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Miriam Bourdette

Central Valley lawyer provides a strong and persuasive voice for equality.

By Stephen Ellison

Even before she considered law as a potential livelihood, Miriam Bourdette was an advocate at heart. She was there for the 1960s marches and the nonviolent peace demonstrations. Those pursuits were not merely passing fancies of a misdirected youth – rather they were deep moral struggles for human rights she truly believed in.

Bourdette says her advocacy trait was inherited from her parents, and it is the one she carries proudly to this day. "I was raised with very strong beliefs in social justice," says Bourdette, a partner with Visalia-based Bourdette & Partners. "My parents were adamant about racial equality, women's rights and other such issues. So it was ingrained in me very early in life."

It should come as no surprise then that those values may have been directly responsible for steering her into law as a profession. But in a way, law discovered her. At age 40, Bourdette became fraught with the prospect of being one of those empty-nesters with no direction. Her husband Philip, a lawyer, proposed a second partnership of sorts.

"I knew it was time for me to think about doing something with the second half of my life," Bourdette says. "My husband thought law school would be a good idea. I can write. I think in words; I dream in words. So it seemed like law would be a good choice. Plus, I thought that if I worked with my husband," she adds, "it would be something that could bind us, like children did."



Bourdette

Beyond the courtroom

Today, Bourdette is thriving not only in her second partnership at the office, but also with her involvement in professional organizations – the American Association of Justice, the Consumer Attorneys of California and the Women's Caucuses of both of these groups – interests she takes as seriously as her day job.

"She is an extremely active, energetic, passionate advocate – one of the most involved people I've met," says Ingrid Evans of Waters, Kraus & Paul, LLP in San Francisco. "Miriam's the consummate go-to person, and she gets things done."

Bourdette couldn't emphasize enough the importance of the work that she and her fellow AAJ members put forth in the name of justice. She feels that, for the past 20 years, plaintiffs and the plaintiffs' bar have been "under terrible attack." One particular pet peeve is MICRA, the California law that caps economic damages in medical malpractice suits at $250,000.

"So a woman who undergoes cosmetic surgery and ends up with her face permanently scarred because of medical malpractice – the most she can get is $250,000. Or parents lose a child due to medical negligence – the most they can get is $250,000," Bourdette says. "It's really a sad state of affairs."

With the Women's Caucuses, Bourdette is equally – or arguably more – adamant about the ongoing issue of gender parity. She has taken note of the progress being made in public entities such as the district attorney and public defender offices, but she insists there is still a long way to go in developing leadership and compensation equality at the firm level.

"I don't want the next generation of women feeling the effects of gender bias," she says. "The next generation should be looking up at women who are equal partners."

Lori Andrus, partner in Andrus Anderson of San Francisco, says her fellow CAOC board member is an inspiration to all women in the field. "Her efforts are fundamental to their success," Andrus says of Bourdette's contribution to the Women's Caucuses. "Anytime you need help raising awareness, or raising money, Miriam is the first person you call. She's a dedicated advocate. Personally, I always appreciate Miriam's perspective on an issue because it's less partisan than most."

Advocacy roots; short-lived addiction

Born in Atlanta, Bourdette's youth included trips where she twice traveled over the Atlantic Ocean. From the Peach State, her family moved to a working class town just outside of Paris, France, when she started elementary school. When she was 12, it was back to the States, to Rowayton, Connecticut, located on the Long Island Sound just 45 miles from New York City.

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During what she dubs her "radical youth," Bourdette became deeply involved in the peace movements before arriving at a life-changing moment. It was 1962, and she was studying the works of Mohandas Gandhi and Martin Luther King. She landed a job at The Living Theatre in New York. She was still in the process of finding herself when heroin found her. "I was a body in search of a persona," Bourdette recalls. "I wanted to be someone or something other than what I was.

"We were doing a play called The Connection," she continues, "about dope and dope fiends. A lot of musicians, who were also drug addicts, would show up at the theater. I thought they were so hip, so cool, and I wanted to be like them. So I just decided I'd start using drugs; I made a conscious decision to start doing drugs. And they were only happy to share them with me."

About eight months after making that decision, Bourdette received her wake-up call. Authorities raided The Living Theatre, and she was arrested, along with most everyone else inside. Her father read about the incident in the New York Times.

"He came down to the jail and told me he wasn't going to pay my bail, wasn't going to help me, unless I agreed to go to Synanon," Bourdette remembers. "One thing I knew about my father was that when he said something, he meant it. There was no question he loved me; I never questioned that. But I knew I had little choice. That was the end of my drug career."

Applying what was learned

Synanon, a Santa Monica-based drug rehabilitation program that disbanded in 1989 amid difficulties with the Internal Revenue Service, rescued Bourdette and gave her new direction. It aided her law career, too, with the sponsorship of the CED School of Law, from which she graduated. "Thank God for small schools," she offers. "I've been blessed my entire life with small schools. I never would have made it through a traditional public school system."

Bourdette doesn't mind opening up about her troubled youth, and while her drug addiction spanned a short time and occurred decades ago, she learned two important lessons. "One, you can be from a very good family, have a good brain and still do idiotic things," she says. "Two, you can overcome almost anything when either you're put in a position where you *have* to or you convince yourself you really *want* to."

Moreover, Bourdette is convinced her experiences have made her a better person and more understanding, especially when she works directly with kids and young adults in need of treatment. Some of her work involves phone conversations with Dr. Mimi Silbert and her staff at the Delancey Street Foundation in San Francisco, trying to place people in the acclaimed program. "I have such love and admiration for those people," she says.

Kathleen Brandt, who met Bourdette through the AAJ Women's Caucus, has similar adoration for her friend and colleague. "She's pretty amazing," says Brandt, a partner with Silver Golub & Teitell of Stamford, Connecticut. "When she mentors someone, she always makes sure they're taken care of. I think when she was going through the whole drug rehab thing in her youth, it made a real impact on her. She learned what it meant to be low man on the totem pole and have to work your way up. She must have made up her mind then that (helping others) was what she wanted to do with her life."

Plugging away

Recently, Bourdette's efforts have been focused on a pharmaceutical case involving six clients who have been diagnosed with breast cancer after undergoing hormone replacement therapy (HRT.) She is building a case against pharmaceutical giants Pfizer and Wyeth, both of which made and distributed the HRT drugs in question.

"We're beginning case-specific discovery," Bourdette says. "We generally know that these companies can be found liable by a jury – there's enough evidence there. And we know that HRT can cause cancer. Now we have to prove that [Wyeth's and Pfizer's] HRT drugs caused (our clients') cancer.

"I have nothing against large corporations," insists Bourdette, who has somewhat of a personal connection to the case, as her sister Emily is a breast cancer survivor. "I just want them to test for safety and efficacy and tell me the results. Terrible things have happened to people, and it's all in the name of greed. In order (for these companies) to make money, people are being sacrificed."

Bourdette's specialties also include personal injury, products liability, employment law and civil rights. Her words of advice to fellow or aspiring plaintiffs' lawyers: "Follow your passion, not what's going to make you the most money right away. For women specifically, network with other women, get to know other women trial lawyers and find out what makes their life good. And be passionate."


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