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A Commitment to Justice

Karen Long aims to keep school districts compliant with Title IX

by CONGER BEASLEY JR. photography by SHANE BEVEL

In 1996, an Owasso father had had enough. While the high school's baseball team faced other teams in a modern stadium complete with an electronic scoreboard, its softball team played its games on a dirt field a few miles from the school. Just one year after the firefighter's daughter and her softball team—the Lady Rams—won the state softball championship, he filed a suit against the Owasso School District, alleging violation of Title IX.

It was Karen Long's job to defend the district in the case—the first of its kind for Oklahoma high schools. “While nobody would debate equal opportunities for math, reading and other core subjects be provided without regard to gender, nobody was concentrating on whether there was a legal mandate that equal opportunities were to be available to boys and girls participating in school-sponsored sports,” Long says.

Since then, there have been 22 cases filed alleging gender-based inequities in boys and girls sports programs in high schools across Oklahoma, and Long, now a partner at Rosenstein, Fist & Ringold in downtown Tulsa, has represented the school districts in 16 of those suits.

Both Long and the school districts understood the importance of the issue. “Most of my clients, if not all of my clients, are school districts dedicated to equal opportunity,” Long says. “But this body of litigation really focused people on developing a much better understanding of what equal opportunity really looked like.

“Most school districts' first response was to say, ‘Well, why were we sued? Of course we believe in equal opportunity for girls.’”

In many cases, the conflict lay in comparison of what the district provided for each team, be it the caliber of coaching or the physical fields the teams practiced on.

“Every school district recognized that they had to take a new look at that, that you couldn't say, ‘Well, here boys basketball is more prominent, or is more popular, or generates more money, so they get the better programs,’” Long says. “Now, school districts—as a result of this litigation—make sure that girls and boys teams divide the time in the gym and they take a much closer look to how they schedule games [for example]. They're being much more equitable about how they purchase equipment and supplies.”

Her hard work in the cases has earned her the John Athens Award from the Council Oak/Johnson-Sontag American Inn of

Court, and the importance of this work isn't lost on her. “The settlement of these cases is, to date, my most significant contribution to the body of education and civil rights law,” she says.

LONG SPENT HER EARLY YEARS in Spavinaw, deep in the hilly woods of northeast Oklahoma, in a close-knit family with two brothers. “We benefitted enormously from having a clear sense of limits: what we could do and what we couldn't; what was right and what was wrong,” says Long. “None of us will do as great a job with our children as our parents did with us. They taught us to take full responsibility for our actions. Bad things happen, and when they do, they told us to learn from our mistakes and hold our heads high and always treat others with respect.”

That sense of fairness prompted Long to think about a legal career, and her experiences in her high school debate team convinced her law was the right path for her. Stephen Jones, a former debater and the attorney who would later gain international fame representing Timothy McVeigh in the aftermath of the 1995 Oklahoma City bombing, joined her team as a volunteer coach.

Long took Jones as a mentor, intrigued by his belief that no matter the crime or the background of the accused, everyone in America deserved a fair trial. “While I have a hard time understanding that even the McVeighs of the world deserve due process,” she says today, “I do believe that if not for this rule of law no one could be assured of justice. It is the commitment to justice for all that separates us from other countries who lack that simple but essential guarantee.”

When her debate team traveled to the Garfield County Courthouse in Enid, the pieces came together. “I thought then that maybe I could apply what I had learned as a debater to the challenge of being a lawyer,” says Long.

After earning a bachelor's degree from Christopher Newport College of the College of William & Mary in 1975, Long went on to earn her J.D. from Oklahoma City University School of Law. While waiting for the results of her bar exam, Long noticed a posting for a legal position in the Oklahoma Education Association. Eager to pay off school loans, she applied. “After just two interviews I was offered the job as general counsel of the association,” she says. “I was flabbergasted.” When she asked why she, a recent graduate with limited experience, was hired for an in-house position (which are typically



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reserved for veteran attorneys), she found out that it was because women in those days could be hired for less.

“They explained to me in very clear terms that I was exactly what they were looking for: I was right out of law school and I was a woman and they figured that since they needed to conserve their monetary resources that was the cheapest way to go,” Long says.

Their candidness surprised Long, but their attitude didn’t. “At that time, nobody was that shocked that people believed that women were a little ways down when it came down to equality in jobs,” Long says. “That was still the time when the majority of the law students were male. It was not considered a female profession.”

Long took the job. “I did a little bit of everything,” she says. “I didn’t really know what I didn’t know.” Like any other in-house lawyer, she dealt with anything that came across her desk, from handling the nascent concept of collective bargaining for the association to representing teachers filing grievances who felt they weren’t being paid what they deserved. “It gave me just an excellent start in appreciating how rich these issues involving schools are,” says Long.

In her first experience with public interest litigation, she helped correct the misuse of land that had been gifted to Oklahoma by the federal government in the early years of statehood, when the School Land Trust was set up. “The purpose of the trust,” says Long, “was to build new schools and improve existing ones. It was a significant supplemental source of money for education. Unfortunately, Oklahoma has never been a state that has ever really paid its teachers what they are worth, in part because of inadequate funding.”

In 1982, Attorney General Jan Eric Cartwright was adamant that the land given to Oklahoma by the federal government for education should be used for that purpose and nothing else. Cartwright was convinced that the education trust was being used to support agriculture and that its intended purpose was being deliberately neglected. “The Oklahoma Education Association initiated a lawsuit against the school land commission to right a wrong and to return the school land trust to its intended beneficiaries,” says Long, who made the argument for the association. “The lawsuit was successful and restored millions of dollars to Oklahoma’s schools.”

The work was complex and challenging, but by applying the principles she learned as a child in the backwoods of Oklahoma—“seize the day by beginning with an appreciation for the sheer wonder of the earth; work hard with humility for we accomplish nothing alone”—Long put together an impressive string of victories.

Long would later work on behalf of teachers who were being denied liquor licenses by the state. Oklahoma has always had a strong prohibitionist bent and, because teachers were positioned as role models for children, the state did not deem such licenses appropriate. Without them, teachers could not moonlight at restaurants that served liquor, a line of work that could be quite lucrative. In 1989, the Oklahoma Education Association, with Long at the helm, filed a suit against the Alcoholic Beverage Laws Enforcement Commission seeking to open the door for teachers to be employed in restaurants that served alcohol. The filing of the lawsuit brought attention to Oklahoma’s arcane laws. While the case was pending,

the state’s voters passed a constitutional amendment that opened the door for teachers to receive liquor licenses.

No matter how complex the issue, Long stays focused on what’s important. “Trial lawyers can’t be thin-skinned. They must have an insatiable curiosity. It’s in their blood,” Long says. “They must love the thrill of the courtroom. They’re not easily scared off or intimidated. Even after a bad day they’re eager to get back into the fray.”

She pauses. “Really good lawyers know it’s not about them. It’s about the client. It’s about seeing justice done.”

In 1990, after a decade at the Oklahoma Education Association and a couple of years in private practice, Long joined Rosenstein, Fist & Ringold, because the integrity of the lawyers reminded her of her father’s.

“David [Fist] and his partner Tony Ringold practiced law the old-fashioned way,” she says. “They looked the part and spoke the part. Their word was golden; when they said they would do something, it got done.”

That attitude is something Long has integrated into her own practice. “Karen Long is one of the best trial lawyers in Oklahoma,” says Mary Quinn Cooper of Eldridge Cooper Steichen & Leach, who has referred clients to Long. “She’s thoughtful, well-prepared, articulate and persuasive. She’s a real pleasure to work with.”

And being able to work with others has proved very important in her career, specifically when she handled the Title IX cases. “When you are engaged in litigation you begin to think that litigation is really about the trial of the case and the verdict,” Long says. “[These Title IX cases] could have gone to trial, but all of [those] cases that [I was] involved in have ultimately settled. The significance of that for me as a litigator was pretty dramatic because when you see significant cases that are settled with terms that are likely more favorable than either side could have obtained in trial, then you begin to understand how important it is for well-intended people on both sides to sit down and really begin to communicate.”

That communication resulted in positive resolutions, including a new girls softball field built on the Owasso School District campus. “Every one of the districts that I represented did what great educators do: They rolled up their sleeves, they looked at the issue and they asked themselves, ‘What is the best that we can do for these children?’ And every one of them came to the table with an open mind to work toward resolving issues,” Long says.

Today, Long focuses her practice on employment discrimination and education law, but still maintains variety. She’s currently representing a school district in litigation involving special education students related to the national debate concerning the use of restraint, seclusion and time-outs in public education classrooms.

“Every day is a new day,” she says. “It’s always a thrill, a dip into the unknown. Right now for women is a great time to practice law. Gender doesn’t matter much anymore. The road you travel is the road you make.”

Long is making quite a road for herself. “I’ve never had a laid-back day since I’ve been in the profession,” she says. “I practice law with wild abandon. I throw myself into it body and soul.” ◀