

# Diane Webster

## The New Face of Leadership

by Dustin J. Seibert

The immigrant experience has framed Diane E. Webster's entire legal career — from the very beginning when she was a child with an eye on the profession to 12 years into her career. She currently serves as partner-in-charge of **Hinshaw & Culbertson LLP's** Chicago office.

It's not the Chicago-born Webster's own immigrant experience — but that of her mother, Norma. Born and raised in Uruguay, Norma cared for a large family of brothers and sisters following the untimely death of their mother.

"She was happy to serve that role for her family, but she knew she didn't have any real future in her country," Webster says of her mother.

Norma received a last-second opportunity from a friend to move to the Chicago area to serve as an au pair for a family. She left in 1969, with little money and no English skills.

"Upon arrival in the U.S., she was in a bad situation — mistreated by her new host family here and taken advantage of," Webster says. "With limited money and essentially no friends or family, she was left with limited options. When the time was right, she left them and searched for new employment."

Norma then took a position with a kitchenware company on the city's Northwest Side, where a lot of undocumented immigrants worked in the 1970s. It was a rigorous — and dangerous — job that required her to move quickly in order to meet the quota and remain employed.

"The basic understanding was you have to wear the guard protection on your hand, but if you did, it was basically impossible to meet your quota, and you'd lose your job," she says. "Many of those working there lost their fingers, and it was felt there was nothing that could be done about it because they were immigrants who needed to work."

Norma met Webster's father Raymond at



a Catholic singles dance. They married, and she didn't have to return to the factory. But she has kept the fast hands to this day, and the story lit a fire under Webster.

"That was what got me interested in law early on," she says. "I knew it was wrong, and I didn't like the sense of helplessness and lack of control she had to experience. I wanted to do something. Being a lawyer is a privilege. Through your legal training, you are armed with the knowledge and skill to help others who often desperately need your help."

"I was the first lawyer in my family on either side. Other than my hard-working parents, I didn't have role models. I just saw what lawyers did on TV and how they would take control and prevent bad things from happening to themselves and others."

### Finding Common Ground

Webster attended Arizona State University, graduating with a political science degree in 2001. During her last year there, she worked as a legislative intern at the Maricopa County Attorney's Office in Arizona. Her boss, Jerry Landau, was a lawyer and special assistant to the county attorney who convinced her to accept a scholarship at the New England School of Law in Boston.

She landed a summer clerkship at Hinshaw's Chicago office. Concerned that she would not be able to land a job in Chicago given her small out-of-town law school, she scoured the firm's national directory to see if she could find a graduate from the law school.

Her search revealed Arthur Laplante, a partner in Hinshaw's Florida office. Laplante informed her that there was another New England School of Law graduate right there at her office — Kevin Burke.

As grateful as she was to land a clerkship at a prominent Chicago firm, Webster aspired to work on new and different assignments. When Burke followed up her introductory email by stopping by her workstation, she was eager to take on additional work which led to her first assignment from him the next week.

Burke continued giving Webster assignments, and her repeated high performance resulted in her making a name for herself that earned her an associate position after graduation. She readily admits that she likely would not have started her career at Hinshaw without the help of Burke, who is now chairman of the firm and sits in the office next to her.

"I absolutely would've moved on without him," she says. "He's been instrumental in all aspects of my career and life. He's an amazing mentor, role model and one of the

best trial attorneys ever."

Burke gushes when talking about his mentee.

"It's like one of those Malcolm Gladwell books where she exhibits all those things that if you look back and see what makes people successful, she has every aspect," Burke says. "She works very hard and has a great personality and temperament that causes people to root for her."

### Art of the Grind

To start work at Hinshaw, Webster moved to Chicago from Boston with her now husband James, who'd obtained his MBA from Northeastern University. She made partner in 2010 after six years.

While she's handled numerous matters in all areas of civil defense litigation, she's carved out a reputation for her work in medical litigation, including products, pharmaceutical and medical surgical devices. She also handles several local education clients, including Chicago Public Schools and UNO Charter School Network.

A dyed-in-the-wool trial attorney, Webster says she gets her fill of the courtroom through her medical litigation work, an area where cases are often tried to verdict as opposed to settling out of court.

Scott Beckman, vice president of ISMIE Mutual Insurance Company, has had Webster represent his policyholders for about 10 years. He says he has had 33 years of experience working with attorneys in her capacity, and that she separates herself.

"Diane has an unparalleled zest, intelligence and award-winning personality when it comes to defending doctors in med mal litigation," Beckman says. "She practices at a level that you'd think she was a seasoned attorney who's been doing it for 30 years. She's extremely thorough, very passionate about what she does, and is accomplished. Besides being a stellar trial attorney, she cares passionately about her clients and is an absolute delight."

Webster became partner-in-charge on April 1, 2016, as part of a series of national firm-wide changes that started with the stepping down of Kevin Burke's predecessor after 20 years. The position has resulted in a new layer of responsibilities that include playing a pivotal role in the building of a new Chicago Hinshaw office, expected to open in mid-2018.

"I'm still pretty new to the role, but the biggest challenge thus far has been time management," she admits. "With the added responsibilities, I'm working to set parameters between my practice and management. The best part is the increased

interaction with my colleagues and the role I play in taking our firm to the next level."

### Moving Toward the Present

The importance of Webster's partner-in-charge status in a profession that's still lacking women in leadership roles is not lost on her.

"When learning of the decision to have a female Hispanic attorney manage the largest office of our firm, I was very honored," she says. "It's a bold move, which speaks volumes about our firm's leadership, commitment to diversity and future success."

Recognizing the opportunities she's been afforded, Webster has dedicated her career to driving underrepresented groups to the legal profession. She co-chairs Hinshaw's Hispanic Affinity Network with Florida partner Barbara Fernandez. Webster also assists in a firm-wide effort to recruit a diverse roster of attorneys, helping them build their client roster and establishing them on boards.

Webster is a fellow in the Leadership Council on Legal Diversity (LCLD), a Virginia-based organization that works to increase and retain lawyers from diverse groups including women and the LGBTQ community.

"There is a lack of diverse attorneys in our profession, particularly among Hispanics, which may be the most underrepresented group," she says. "It is important for us that all of our attorneys, particularly our diverse attorneys, have what they need to grow and succeed here. We strive to impart a sense of inclusion."

Even though Webster's entire legal practice has existed within the 21st century, she's still had to deal with the stigma of being a young, diverse woman in a traditionally male-dominated profession, especially in the beginning.

"If you're on the younger side and you don't look like a stereotypical lawyer, they often assume you don't know what you're talking about, and sometimes they try to take advantage," she says. "I'm aware of that and try to be prepared so they know early on not to underestimate me."

"Nowadays, there are many more women in the room at court and in depositions, but how many of them are partners, practice group leaders, and in management? We're not done — we have a ways to go, because it is not until we have more women in positions at those levels that you can effectuate real change. But I do feel that we're moving in the right direction."

Helping underrepresented attorneys is a by-product of Webster's tendency to mentor younger, aspiring attorneys of any stripe.

“It’s one of my favorite things because I love to develop that bond and see others succeed,” she says. “I usually have one formal summer associate or regular associate mentee as well as many informal mentees both inside and outside of the firm.”

Andie Kramer is a partner at McDermott Will & Emery who has known Webster through the National Association of Women Lawyers. Webster invited Kramer to speak for ALPFA, an organization dedicated to building and empowering Latino leaders, in October 2014.

“She’s very committed, and she really goes out of her way to do what she can for the Latina and Hispanic community,” Kramer says. “She has referred a number of younger women to me who needed some career guidance. Somehow she manages to make time to run the office and for community and educational programs.”

### A Good Outcome

Webster admits that many lawyers will say that each of their winning clients deserved it. However, a recent win — tried in the Circuit Court of Cook County in February 2016 — strongly represents why she, saddened by her mother’s story, got into the legal game.

The case involved a patient who visited Webster’s client, an oncologist, with Stage 3 breast cancer. Her client informed the patient that she needed to get started on a “rather brutal” cocktail of chemotherapy drugs. But before starting her treatment, the oncologist wanted her to undergo an echocardiogram, a test to assess her heart function. She failed to get the test.

“If my client held off on treating her so she could get the test done, there was a very high risk the delay could cause her cancer to spread or the treatment to be deemed ineffective,” Webster says. “He ultimately made the judgment call to start her on chemotherapy treatment.”

The patient began treatment in October 2008. The following January, she was diagnosed with heart failure at age 44 and began the work-up to be placed on a heart transplant list. The plaintiff’s attorney requested \$21 million, arguing the doctor was negligent in administering the treatment before the echocardiogram.

The jury found that the doctor wasn’t required to have the echocardiogram results before starting treatment and that the patient experienced a number of non-specific symptoms many chemo patients have even when they don’t develop heart failure. Ultimately, the jury found her client not guilty. The patient remains cancer-free today.

“It was an awesome outcome for a really good doctor,” Webster says. “The concern for me is that you don’t want conscientious and compassionate doctors leaving the practice of medicine over suits like this. Certainly mistakes happen and sometimes (consequences are) warranted, but this particular doctor couldn’t be more concerned and only wanted the best outcome for this patient. I would take my own family to see him.”

### Setting Herself Apart

Even Webster’s professional rivals tend to have the same impression of her — as a gregarious counselor who manages to be a strong trial attorney without falling prey to the profession’s negative stereotypes.

Al Schwartz, partner at Kralovec, Jambois & Schwartz, has served as opposing counsel against Webster several times over the past decade and says she’s known within his firm for her unyielding positivity.

“Frankly, you’re much more likely to give Diane a break on a case because she’s so easy to deal with,” Schwartz says. “There are lawyers out there who make everything, from court appearances to depositions, a painful struggle. She’s just not like that; she gets through difficult situations in a very positive way.”

Joseph Balesteri echoes Schwartz’s sentiments. The Power, Rogers & Smith partner has worked primarily medical malpractice cases against Webster throughout her career.

“Diane’s preparation, her intelligence, honesty and a very captivating personality set her apart from lawyers in her field, especially at her age,” Balesteri says. “Those things make her a complete package.”

Given her ascendancy at a young age, Webster remains humble about the opportunities she’s been provided throughout her career at Hinshaw.

“I feel very fortunate to work at Hinshaw and to work with people I view as close friends,” she says. “There’s a culture and a vibe here that’s very much small town even though it’s a big firm. What’s interesting is even the attorneys in other offices share that demeanor. It’s one of our many common threads.

“I take it very seriously that they took a chance on me and gave me the opportunity to do the work I’m doing. I feel a tremendous responsibility that, with all I was afforded, I need to make good on that decision and deliver the very best I can.” ■