

# Federal court breast-feeding policy eases concerns for new mom-lawyers

By: [Pat Murphy](#) September 6, 2018



Lawyers who are new moms presumably have enough on their plates without having to deal with a court system indifferent to their needs, particularly when those needs can be met easily and inexpensively.

“There needed to be a uniform policy across the [federal] District Court so that nursing mothers don’t have to jump through these hoops,” says Marblehead patent attorney Michele Liu Baillie, who helped draft a policy for lawyers who need to express breast milk. “When they’re appearing before a court, it’s really an extension of their workplace, so the same accommodations that they have a right to in their workplace should extend to the court as well.”

[The new policy unveiled in June](#) by Clerk of Court Robert M. Farrell is the product of meetings that began in January between

Chief Judge Patti B. Saris and a working group comprised of members of the Women's Bar Association and the Massachusetts Employment Lawyers Association.

Under the policy, an attorney or anyone else who requires an accommodation to express breast milk while at one of the three federal courthouses in Massachusetts can contact the courtroom deputy "and/or" four designated "program coordinators" 48 hours before they're scheduled to show up. Once provided with the date and an estimate of the amount of time needed for the accommodation, the coordinators arrange for the lawyer to bring pumping equipment through security as well as provide access to a "quiet space" in the courthouse for expressing milk.

The group of lawyer-advocates who assisted Saris in drafting the policy included Baillie, the WBA's immediate past president; MELA immediate past President Christina L. Montgomery; and Boston employment attorney Rebecca G. Pontikes.



Michaela C. May of Bennett & Belfort in Cambridge carried the

load in terms of the group's research, according to Pontikes. Pontikes credits Sasha N. Gillin of Segal Roitman in Boston for bringing the problem to her colleagues' attention. Gillin reached out to Pontikes when she found herself in the predicament of having a case scheduled for trial right after her return from maternity leave.

"We decided to approach the court to get a policy in place," Montgomery says. "We knew they were already accommodating jurors and court personnel, so why not attorneys?"

According to Baillie, before the new policy, a nursing mother would be in the awkward position of having to make a motion to the presiding judge for a break to express milk. Some judges would deny the motion, and opposing counsel might even raise an objection, she says.



"I wanted something that would eliminate the need for motion practice on this subject," Pontikes says. "It puts the attorney in a very awkward position, and it puts the judge in an awkward

position. Let's face it, nobody wants to have a debate about this in open court."

Judges still enjoy ultimate control over their courtrooms under the new policy. But Montgomery says having something formal in place will help immeasurably in attorneys obtaining needed accommodations.

"It's an issue of access to courts," Montgomery says. "With the new policy in place, there's now a contact at the court you get in touch with ahead of time."

The program coordinators for the Boston courthouse are Tracy McLaughlin and Carolyn Meckbach. For Springfield, nursing attorneys should contact Bethaney Healy, and in Worcester, Sandy Burgos.