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Interview with Carol Owen, Chief Counsel for Revenue Payment Integrity, TeamHealth

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Tell us about some of the leadership positions you held in your career and how you achieved those positions.

Prior to law school, I had an academic career. At the time I applied to law school, I was chair of a two-year college department including English, journalism, theater, French, and German. During and after law school, I was vice president and then president of Telluride Association, a non-profit organization focused on advancing the principles of democratic government and public service through educational opportunities. Keys to achieving these positions were commitment to the institutions' missions; a broad educational background and wide-ranging interests; hard work; luck; and being in the right place at the right time.

What are the challenges of being a woman in a senior in-house counsel position?

Key challenges include bringing excellence to the job every day, learning a new skill set while thinking strategically, and developing internal and external relationships that help me advance the company's goals. TeamHealth is committed to diversity, including the advancement of qualified women, so it is a great working environment for men and women. I don't see particular challenges that arise because I am a woman, particularly compared to some of the overt sexism that sometimes manifested itself in traditional law practice.

For example, I have on many occasions been stopped by courthouse security in cities and towns where I don't practice regularly and told, "This is the attorney's-only line" and then required to show my bar card to prove I was an attorney, not a court reporter. Meanwhile, my male law partners sailed right through, even though they too were unknown personally by the security personnel. I was once told by a judge to "be sweet" and "simmer down," while in court representing a large banking client in a commercial dispute. The same judge had to be told repeatedly during the same status conference that I represented the bank, not the plaintiffs – something that seemed quite puzzling to him. While I try to be inspired to excellence by these events, not demoralized by them, they are nonetheless unfortunate reflections of a society in which sexism still flourishes, despite the many advances made in recent decades.

How do you put together your ideal legal team? Does diversity play a role?

Putting together legal teams is at the heart of what I do as Chief Counsel for Revenue Payment Integrity. I manage complex litigation across the country, with the goal of recovering tens of millions of dollars in non-payments or underpayments. I have engaged counsel for more than a dozen such cases in the past three months. I only hire lawyers who are highly disciplined and highly ethical; who are hard-working and committed to excellence; who play to win; who have a sense of humor; and who enjoy their work. I prefer to hire lawyers with subject matter expertise, though that is not always possible. I like to know the partners in charge of the

cases have a deep bench, can delegate effectively, and respect the junior partners, associates, and paralegals who are on their teams. Of the seven legal teams I have hired to do TeamHealth litigation, four have women in first-chair roles, and there are African-American and Indian-American female lawyers in key positions.

Are there any real "don'ts" when it comes to working your way up the corporate or professional ladder?

I think of life in terms of what you *should* do rather than what you should *not* do, but here are a few tips:

- Don't get discouraged if you don't see a mentor who looks like you. When I began my practice, there were no women in powerful positions to be my mentor, which shows you how far we've come. I was very fortunate to have men who sponsored me and believed in my abilities. I credit those men for being supportive and inspirational, which affords me the opportunity to mentor junior women now.
- Don't underestimate the importance of hard work and investment in relationships early in your career. The seeds you plant as a young professional are essential for a strong business practice 20 years down the road.
- Don't be passive in seeking mentorship. Successful practitioners are extremely busy, but you will find that they are eager to invest their time in the next generation. Ask someone to lunch; seek their feedback on a course of action; knock on their door when you need advice.
- Don't ignore guidance from someone in a senior position. The advice might seem trivial or you might disagree with it, but it will help you learn what is important to your superior.

What are the top three pieces of advice you would give to an aspiring female professional?

1. Work really hard.
2. Take the long view.
3. Develop relationships with mentors who believe in you, are enthusiastic about you, and will share their honest opinions with you.

Who is someone whom you particularly admire or who has had a significant impact on your career and why?

I admire my long-time mentor and friend Judge Robert L. Echols, who was Chief Judge of the U.S. District Court for the Middle District of Tennessee when I clerked for him. Shortly before I started a summer internship with him, I called his assistant to ask what time I should arrive each day. She said, "There really isn't any set time." I asked, "Well, what time does the Judge come in?" She said, "No one really knows." I assumed she meant that, what with the life tenure and guaranteed salary, he just came in whenever he liked. Actually, she meant that no one knew because no one in the chambers arrived before the Judge came in – which turned out to be about 7 a.m. every day. The Judge always set an example of working hard to "keep the wheels of justice turning in the Middle District." He was inevitably fair, compassionate, and thoughtful. He gave his clerks great responsibility for addressing questions of civil law, but he always did the criminal work himself, because he did not want to delegate such a grave responsibility to others. When Judge Echols sentenced people to federal prison (as I often saw him do), he never did so with a tone that was condescending or condemning; rather, he always took time to give them a talk about hope, self-improvement, and turning their lives around through education. He held devout religious views, but never imposed them on anyone in his courtroom or chambers. He always sought fairness and justice, and he expected excellence of the lawyers practicing in front of him. He occasionally shared stories of his own clerkship days with Judge Marion Speed Boyd, who had been appointed by President Roosevelt and confirmed in 1940. Judge Echols was a law clerk in Memphis when the Civil Rights Act of 1964 had just been passed, and there was no precedent to guide the Court. Those clearly were interesting times.

Judge Echols generally had one male clerk and one female clerk, both of whom he held to rigorous standards of excellence, and he generally wanted his clerks to be at different points along the political spectrum, so there would always be diversity of viewpoints in chambers. When I entered private practice, the Judge continued to be my mentor; he appointed me to interesting cases, and he was a font of career advice. While I admire him for always taking his responsibilities seriously, I also admire him for the moments of humor that occasionally resulted. For example, I worked with him over a four-year period on the notorious Deja Vu case (as an intern and a law clerk), which raised a First Amendment challenge to the new Tennessee law requiring exotic dancers to wear latex pasties and a G-string instead of dancing totally nude. The plaintiffs (including Deja Vu and the Diamonds and Lace Showbar) brought in a professor who purported to be an expert in "interpretive dance." The expert opined that the requirement of wearing pasties and a G-string eviscerated the message the dancers sought to convey. As the Judge remarked: "Carol, it just goes to show – you can find an expert in anything."