of the aisle or across the aisle, which can take you further and elevate a cause even higher than you ever imagined. So for me, fortunately, it was a natural thing because I really am a people person. And from the beginning of my career, when I was only 24 years old, I didn't really have many women to look to for mentoring or even role models.

So I looked to a number of men, and I'll tell you, I've had some amazing men in my life who took me on as maybe not formal mentorship, but really served as connectors to me in the relationships that I was able to build that led to some of the positions that I was able to obtain fairly early on in my career. So I was a judge by the time I was 38 years old. And before that, as I said, I just went pretty much directly to law school. So early on in my 20s, I had this one particular judge, Judge Ed Leavy, who just recently passed away, was the juvenile court judge. And as the juvenile court judge, I had court appointed cases appearing before him, and I guess he thought I did a halfway decent job because it turned out that Judge Leavy recommended me to help start the branch office of the United States Attorney's Office in Eugene.

And that was the beginning of my federal career. And Judge Leavy and I stayed friends. He became a federal judge. He became a first magistrate judge, then Article III, then a Ninth Circuit judge, and just passed away recently at the age of 94, I believe. Maybe I believe even a little older. And at his memorial, I was able to talk about how he had taken me under his wing early on in my career. And as the juvenile court judge had taught me a few things and then recommended me to the United States attorney for that position.

So that's one of many individuals who have helped me along the way. Barbara Roberts was the first woman governor of Oregon. Betty Roberts was the first woman on the Oregon appellate courts in Oregon. Both of them were amazing women. Barbara Roberts is still living, I should not talk about her in the past, but the opportunities that they gave me because I got to know them and nurtured those relationships, I think cannot be underestimated.

And I don't mean to just emphasize judges and the highest levels. The important thing I think for young lawyers is to take opportunities to attend bar events, to attend law firm activities, to actually show up for work in the office as often as they're able to do. I know we have a lot of emphasis these days on remote work, but I worry a little bit about that because I know for me, it was just so important to get to know people in person and to have those opportunities develop and flourish. And if you don't do that, then I think you're just missing out. And it may actually in the long run impact not only your career satisfaction, but your career development.

Judith Jagdmann:

Along those lines, as the first woman elected to serve as Oregon Attorney General, what advice would you give to young women lawyers aspiring to leadership positions in the legal field?

Ellen Rosenblum:

Well, I think there's this tendency to fear taking on leadership roles. And I guess what I would say is just don't be afraid of taking on, of asking for leadership roles and management opportunities if you're in a position to do that. And you might not feel like you have the best qualifications, but truthfully, some of us are pretty much born leaders. It's not like you have to go to school to be a leader, but if you don't seek out those opportunities, you're never going to know whether you're any good at it. And then one of these days, you might want a position and somebody would say, "Well, you don't have any management experience."

Well, get that management experience when you're young. Go to court when you're young, when you're a lawyer. Get that under your belt so that that's never going to be a drawback that you don't have that experience when you've been in the profession for a while, and you really should then be elevated to have those opportunities. So I would say if there's a leadership institute, participate in that. If there's other opportunities for, again, mentoring is so important. Pick somebody that you admire and ask if you can shadow that person so that you can see what they do. How do they demonstrate their leadership capabilities? And in the process, I think they're going to give you a lot of onsite mentoring teaching that will be invaluable when you're ready for that leadership role.

Judith Jagdmann:

I totally agree with you on that. I also think we need to encourage others to step out with a little encouragement. They will do so and [inaudible 00:15:45].

Ellen Rosenblum:

Absolutely. But as leaders ourselves, we need to make sure that we bring those people to the table and that we give them opportunities and that we ask them to present that we don't just have them carrying our briefcase, but give them the opportunity to make the argument. Maybe it won't go quite as well as you'd hoped, but it's going to be this amazing opportunity for a younger person to take the stage.

Judith Jagdmann:

I totally agree. You have highlighted the importance of understanding advocacy, investing in relations, and humility as key traits for lawyers. What are some ways to foster these traits in young lawyers?

Ellen Rosenblum:

Well, I think that if you just keep those in mind, first of all, what I mean by understanding is making sure that you... Look, as lawyers, obviously if we're in private practice, we're hired by one side or the other. If we're in my role as Attorney General, I represent the state, I'm the prosecutor in cases. But it's really important to understand all sides. Take the time to carefully read the opponent's position, whether it's a brief, whether it's an oral presentation. Don't give short shrift to understanding all sides of an issue and a problem, because if you don't do that, then I think you're going to miss out. And I think that a judge is going to take you on, whether it's in a trial or an appellate courtroom, it's like not having really done your homework.

So I would say that's key, is understanding. Look, we are advocates, and I was a judge for 22 years, but even when I was on the Court of Appeals, I was an advocate for my position. And so I would simply say, keep in mind that that is the role of a lawyer. It's a badge of honor to be an advocate. Now, you don't necessarily need to be an overly zealous advocate, and there's some issues there about whether that ever was the right word to use in our ethics codes. But we all, especially women lawyers, I think we understand that there's a lot of ways to be effective in advocacy. And often that does not mean even going to trial. It means trying to get a case mediated early. It means trying to get people to the table. It means, again, getting to know people.

When I was a young lawyer, I actually represented Ken Kesey in a major lawsuit that he brought. I was 25 years old, but I was the one that was able to actually talk to and get to know the lawyers, the big time lawyers from L.A. on the other side of the case. And because of that, I felt that we were able to get to a resolution much more quickly of his lawsuit over the filmmakers of the Academy Award-winning movie, *One Flew Over the Cuckoo's Nest*. So I've always, ever since then, truly believed, kill them with kindness. You do it with juries, you do it with lawyers, you do it with pretty much everybody, but you're always an advocate at the end of the day.

And then we've already talked about relationships. I think investing in relationships, again, is a key to success and happiness both in your personal and professional life and maintaining your humility. Look, we get to do some pretty big time stuff, but we always want to remember who we are. And that at the end of the day, especially if you have kids, it's helpful if you have kids because my kids used to say to me when I was a judge, what was their little saying? "Picky, picky, judgy, judgy." And that brought me right back to where I was a mom and I was just a person, just a real person at the same time that you have this honor to serve as a lawyer and as an advocate for your client.

Judith Jagdmann:

You have had such an accomplished career and to be elected Attorney General and then to be reelected two more times, that is just an incredible feat on top of the other wonderful positions that you have held, we are so honored that you agreed to spend some time with us today for

this podcast. General Rosenblum, in sum, you are known for understanding issues from multiple points of view, for your advocacy skills, for investing in relationships, and for your humility. You practice what you preach. In your view, is this the foundation for finding the commonality needed for progress?

Ellen Rosenblum:

Well, I would like to think so. I'm sure that there are many other attributes that others have that would bring that to the table as well. But for me, I'll just say that has worked well. I am so honored to have gotten to hold these positions, and particularly to be able to be an attorney general. As you know, Judith, there's really no greater honor for a lawyer. Look, yes, we're politicians, but in reality, why I did this wasn't to be political. It was to be able to rise to the highest level of my profession and to serve the public in a way that only a lawyer can do. And I just want to add that I really admire you and your law firm and this RISE program that you are involved with. So I want to thank you for that and for the really thoughtful way that you have brought your young lawyers and especially your women lawyers together to be able to listen and learn. What a mentoring opportunity right there.

I think you're walking the talk, Judith, now that you are a former Attorney General, which I will be soon because this is my last year. I'm not running for a fourth term, so I'm excited to perhaps be back in the private world. I really don't know where that's going to lead me, but it has just been an incredible honor to serve and to meet all the people who work in this space, not just my colleagues who are fantastic, but all the people in their offices, and then all the wonderful lawyers and staff who work in the attorney general space. And that includes, of course, Troutman Pepper. So thank you so much.

Judith Jagdmann:

Well, thank you for being on this podcast. We look forward to seeing you after your term ends and-

Ellen Rosenblum:

Thank you.

Judith Jagdmann:

... I'm sure there will be big surprises and opportunities there.

Stephen Piepgrass:

Judy and General Rosenblum, thank you for this enlightening conversation. I know like me, our listeners enjoyed your candid remarks and invaluable insights. I want to thank our audience for tuning in today too. Please make sure to subscribe to this podcast using Apple Podcasts, Google Play, Stitcher, or whatever platform you choose. We look forward to having you join us again next time.

Copyright, Troutman Pepper Hamilton Sanders LLP. These recorded materials are designed for educational purposes only. This podcast is not legal advice and does not create an attorney-client relationship. The views and opinions expressed in this podcast are solely those of the individual participants. Troutman Pepper does not make any representations or warranties, express or implied, regarding the contents of this podcast. Information on previous case results does not guarantee a similar future result. Users of this podcast may save and use the podcast only for personal or other non-commercial, educational purposes. No other use, including, without limitation, reproduction, retransmission or editing of this podcast may be made without the prior written permission of Troutman Pepper. If you have any questions, please contact us at troutman.com.