

## EMMA LEHENY

(b)(6)

### LEGAL EXPERIENCE

#### NATIONAL EDUCATION ASSOCIATION SENIOR COUNSEL

January 2016-Present  
Washington, D.C.

Current salary (b)(6)

Provide advice and counsel to education and labor attorneys nationally on legal ethics, gun safety in schools, employee due process, and charter school policy. Co-authored survey of all state charter school laws and developed assessment rubric for model law.

Author of amicus briefs, regulatory comments, local resolutions, and public statements on immigration topics, including DACA, the Public Charge Rule, the Muslim Ban, school Safe Zones, child detention, family separation, and the Census citizenship question.

Partner with education associations, including the National School Boards Association, The School Superintendents Association, and the National Association of Secondary School Principals in the filing of amicus briefs and other advocacy efforts.

Lead counsel in federal lawsuit against Indiana sheriff's department for violating educators' constitutional rights in conducting school shooter drills. Recruited prominent civil rights firm to act as litigation counsel. Final editor and decision-maker on all court filings.

#### CALIFORNIA TEACHERS ASSOCIATION CHIEF COUNSEL

2010-2015

Burlingame, CA

Last salary \$ (b)(6)

##### *Overview*

Cabinet member and chief legal advisor to 315,000-member association with annual revenue of \$185 million. Provided legal counsel to officers, board of directors, and executive staff on strategic, organizational, legislative, political, labor relations, and governance issues.

##### *Legislative work*

Headed successful two-year campaign to streamline statutory due process for educators. Secured internal support of state teachers union president and board of directors. Closely advised state legislator who drove bill, which passed unanimously in both houses. Forged partnership with director of student rights organization to present bill to Governor. Led successful negotiations with Governor's Office despite veto of predecessor bill.

Drafted and analyzed a wide range of proposed education bills in coordination with in-house government relations department.

### *Management*

- Managed legal department's annual budget of over \$7 million, securing budget committee approval through the presentation of detailed financial reports and projections.
- Supervised 20-person legal department, instituting one-on-one case reviews, staff meetings, and annual job evaluations to establish lines of communication and accountability with staff.
- Re-organized delivery of legal services, expanding litigation expertise internally, in-sourcing cases, and capturing \$1 million in savings within one year.
- Key participant in budget and employee relations decisions for all departments. Member of management-side bargaining team in successful contract negotiations with two staff unions.
- Diversified hiring pool and made impactful hires of accomplished attorneys who expanded the organization's legal capabilities and staff perspectives.
- Initiated and oversaw the in-house design and launch of an online referral system that significantly accelerated the processing of hundreds of new legal cases each year.

### *External relations*

Participated in meetings with then California Attorney General Kamala Harris, State Superintendent of Education Tom Torlakson, and other elected state leadership to advance priorities of association.

### *Litigation*

Oversaw constitutional litigation of statewide and national significance, including cases challenging the adequacy of education funding (*Robles-Wong v. California*), defending the collection of public sector union fees (*Friedrichs v. CTA*), and upholding due process statutes (*Vergara v. California*).

**ROTHNER, SEGALL, GREENSTONE & LEHENY**  
**PARTNER** (2005-2010; ASSOCIATE 2000-2004)

2000-2010  
Pasadena, CA

**Last salary** (b)(6)

Headed legal team for union coalition representing 20,000 city employees in labor cases and pension negotiations with the offices of Mayor Eric Garcetti and L.A. City Council members.

Created new appellate precedent in large-scale case against four major television networks, then achieved multi-million-dollar settlement for client employees' wage claims. Spokesperson for interviews by numerous national news publications and tv and radio outlets.

Acted as lead counsel in all aspects of litigation, including discovery, motion practice, settlement negotiations, and bench and jury trials. Argued and won cases before federal and state courts of appeal, e.g., *Sharp v. Next, Inc.*, 163 Cal. App. 4<sup>th</sup> 410 (2008), *Writers Guild v. Sweetpea*, 255 Fed. Appx. 114 (9<sup>th</sup> Cir. 2007), *Morrison v. Housing Authority of City of L.A.*, 107 Cal. App. 4<sup>th</sup> 860 (2003).

Supervisor and mentor to numerous associates and law clerks over decade in private practice.

**WESTERN CENTER ON LAW & POVERTY**  
**SKADDEN FELLOW**

1998-2000  
Los Angeles, CA

Specialized in education benefits for recipients of cash aid for families in poverty (TANF), providing legal trainings, technical advice, and written guidance. Represented individual low-income clients in administrative hearings to enforce eligibility for higher education and child-care benefits.

Won Food Stamps (SNAP) eligibility change as lead class action counsel (*Anderson v. Saenz*, N.D. Cal. 306634 (1999)). Led litigation to compel California Department of Education to promulgate regulations implementing child-care benefits.

**U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT**  
JUDICIAL CLERK TO THE HON. WARREN J. FERGUSON

1997-1998  
Santa Ana, CA

Drafted opinions and dissents for appellate judge and bench memoranda for three-judge panels in advance of oral arguments.

**U.S. DISTRICT COURT FOR THE DISTRICT OF NORTHERN CALIFORNIA**  
JUDICIAL EXTERN TO THE HON. THELTON E. HENDERSON

Fall 1996  
San Francisco, CA

Prepared legal memoranda on points of law and procedure, drafted decisions and jury instructions, and met regularly with judge to present case briefings.

## **PROFESSIONAL ACTIVITIES**

**Commendations.** Peggy Browning Award for distinguished career in labor law (2015). L.A. City Council proclamation recognizing success advancing workers' rights (2015). Harvard Law School Wasserstein Fellowship awarded for a legal career of distinction, serving the public interest (2014).

**Teaching.** Adjunct law professor, American University Washington College of Law, in legal ethics. Guest lectures presented to law school classes at UCLA and University of Colorado on legal ethics, labor law, and the business of law practice (2018, 2014, 2013, 2010, 2009, 2006).

**Presentations.** Frequent speaker on labor, employment, and ethics topics. National Organization of Lawyers for Education Ass'ns; Labor & Employment Sections of the ABA, California Bar, and L.A. County Bar; National Lawyers Guild; AFL-CIO Lawyers' Coordinating Committee (2003-2020).

**Publications.** "Bargaining and Litigation in the Post-Pyett Era" (co-author, 2011); periodic contributor to *California Labor & Employment Review* (2003-2006); editor for treatise *Developing Labor Law* (2001 Supp.); contributed chapter to advocates' guide, *CalWORKs Manual* (2000 ed.); and featured in *Beyond the Big Firm: Profiles of Lawyers Who Want Something More* (2007).

**Leadership.** Executive Board Member, National Immigration Law Center (2010-2015). ABA Labor & Employment Section, ADR Committee Co-Chair (2011-2014). Executive Committee Member, L.A. County Bar Ass'n Labor & Employment Section (2005-2011).

## EDUCATION

### **NORTHEASTERN UNIVERSITY SCHOOL OF LAW**

Boston, MA

Juris Doctor

1997

Law clerk for leading California labor and employment firms Altshuler Berzon (1997); Rudy, Exelrod, Zieff & True (1996); and Legal Aid Society – Employment Law Center (1995). Teaching assistant, Legal Writing (1995); research assistant, Professor Wendy E. Parmet (1997).

### **BROWN UNIVERSITY**

Providence, RI

B.A. with Honors

1992

American Studies thesis “But the Vocabulary Won’t Hold It: Themes of Race and Sexuality in James Baldwin’s *Another Country*” (1992). Outstanding Public Service Award as founder of home-based tutoring program for teen-aged parents (1991-1992). Women’s Crew, EAWRC gold medalist (1989).

*Admitted to Bar of Washington, D.C. and California State Bar  
Seventh and Ninth Circuit Courts of Appeals and all U.S. District Courts in California*