

# CHANGING THE BOX:

## A CONVERSATION WITH JOANNA WRIGHT

Written By **Emily Mollinedo**

Praxis is the Aristotelian idea of combining theory and action so that high-level ideals can be realized. Simply put: it's a spirit of wanting to do. And for Joanna Wright, praxis meant practicing and, sometimes, changing the law.

After entering a Ph.D. program in Philosophy with a focus on social justice (and, yes, praxis), Joanna left after obtaining her Master's to enroll in Columbia Law School. While she loved the depth of thinking and rigor of logic philosophy called for, it was the desire to do that moved her to change course and pursue law. For Joanna, a law degree symbolized the ability, ***"to advocate for changing legal structures and changing the architecture that everyday people rely on to protect their civil liberties and rights."***

Joanna is a litigation partner at Boies Schiller Flexner LLP. While her practice specializes in high-stakes litigation and crisis management, she maintains a long track record of litigating high-stakes pro bono cases, including constitutional class actions. Joanna also sits on her firm's Executive Committee and Diversity Council and is a board member for the New York Lawyers for Public Interest. She was recently named one of the Young Lawyers of the Year by The American Lawyer, a Future Star by Benchmark Litigation, and one of the 500 Leading Litigators in America by Lawdragon.

It was a privilege to sit down and chat with Joanna on everything from her views of motherhood and lawyering to the litigation she is leading against the abortion bans in Louisiana.



**Joanna Wright**  
Partner  
Boies Schiller Flexner LLP

From taking on Louisiana's abortion ban to her mentorship style, Joanna believes in giving her full and committed time to the causes and people she believes in. Although she was on maternity leave with her second child, she graciously agreed to talk with me about these important issues.

**What does it mean to you, as a seasoned and successful attorney, to pave the way for women in the law?**

**JW:** I think of this question on both micro and macro levels. On the micro level, I mentor and sponsor a lot of diverse attorneys, but my mentorship style is much different than what people might traditionally think. It's not about box-checking with a superficial lunch or monthly coffee. To me, mentorship is about being accessible and showing up when a crucial decision comes to the surface during someone's career.

My mentees can reach me 24/7 by phone, text, or email. I make myself completely available to them when they need it and, hopefully, they know and experience that. They can get the fluff elsewhere. I see mentorship as a support system, not as something ritualistic.

As for how I think about my role on the macro level, I always try to examine how each decision or policy will affect everyone, from the most junior associate to management and especially diverse members of the firm. As a member of the firm's executive committee, I make sure to stay quite vocal, in a disciplined way, about ensuring the firm adopts policies and protocols that will elevate us all.

**What have been some of the biggest challenges as a woman in the law, and in what ways have you had to alter your mindset or fight the expectations of others?**

**JW:** It can perhaps take a bit longer to gain the trust and confidence of certain clients given the historic demographics of the "C-suite" world. But I will say, once you have earned that trust, these clients have become some of my biggest advocates and champions. I think, perhaps, that's because I approach relationship-building with authenticity. It is about getting over initial expectations and partnering to solve problems and, again, showing up to do the work. Once that happens, I've never had any problem being a first-chair trial lawyer in some of the toughest battles.

As women trial lawyers, I think we have to intentionally reject this idea that we have to adopt perceived norms to fit in. You must be exactly who you are and bring to bear your experiences. Diversity comes in all places and can be surprising. We have to create an environment with our clients and colleagues where it can reveal itself. For women, and really anyone, in order to unleash your true unique potential, you need to bring more of yourself and less of your perceived external norms and expectations.

**What are your thoughts on being a mother practicing law? How do you "juggle" the demands of motherhood with those of being an executive litigation partner?**

**JW:** I've never come up with a good answer to the "how do you juggle it" question. The truth is every day you wake up and triage the situation and ask, "What needs my attention most now?" The less varnished truth is sometimes you ask this question every hour. This ability to silence the noise and focus on what matters is applicable to balancing life as a working mom but equally applicable to crisis management.

In both spheres, we are always driving action toward achieving the main goal. Some call that crisis management or high-stakes litigation, some call it mothering [laughs]—I think it's all three! If I had a crisis, I would call a working mother. They have already demonstrated an ability to put out multiple, raging fires at once and also to identify immediately what isn't actually a fire, which is an equally important skill in both spheres.

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In April of 2021, Joanna was approached by long-time friend Jenny Ma, who is a Senior Staff Attorney at the Center for Reproductive Rights, to draft an amicus brief for the Supreme Court case, *Dobbs v. Jackson Women's Health Organization*.

Over 500 college, professional, elite, and Olympic female athletes signed on as amici, coming out for the first time ever in overwhelming support of *Roe v. Wade*. The amicus brief argued that Title IX could not have been successful absent the legal protections and the right to choose *Roe* provided, and as a result, women's sports would have never become what they are today without *Roe*. Bodily autonomy is crucial to women athletes who build a career on physical prowess. Because a woman's childbearing years overlap with some of the most important athletic years for athletes, abortion healthcare is incredibly important to female athletes.

In April, when Joanna was six weeks into maternity leave with her second child, Jenny Ma reached out to Joanna once more to see if a team of Boies Schiller Flexner attorneys would be interested in fighting one of the toughest and most extreme state abortion bans in the country. When I asked her how she could take that on with a newborn Joanna said: “It’s just not the kind of thing you say no to.”

A team of women, led by Joanna, took on one of the country’s toughest fights. The team includes attorneys Sabina Mariella, Lindsey Ruff, and Erika Nyborg–Burch. Six days before the *Dobbs* decision came down, the Louisiana Legislature passed three new laws which not only demanded they revisit their legal strategy but made the fight even harder and more urgent.

The cluster of laws resulted in a trigger abortion ban which would take effect immediately upon the release of the anticipated *Dobbs* decision. This ban criminalized nearly all abortions, leaving no room for exceptions in the case of rape or incest, included no grace period, and was vague as to what qualified as exceptions to save the life of the mother and who might be excluded from the criminalization of performing abortion care.

The team worked around-the-clock for three days to file a temporary restraining order as soon as possible, knowing that with each passing day women were being turned away from clinics. It was important to re-establish abortion healthcare to this team and preserve it for women with upcoming appointments.

The team represents a reproductive healthcare clinic, an organization of OBGYN residents and doctors, and a medical doctor in *June Medical Servs. v. Landry, et. al.* In support of their preliminary injunction, the team submitted over fifteen affidavits from ER doctors to OBGYNs and even doctors providing care to cancer patients.

The affidavits explained how the vague and draconian laws prevent doctors who treat women can no longer deliver the standard of care required by their licenses.

This is because the laws fail to properly explain which, if any, circumstances create permissible exceptions to the criminalization of abortion, making it impossible for doctors to deliver healthcare properly and promptly.

If they were to provide abortion healthcare, even in lifesaving and emergency situations, as the laws stand currently, they risk fifteen years in prison and \$200,000 in fines. **“These laws reach so many more spheres than the Legislature properly understood and given that, the Legislature failed to write these laws clearly in order to provide constitutionally guaranteed notice”** Joanna explains.

As written in the first paragraph of the team’s preliminary injunction brief, Joanna explains that **“this lawsuit is actually not about abortion, it’s about the rule of law.”**

**In times when the fight is hard, or you might feel discouraged—because this is a tough fight—what motivates you and your team to keep fighting?**

**JW:** We’re driven by the horrific stories of women presenting in the emergency room sixteen weeks pregnant whose water had broken rendering their pregnancies non-viable and deeply in need of emergency care, but who were turned away because the doctors couldn’t determine if the situation allowed them to perform an abortion under these laws.

Women who were suffering from sepsis, infections, and so on. The stories of doctors, such as one of the plaintiffs we represent in this case who provides cancer care and cannot practice with respect to pregnant patients for fear of causing miscarriages.

While I believe that it is important as advocates that we don’t become a part of the story, given the audience here and how hard it is for women to publicly speak about these things I do want to share my own experience.

In between the birth of my two children, I experienced multiple pregnancy losses, including in the second trimester, so I am very personally aware of how these laws impact women who need to access reproductive healthcare for a whole host of different reasons and how personal and emotional that decision can be.

I am also personally aware that this healthcare is just that—healthcare—and is crucial to women to preserve health and fertility for all sorts of different reasons that could never be spelled out in a law written by legislators.

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Despite the First Circuit Appellate Court of Louisiana’s decision which stayed the preliminary injunction pending appeal, the team is still fighting this case, continuing their reputation of taking on the toughest fights and pushing until they obtain what many call “impossible results.” The team has asked the trial court for an expedited trial date, working as hard as they can to waste no time in their fight to re-establish care for those who need it.

Joanna’s best advice to those female attorneys, especially those just starting out: “Challenge internal expectations and do not contort yourself to fit inside a perceived box—change the box.” The more Joanna shared her ideas on full-time working motherhood and being a female in a male-driven corporate world, it became clear that Joanna proudly lives by this ethos of the “change the box” approach.

For those interested in registering for a CLE webinar on this case and in following important developments please visit:

<https://www.bsfillp.com/news-events/bsf-reproductive-rights-team-offers-post-dobbs-cle.html>.



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