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## Foreword

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## Foreword

*Hastings Women's Law Journal* welcomed in our 25th Anniversary year with a blockbuster symposium entitled: "Onward and Upward: Breaking Through Gender Barriers in Law and Tech." The topic arose out of our desire to honor how far women have come in the twenty-five years of the *Journal's* existence while critically examining what changes are still necessary. In deviating from the traditional law-centered focus of symposia past, we felt it vital to acknowledge the "other" predominant work environment here in the Bay Area, the high tech industry. The discussion that resulted exceeded our expectations in its insightfulness and frankness.

The *Journal* was honored to present House Democratic Leader Nancy Pelosi as the keynote of our event. Leader Pelosi brought with her years of experience in and a unique perspective on a mainly male-dominated world of politics. She emphasized that although women are making great strides and working hard to catch up in numbers to their male counterparts, women are still facing unique challenges such as unequal pay, shortage of medical and family leave, and lack of readily available child care. It was a great pleasure to meet and listen to Leader Pelosi and it certainly made our symposium even more exciting. For those of you who were unable to attend, her speech will be featured in our next issue.

In this issue we hope to conclude our past discussions and begin some new and exciting ones. Carrying over from last year's symposium and subsequent discussion is an article from Shira Maguen, a panelist, and Kelly Koo on issues facing female veterans seeking care for military sexual trauma and mental health problems. Following the tremendous Supreme Court rulings earlier this year in the Proposition 8 and DOMA cases, we felt prudent to publish a speech by Karen Thompson that shed light on a very personal and tragic story of partners who were not rightfully protected under the law during a difficult time. Ms. Thompson's speech also highlights the need for all couples, whether gay or straight, to consider advanced care directives and the importance of continued disability rights advocacy. Accompanying Ms. Thompson's speech is an introduction by Professor Kelly Weisberg, who highlights Ms. Thompson's role in the movement for social justice.

Bernice Bird then addresses the diminishing state of women's privacy rights under the fetal pain and fetal homicide laws that, in many states, legislate over any stage of pregnancy. As more states continue to regulate

and restrict abortions, Ms. Bird's article proposes important policy changes that should be made to balance maternal privacy rights and fetal interests. David Perkiss contributes to the growing discussion regarding transgender youth by examining the complex decision-making process in child custody cases involving gender-nonconforming children. The question of who should get to decide whether to support a child in his or her felt gender undoubtedly contributes to an already heated atmosphere in divorce cases.

Finally, this issue presents three student-written Notes on a wide range of topics. Sara Craig tackles issues of family law and examines the presumption of undue influence as applied to transmutations. I will evaluate the status and development of the international prosecution of sexual violence crimes, particularly rape, sexual slavery, and forced marriage, at the International Criminal Court. And Courtney Oxsen will draw critical lessons from Berkeley's failed Measure S, a sit-lie ordinance, as well as examine why the measure failed and what opponents of sit-lie ordinances should take into consideration if a similar measure is being proposed in their city.

This issue and the symposium have been a great start to our 25th Anniversary year and we are looking forward to continuing the momentum and celebration into our next issue and alumni event in the spring. Our staff has worked tirelessly throughout the semester and continues to uphold the *Journal's* goal and mission of publishing cutting edge and nontraditional legal scholarship. I hope you find this twenty-fifth volume insightful, troubling, and inspiring.

Elena Gekker  
Editor-in-Chief, Volume 25