



Profile: P. Bobby Shukla

Indian-Brazilian immigrant overcomes barriers to establish herself as a top advocate in employment law

BY STEPHEN ELLISON

There are few obstacles that can stop P. Bobby Shukla in her tracks. Whether they're social, cultural, physical or legal, the principal of Shukla Law finds a way to overcome and reach whatever objective she is striving for.

That drive and will likely came from being an Indian immigrant, first in Brazil, where she was born, then in the United States, where she arrived when she was 6 years old. Shukla learned English as a *third* language (behind Portuguese and Hindi) and was raised with her two sisters by a single mother, who managed to put all three of her daughters through college.

Her own barriers early in life and watching her mom's struggles shaped Shukla's passion to fight for certain social values and progressive ideals.

"I would say I developed the desire to become a lawyer probably in high school, where we were learning about the civil rights movement and the women's rights movement," Shukla explained. "At that time, there were things happening: 'Don't ask, don't tell' and anti-affirmative action; undocumented immigrants' rights. Those things sort of started impacting me and motivated me to become a lawyer and fight back."

"In California, we're a progressive state, or were supposed to be, and it was happening close to home," she continued. "I felt like I wanted to be part of something that fought back, and the law seemed to make the most sense."

Particularly motivated to fight back against those who discriminated against diversity, Shukla opted to focus on employment law while at UC Hastings College of the Law in San Francisco.



Shukla

Her early experiences of being an immigrant were intimately tied to her ideas about equity, particularly gender equity, after seeing her

mother endure challenges in a new culture with a new language, she said.

But immediately after she graduated from Hastings, the market was a little soft, and Shukla took a job with a criminal defense firm. The work didn't really interest her, so she didn't stick around long. She landed a job with a plaintiff's firm, an employment law firm that served as a steppingstone to what would become her career work with Stephen Murphy's firm.

"I came to him because he's a fantastic trial lawyer, and I knew I wanted to do trial work," Shukla said. "Steve was trying a lot of cases, and he actively mentored me for six years. Then, at some point, he told me about applying for a judgeship, and we had talked about me taking over his practice. But then he didn't get appointed until four years after that. When he did get appointed, I was pregnant with my second child, so I took over the practice while pregnant and with a toddler at home. I certainly wouldn't have planned it that way."

With the Murphy firm, Shukla developed into a shrewd employment law advocate in cases mostly involving

discrimination, harassment, wrongful termination, whistleblowing and retaliation. She served as vice president of the Bay Area chapter of the National Lawyers Guild and remains an active member of the San Francisco Trial Lawyers Association's Women's Caucus. She has been named one of the top women attorneys in Northern California and was a recipient of the Wiley W. Manuel Award for Pro Bono Legal Services.

Telling a story, keeping it simple

While Shukla said she has never practiced personal-injury law, she has the sense that, with employment cases, there's a greater story to tell because it relies more on human relationships in the workplace that everyone can relate to, as opposed to a single event that oftentimes contains complex elements not readily understood by the average person.

"Jurors are sort of experts in employment law because, you know, everyone works or has worked at some point in their life," Shukla explained. "My understanding is the work-up in employment cases is often greater because there are potentially a lot of players. That's what I like about it – strong storytelling elements and ones that most everyone can relate to."

Shukla's approach when in trial is to be sincere and appeal to reason. She believes everyone is logical and has the power of reason, and they can respond to being appealed to in that way. The real challenge, she said, is everyone also has biases, and those can get in the way of reason.

For her, the key is to find some common ground and establish some credibility with jurors so they'll follow



her down the path of a logical story rather than rely on their biases or assumptions. So, to that end, she tries to keep the story simple.

“It’s hard to do. It takes time to simplify a story, but it’s really important,” she said. “It’s an exercise in revision. When you’re developing an opening statement, you might put everything in the first draft, and so it’s always going to be long and complicated in that first draft. Then you have to figure out the key nuggets, key turning points. It always takes me multiple drafts. Some people are able to do it more innately; for me, it’s an act of many revisions. You really learn the story yourself in that process, too. I think I’m actually grateful that I don’t have that innate ability to recognize the important parts right away because when you’re going through the act of revision, you’re really solidifying the story for yourself.”

Shukla has found that her upbringing and her diverse background are huge factors in telling her client’s story to a jury and even in communicating with her counterparts on the defense side. There are many cultural points of view, she said, like the way metaphors are expressed, that may indicate how a certain culture thinks.

“Understanding that there are always different perspectives and figuring out how to access them, in terms of when you present something to a jury or to opposing counsel to try to persuade them in a certain way, helps me see that there are always different points of view and how to navigate that,” she said.

Navigating her own firm wasn’t quite as challenging but still had its hurdles. Shukla said the transition was made easier by having a full caseload to start with when Murphy departed for his judgeship. The anxiety came from being pregnant and juggling a newborn and toddler while trying to keep the firm going. Then she went to trial soon after her son was born.

“It was just the exhaustion of it all that contributed to the anxiety,” she said. “Other than that, I was excited to do it. And fortunately things panned out.”

Client connections

Shukla recalled a sexual harassment case she worked on early in her career in which she made a deep and memorable connection with her client. The woman was a law enforcement officer who had been sexually harassed by her supervisor. It happened in a small community, where everyone was against her and stood up for the celebrated person she had accused.

Shukla was taken by the woman’s courage and how grateful she was, even though, as Shukla put it, “I was just doing my job.”

“I think it was because, at the end of the day, everyone just wants to be heard and validated and believed,” Shukla said. “That taught me a lot about how to engage with clients in a meaningful way. What’s interesting is some of the more memorable cases always have to do with the connection I make with a client rather than the result. They saw that I fought for them, and that meant more than the result.”

Another case Shukla recalled fondly went to trial recently in an age discrimination case against a Catholic high school for an administrator who had worked there for 45 years. The woman had been fired at 70 under the guise of succession planning. Shukla was able to show the jury it was really age discrimination and obtained “a really nice verdict.”

“They gave her three years of front pay, which was really validating because at the time of the trial she was 72, and we were able to get around the ideas of age bias, that people should retire at a certain age,” Shukla said. “She was vibrant and strong, and they could see that she could keep working if she

wanted to. That was very gratifying, and she was just a wonderful client.”

Politics and humor

When she’s not in court or at the office, Shukla tries to remain politically active, which has been harder to do with a 4-year-old and 9-month-old at home. But she tries her best, she said, because it’s important to her. During the Muslim ban protests at San Francisco International Airport, a pregnant Shukla showed up with the idea of protesting, but when she arrived, there was a more practical option.

“I saw this lawyer table where you could volunteer,” she recalled. “I felt like I was doing something, staying engaged.”

Shukla also is keenly interested in literature, which she studied as an undergrad. She has written a number of short stories and has thought about getting her Ph.D. in literature.

She also loves comedy, something she thinks about and approaches in serious ways. San Francisco has a number of small venues for comics, and it’s one of her favorite ways to spend time. “Humor is a big part of my life,” she said. “You can find humor at the outer edges of every experience, even when they’re bad.”

Shukla’s advice for young and aspiring lawyers is to not lose sight of what they really want to do with their careers.

“Once you figure out what interests you in law, be really assertive about going after it,” she said. “Especially women that are starting out; if you want trial experience, ask for it, and if you can’t get it, move on. Because the more you can get the kind of experience you want early on, the better you can be.”

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