



Profile: Kathryn Stebner

Political and social advocate finds her legal niche as an elder-abuse specialist

By STEPHEN ELLISON

As someone who is not particularly interested in nor fascinated with the law, Kathryn Stebner is pretty darn good at practicing it. The principal of Stebner & Associates, based in San Francisco, thinks of herself more as champion for social change, an advocate for people and someone who wants to make a difference than she does as a lawyer.

“The reason I wanted to be a lawyer, at first, was because I wanted to be a politician,” Stebner explained. “I was involved in school politics in junior high, high school and college, and I really didn’t have any intention of practicing law per se. I wanted to go into public policy and social justice, so that’s one reason why I became a lawyer.”

Another reason, she recalled, stemmed from something her father said: “He told me when I was very little that if he had his life to live over again, he would have been a lawyer. So, I really looked up to my dad and thought, well, maybe I’ll be a lawyer. I was in grade school at the time, and that influenced me a lot.”

Stebner pursued a law degree at the University of San Francisco with designs on becoming a public interest lawyer and possibly working for a nonprofit. But the job market in that industry was thin after she graduated. She instead started her career at one of the top plaintiffs’ firms in the region, working on medical malpractice cases. It seemed to suit her fine because, as it happened, her interest in medicine was far greater than her attraction to law.

Indeed, medicine, science and listening to people’s stories turned out to be Stebner’s strengths, and those strengths led her to discover relatively new areas of



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the law that *did* appeal to her. In 1987, while still working in medical malpractice, she took a case involving an elderly woman who died in a nursing home after taking a nasty fall.

Stebner said the facility attempted to cover it up. It was her first elder-abuse case and quite possibly the first in the state.

At about the same time, Stebner discovered another niche in medical malpractice: breast implants. Over seven years she represented more than 2,000 women, and became one of the nation’s leading legal authorities on the science of faulty breast implants. “My boss was the head of the science for the whole country on breast implants,” she explained. “We basically traveled around the country meeting with experts on the science and causation.”

Finding her passion

During her involvement in breast implant work, Stebner did the occasional elder abuse case and began to develop a profound interest in that area. Soon it would become her true passion, and it stemmed from her childhood, when she was always near and dear to the elderly people in her own family. “I was raised with all my grandparents and great grandparents – they lived close to me, and I was really close to my grandmother,” she said. “I did it because I really felt no one was bringing cases for

elders who were neglected in long-term care.”

“I’ve been doing them for 15 years or so,” Stebner continued. “Elder-abuse cases are a mixture of medical malpractice, products and criminal – the focus is more on the corporation as opposed to the people who are caring for the victim. In medical malpractice, you’re focusing on the caregiver whereas with (elder abuse) long-term care, you focus more on the owner, the budgets and the corporate decisions.”

Today, Stebner does only elder-abuse work. She lectures frequently, teaches classes and seminars and has published more than a dozen articles on both physical and financial elder abuse. She also has testified before the state Legislature, something that seems to sate her penchant for politics.

“One of my favorite things to do is testify – I love to testify in front of committees in Sacramento on bills,” she said. “I’ve done that a lot on several bills. It’s kind of my way of dabbling in politics. I have many friends who have gone into politics, but I just couldn’t do it; it’s too frustrating.”

Putting up a shingle

Stebner, however, is not one to back down from challenges, and one of the biggest and scariest tests, she said, was when she started her own practice. It was a huge leap and rather scary at the start. “I was terrified because, believe it or not, I’m not a risk-taker,” said Stebner, who added that she used the equity in her house to found Stebner & Associates. “So it was a very hard decision for me, and I was pretty much a mess at the beginning.”

Once past the initial hurdles, Stebner embraced the freedom to shape her practice around the areas of the law she had



grown to love. It also gave her an opportunity to impose her positive energy on the workplace, which meant maintaining a good mixture of pro bono work along with in-office stress-relieving rituals such as yoga and meditation – not to mention being the kind of boss she had always wanted to work for.

“I wanted to have more autonomy and to also have the kind of firm culture that was important to me – you know, practice what I preach in my own way. So I’ve tried to in my practice be kind and gentle yet strong. I think there are ways of being forceful and winning and still being kind and compassionate. So that’s the culture that I’ve tried to keep at my firm.”

She is also able to be more selective with her caseload. Stebner said her prospective elder-abuse cases usually must contain one or more of three key elements: a defendant with a bad history; a family who’s involved; and causation. But, she conceded, there are exceptions – there are whimsical reasons that she might take cases because with elder abuse, there’s so much emotion involved.

When at trial, some of that emotion may come spilling forth, and she’s OK with that. In fact, she feels it’s important that the jury see her true colors. “For better or worse, I have to be completely myself in front of juries,” she said. “I’m a very emotional person, and I can’t really play games with them because I think I’m pretty transparent. So I’ve cried in front of juries, and I’ve gotten angry in front of juries.”

“It’s so easy for me to be passionate in front of a jury because that’s how I feel,” she added. “I don’t have to muster up any passion. I’m very blessed I’m able to do something that I’m so passionate about. I don’t think many people have that in their lives.”

Inspired by creativity

Stebner, a lesbian, has long been active in the LGBT community. She and her wife were two of 18,000 Californians who got married before Proposition 8 passed. To her knowledge, she is the only openly gay member of the Consumer Attorneys of California board. She called it the other half of her life. “It’s been a bit of a roller coaster. It’s been huge,” she said.

Another huge leap for Stebner was moving out of the city. She and her wife recently bought a home in what is essentially a national park at Muir Beach, so she enjoys the open-space access to hiking and biking trails. “At first I thought I was going to hate it, but now I think it’s the only thing that’s going to keep me sane,” she said. “When you’re worried about a filing and you walk outside and look at the ocean, it makes you feel pretty insignificant.”

Stebner also dabbles in filmmaking – she’s made some experimental films and documentary films and taken classes in San Francisco and Oregon, something she said she’d like to get back into. She used to make films of SFTLA events, interviewing award-winners and having fun with her colleagues.

That appetite for creativity is something Stebner would like to fill with her work as well. She hopes to continue practicing for a while longer, trying to bring different types of cases to make social change and “try to find ways to do that and be creative while doing it.”

“Maybe because I get disinterested so easily in general, I’ve always tried to find things to do in new ways,” she continued. “I’d like to bring more lawsuits to make long-term care more palatable for people and continue bringing more pro bono cases. I try to do things for the right reasons – to make change and not focus on them for just monetary purposes.”

It’s that approach Stebner preaches to her USF law school students and young practicing attorneys – that your passion should drive your career, not financial or material aspirations.

Stebner’s advice: “Assume that you can do what you love and still make a living at it – they’re not mutually exclusive. When I was in law school, I figured I was going to be a public interest lawyer and make \$30,000 the rest of my life, and I was OK with that.”

“It’s possible to find your passion; you can do it, enjoy it and make a decent living. So don’t make decisions assuming you can’t. I feel incredibly lucky to do something I love. And I feel like I’m making a difference – because if I didn’t, I would hang it up.”

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