



In her final days, a Washington lawyer and her longtime friend look back on the legacy of a lifetime of legal service.

WHY NOT?

SEATTLE UNIVERSITY CLINICAL PROFESSOR OF LAW Raven Lidman passed away peacefully on the morning of Nov. 12, surrounded by her family.

A few weeks before her death, she sat down with Lisa Brodoff, a friend of nearly 40 years, at the dining room table of Lidman's Tumwater home to talk about her life, the things she'd accomplished, the path of her career, and the impact she's had.

Brodoff recorded that conversation and provided a copy to *NWLawyer*. In the recording, you can hear the sounds of spoons clinking against mugs of tea. There's the ding of a microwave and running water as someone rustles around in the kitchen; the skittering of dog claws scraping against the floor from two yellow Labradors, Trapper and Captain; and the loud squawk of a bird, Budgita. Then there's the silence, punctuated by the hiss of a long, slow breath.

When the recording was made, the treatment for Lidman's cancer had stopped working and she was placed in hospice care. A lawyer of 40 years, Lidman continued to work after her retirement in 2013, and even after her diagnosis, most recently fighting for the synagogue she and Brodoff attended to establish a sanctuary policy.

Photo: Anna Christine Larson

Why Not? An Interview with Raven Lidman

Admitted to the Bar in 1978, Lidman worked as a criminal and family law attorney, although she never intended to do either. She worked in legal clinics in South America; hitchhiked across Eastern Africa; organized farm workers with Cesar Chavez in Central California and Toronto; and represented Brodoff and her partner, the first lesbian couple in Washington to win a second-parent adoption case. Despite her many accomplishments, her career path didn't exactly go according to plan. Lidman constantly found herself in unknown territory, adapting to new situations, following a philosophy of "Why not?"

When Brodoff and her partner Lynn had a child in the late 1980s (Brodoff being the biological mother) and wanted to pursue a second-parent adoption, Lidman was the first person she thought of to represent them. The two met over lunch to talk about it and were quickly on the way to making history.

"I said would you represent us and she said 'yes' right away," Brodoff told *NWLawyer*.

Brodoff and her partner applied for the adoption, which was challenged by a guardian ad litem, who argued that same-sex adoptions were illegal in Washington. As it turned out, they weren't.

Over the course of a one-day trial, Lidman presented the arguments to the

now-late Judge Thomas Swayze, who was previously the Republican state House Speaker. By the end of the day, Swayze ruled in their favor and allowed the first same-sex adoption in the state, a superior court ruling that was never challenged and has remained the legal standard for 30 years.

Lidman rarely spoke of her accomplishments. Even her children were largely unaware of her impact on the legal community and, in fact, learned of the full significance of the adoption case when Seattle's Museum of History & Industry opened an LGBTQ exhibit and devoted a section to the historic achievement.

On the afternoon of their conversation, Brodoff tried repeatedly to tell Lidman how much she had impacted not just her life, or her family's, but countless LGBTQ families and communities in Washington and beyond. You can hear the sincerity and poignancy in her voice when she tries to explain what Lidman means to her—her voice breaking with emotion when she speaks. When she does this, Lidman does what remarkable people tend to do when faced with praise: she dodges the praise, changes the subject, and praises someone else instead.

The following is an excerpt of that conversation—two old friends, sharing tea, looking back at a lifetime of achievements.



Left: Raven Lidman, undated 1970s photo.

Above: Back, L-R, Lisa Brodoff, Evan Grotzky, Lynn Grotzky, Raven Lidman Front, Judge Thomas Swayze

Right: Raven Lidman at Seattle Museum of History and Industry, 2014

All photos courtesy of the Lidman family



Lidman Family (Left to right)
 Back row: Chelsea Clarke (niece), Elias Shiovitz (grandson), Dan Shiovitz (son-in-law), Hannah Lidman (daughter), Russ Lidman (husband).
 Front row: Lisa Kagan (daughter-in-law), Max Lidman (grandson), Shane Lidman (son), Ezra Shiovitz (grandson), Raven Lidman



Photo by Anna Christine Larson

Brodoﬀ: You know, Raven, I realized I've known you for 37 years.

Lidman: Oh, my God.

Brodoﬀ: Since 1981. And from the time that I was just a baby lawyer, you seemed like you had so much experience. ... We'd been coworkers, we'd been congregation members together, and dear friends, and I'm following you from job to job. And then I've been your client, your colleague, you've been my mentor, and you're one of my dearest and oldest friends. And I realized, I never asked you why you went to law school, why you decided to become a lawyer?

Lidman: Out of the anti-war movement and watching what those lawyers were able to do. And when I was in [Washington,] D.C.—we lived there in '73, '74—that was the Watergate hearings, and there was, at George Washington [University], there was a national lawyers' guild conference. And I went to it and thought, OK, I can do this. And law school was one of these things you go to, and you come out and you're deﬁned. You don't have to make up who you're going to be.

Brodoﬀ: And were you looking for that definition of your life?

Lidman: Yes. Exactly.

Brodoﬀ: Your first job out of law school was with civil legal aid.

Lidman: And it was when I was in law school I went working for them.

Brodoﬀ: So tell us why you went to that job.

Lidman: I didn't think I could handle crim law. I thought people would just, my clients, would just run circles around me. I would be too naive.

Brodoﬀ: You would believe them, or what do you mean by that?

Lidman: Well, right, you know they would be much tougher characters, and I would be kind of naive.

Brodoﬀ: Versus civil legal aid. What attracted you to that?

Lidman: Well, civil legal aid was, you know, helping people with regular things in their lives. And it started me on a good path because it made me think about people really having lawyers for all their needs.

Brodoﬀ: You did not only public benefit cases, but housing, landlord tenant.

Lidman: Family law.

Brodoﬀ: You ended up doing some of the things you said you wouldn't do, later in your career.

Lidman: I did disability stuff. Social Security, disability. I found that really hard. I kept thinking, well if I was going to do any of this medical stuff I would have gone to med school. ... And that was very difficult, Social Security. They were very tough on granting people benefits.

Brodoﬀ: But you learned it.

Lidman: But that was the thing, doing the civil and then going to the clinics and doing crim. I think that was a big plus.

Brodoﬀ: How come?

Lidman: Getting different perspectives on law. Crim was very serious on rules of evidence, and very, very serious on trial work, and I was working with excellent lawyers.

Brodoﬀ: Would you say that was one of the happy surprises of becoming a lawyer? Getting the structure in your life? A lawyer can do things with their

degree, but also you ended up, maybe the surprise was you ended up doing two of the things you said you would not do.

Lidman: Exactly, criminal defense and family law.

Brodoﬀ: And yet you rose to that occasion and did you enjoy doing that work, or was it seeing a need and "I better figure out how to do it"?

Lidman: That was it.

Brodoﬀ: Didn't you do farm worker organizing in your younger years?

Lidman: After I graduated college, I went and worked with Cesar Chavez. Yes and it was very impressive—the folks who were there.

Brodoﬀ: There are so many things I want to talk about, but maybe we'll go to this first. ... I want to talk about the fact that I and my spouse, Lynn, and our daughter, Evan, were your clients.

Lidman: Yeah, that was a challenge and that was wonderful.

Brodoﬀ: I want to talk about that because you represented us in the first second-parent adoption, we are a lesbian couple and were then, and this was in the 1980s when the atmosphere was so bad and so negative and we were among the first to have a child in our relationship, and wanted to protect Lynn, the non-biological mother's rights to our daughter ... and you agreed to be our lawyer to challenge that—I just want to ask you, why did you do it?

Lidman: Because I thought it was right ...



Photo courtesy of the Lidman family

and that, as lawyers we learn to look up: What does the law say? What's the authority there? And it seemed to me that the authority was good. ...

Brodoﬀ: What I wanted to tell you was I saw that, and the first thing I thought of was, "I'm calling my colleague and friend Raven Lidman to get her take on this." ... And I called you and said, "Raven would you look at this law?" ... You sat down and said, "Yeah ... the law's on our side."

Lidman: I think that was something that showed that we were smart and brave, because we looked up the law and said ... "why not?" We were using trial court opinions from another state.

Brodoﬀ: Yes, California.

Lidman: Amazing. And Alaska and Oregon. That's just not what you ever learn in law school, but that's the authority you can have. And that was the whole thing about law practice. Why not?

Brodoﬀ: One of the things I got from you is as a lawyer you used your education and tools and knowledge to look for what's possible and why not do it?

Lidman: Why not?

Brodoﬀ: You have been at the forefront of trying to develop a civil right, a right to counsel in civil cases of access to basic needs. ...

Lidman: That came out of working at Legal Services. But also ... international human rights law. What is international law and how does it play into domestic law? And that was always a big challenge. Didn't know anything about that, never studied that. ... I sat in on [public international-law and human-rights professor at Seattle University School of Law] Ron Slye's course ...

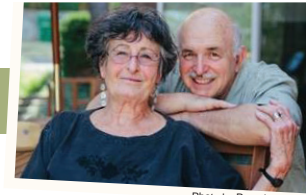


Photo by Pamela Minnet

Brodoﬀ: Became a student while you were a professor?

Lidman: Right, actually sat in on his class. Surely did. And learned a lot.

Brodoﬀ: There are so many themes in your career. If I could just go back to the case that you did for us, that changed our lives, and not just our ability to have our daughter and our son later to have two legal parents, without question. ... You talk about doing this, doing our case, because you looked at the law and it was doable and it was the right thing to do, so "why not?" But when you took our case, did you think about the sort of larger historical or social movement and moment at the time and how it might impact?

Lidman: Yes. You were already engaged in that. You already were dealing with the community. ... They kept saying, "let's lose at the trial court and get an appellate opinion," and you kept saying, "No no no—let's win at the trial court."

Brodoﬀ: Not worry about an appellate opinion. ... Make sure this is available to everyone. Not just the lucky people who happen to know the best lawyers or are lawyers themselves and have the resources to do it, to get their rights. We want to make this more broad-based. But it meant winning with us initially.

Lidman: Exactly.

Brodoﬀ: So you were thinking, you were representing us and we were in a very disfavored group ...

Lidman: Well, I was representing you, but of course it was very important for you to call the shots, because you knew the community. Not for me to call the shots.

Raven and Russ Lidman in the 1970s and 2015

Brodoﬀ: After we won our one case on the trial-court level ...

Lidman: Then I went to represent a bunch of people in Tacoma, in Pierce County, to have something that would be easy, as opposed to ours, which was hard.

Brodoﬀ: Yes. We went to trial. But then it got easier.

Lidman: And then it got easier without having to go to trial.

Brodoﬀ: Without there having to be an ad litem on every case.

Lidman: And it was to say to these lawyers here, use all these pleadings.

Brodoﬀ: Right and [we] made the pleadings available, explained how to do it. But that was purposeful on your part, as well as ours ... that we wanted to make this widely available. ... Again, it's so hard to go back to the 1980s, late 1980s ... the atmosphere then, like two moms was a shocking thing.

Lidman: Which was crazy because we already had that everywhere. That was with divorce ... folks were already in these blended families. ... There were many options.

Brodoﬀ: So was it your experience in the world and working with people who were disfavored in lots of different contexts, even before going to law school, and then in Olympia Legal Services.

Lidman: Well in Legal Services we were not going to accept mistreatment of our clients. That was just not going to happen.

Brodoﬀ: But then you brought that to the LGBT—well at that point the gay and lesbian community—and without hesitation. You represented us and then you were out there providing pleadings, wrote an article, educating other lawyers.

Lidman: With Carrie.

Brodoff: Right, with Carrie Bashaw.

Lidman: She wrote the article.

Brodoff: She did. Under your supervision and based on our case and research. You know, not everyone does that, I guess is what I'm trying to say. That you took your skills, your knowledge, your experience, and did things that not everyone as a lawyer would do.

Lidman: Right, sharing is not that big a deal.

Brodoff: Sharing, but taking on a case that at the time was not, you know was, first, looked at as a loser; second, this disfavored group, two moms? That was sort of horrifying to some people who were

not thinking about it. And you just were so there in every way. And I know you don't, you may not see it that way, because it's so natural to who you are, but it's a huge thing ...you're the definition of what an ally is. But more than that, with us on the front lines; it changed so many people's lives, and you're just not someone who ever sings your own praises. You're someone who pushes that away, even, that you've had that kind of huge influence on so many people's lives. I have to say it.

Lidman: Did you ever work with Nancy Polikoff [family-law professor at American University Washington College of Law]?

Brodoff: I just know her through other people, I've read her stuff. She's amazing. But then I think of the Lesbian Rights Law Center, who was right there with us really early on when

others were saying "I don't know if you should do this."

Lidman: They were fantastic.

Brodoff: And then I want to give Legal Voice a shout out here, which was the Northwest Women's Law Center, and they stepped up and did an amicus brief in our case. And this was, again, at a time when gay and lesbian, LGBTQ rights were not at the forefront. It was an edgier thing to do, to come out and support, but they did it whole-heartedly and then really dedicated a ton of their time and resources to forwarding rights in all areas. But you were at the front of that.

Lidman: Yes and I am proud of that. Because that was why I went to law school.

Brodoff: But it wasn't that particular issue,



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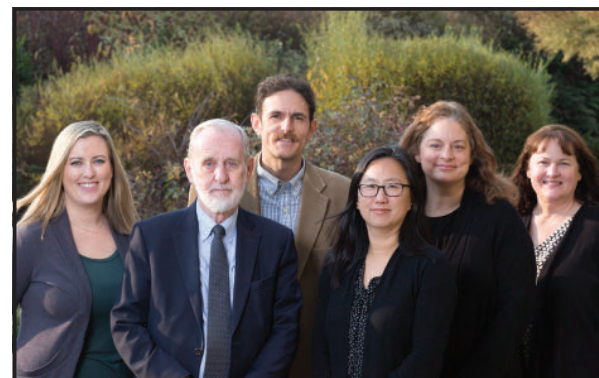
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it was more an understanding of the role lawyers can have, no matter what the issue is to protect and work with communities.

Lidman: Being brave.

Brodoff: Yes. Being brave.

Lidman: Not being shy. Looking up the rules and seeing, well, can we do it? What's the authority? Why not?

Brodoff: Why not?

Lidman: Question authority, right?

Brodoff: If I asked you, what are the things you're most proud of in your career or in your life, what would you say?

Lidman: Doing that, doing your adoption. Hooking into the civil right to counsel. And bringing in international human rights.

Brodoff: I'm sure you have had influence as a law professor on more than a generation of lawyers.

Lidman: Well, I hope so.

Brodoff: You know it's true.

Lidman: We hear nice things from our students, right? Which is always lovely.

Brodoff: Any lessons or just things you'd want to say?

Lidman: Take risks—calculated risks. Think strategically. Ask people for help.

Brodoff: One of things I am very interested in has to do with the boundaries between your work as a lawyer, and family. ... What did you talk about or not talk about around the dinner table with your kids? Were they aware of the significant work you were doing that we've just talked about, when your kids were growing up?

Lidman: I think it was later. You know, I didn't talk much about cases—certainly not individuals.

Brodoff: Do you think they had a sense growing up of what you were up to?

Lidman: Probably later.

Brodoff: The last thing people may not know is how influential you were—and this is post-retirement and recently—you were a part of the committee that created a sanctuary policy and sanctuary at our synagogue for people. ...

Lidman: Well it was nice because some people said would I represent some immigrants? And I said, “I’m not representing any individuals now that I’m retired; I don’t want people relying on me, because I don’t have the capacities.” But I was working with this group called Strengthening Sanctuary and learning about “know your rights,”

and as we were talking for the temple, I was saying ... “What is the liability of the temple members or a rabbi for housing?”

Brodoff: And providing sanctuary for people whose legal status was being challenged and facing potential removals. ... And this legal advice and the work you did really follows the themes that you had just stated. ...

Lidman: And that’s how we had talked to the community about saying, “Look, we’re not scot-free here.” Also looking for support ... because I was looking up the case law. You know, I was pulling the cases, and looking at it and saying, whoa.

Brodoff: And it was worth the risk?

Lidman: I think it’s worth the risk. And


the temple members thought so too, which is good.

Brodoff: Raven, is there anything else that you’d like to say? You’ve ... done so much and have contributed so much.

Lidman: Look, as lawyers we have all these capacities to be helpful to people, but we have to be frank and respectful and easy to talk to. Not talk over people’s heads, not do legalese.

Brodoff: Well, Raven, thank you so much.

Lidman: Well thank you for doing this.

Brodoff: This was just such a pleasure to get to reflect with you and just have this time. 

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MICHAEL KOLKER

Michael has over 25 years of experience successfully representing victims of serious personal injury, therapist abuse, psychiatry and medical malpractice. Michael also was a public defender with significant trial experience in both state and federal courts. We are very excited to welcome Michael to our team.



HEATHER PARADIS

Heather brings over fifteen years of experience as an individual and corporate defense attorney, including representation of doctors, clinics and hospitals under government investigation. She is a member of the American Assoc. for Justice and Washington State Assoc. for Justice as well as various state and national litigation groups including medical negligence, nursing home litigation and birth trauma. We are very excited to welcome Heather to our team.



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