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# Table of **CONTENTS**

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Page 4



Page 32



Page 16

## FEATURE ARTICLES

- The President's Choice:  
 Justice William H. Rehnquist '52 2
- The Venturesome Women of Stanford Law, 1920-1945 4  
*Leelane Ellis Hines* 59

## AT ISSUE

- Overruled: Jury Neutrality in Capital Cases 11  
*Samuel R. Gross*
- The U.S. and the World Court: Facing the Facts 14  
*Michael J. Danaher '80*

## BOARD OF VISITORS ANNUAL MEETING

- Introduction and Overview 16
- State of the School, 1986 18
- Innovative Approaches to Legal Education 20
- Placement Issues: Strategies and Choices 24

## SCHOOL NEWS

- Career Alternatives: Further Initiatives 32
- Faculty Notes 47

## ALUMNI/AE NEWS

- Class Notes 50
- In Memoriam 76
- Alumni/ae Gatherings 78
- Letters to the Editor 80
- Coming Events **Back Cover**

## LAW FUND ANNUAL REPORT

Following Page 80



# The Venturesome Women of Stanford Law

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1920–1945

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**O**ne of the most striking differences between Stanford Law School today and in past decades is the high proportion of female students—now nearly half (48 percent). Only once before, when in the midst of World War II the School shrank to less than fifty students, were women similarly represented. The current pattern is, however, no such blip, but rather part of a deep and probably irreversible societal trend. An absence of women would today seem abnormal.

Stanford Law School has of course always been open to females (including the 1949 admittee who became the first woman to sit on the Supreme Court). But even at Stanford—a young, Western, coeducational university—female law

students were, until recently, a very small percentage of the whole. The times were simply against it.

Still, they came—few in number, but a persistent presence—venturing (like Lewis Carroll's Alice) into a land of curious ambiguity. What led these young women to study law? How did they experience law school? And what opportunities and difficulties did they later find in an undeniably man's world?

We were delighted when Leelane Hines offered to explore these questions. Her report, which follows, is based on questionnaire responses and interviews with 12 of the 18 surviving alumnae of classes graduating from 1920 (our senior living alumna) to 1945. We thank them for their candor and salute their achievements. —ED.

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by LEELANE ELLIS HINES '59

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I had hoped in beginning this project to identify a personality profile of the Stanford woman “trailblazer.” But I soon discovered that to

speak of a group profile of individualists is an oxymoron.

My first surprise was that not one of the respondents even thought of herself as a pioneer- this despite the unusualness of a woman studying for the overwhelmingly male profession of law. “What seemed much more unusual,” recalls Elizabeth Spilman Rosenfield '24, “was a woman student who was majoring in engineering and worked over at the forge.”

There was no sense of cause or making history in any of the responses. I found no militant suffragettes. The choice to study law seems to have been an individual response to the opportunities each student saw for herself at the time. To Josephine Welch Wood '20, for example, law school seemed like “a natural thing to do. I never thought of law school as a way to become a lawyer,” she explains. “To me, it was part of my general education to do what I wanted to do in the world, and that was to follow in the footsteps of [social reformer] Jane Addams.” Wood remembers her mother telling her that legal studies would “help me deal with the realities of getting things done.”

The importance of having a profession had been impressed on Gloria Midgley Beutler '44 from an early age. “My mother, who had been widowed when I was nine years old, emphasized strongly the need for women to be self-supporting, as she had had no profession except through marriage.”

Avis Winton Walton '45 was finishing up her third year as a Stanford undergraduate when “some fellows I knew at Stanford Law School told me they needed students. I mentioned this to my mother, who was excited. It was her

ambition for me - she was the feminist.”

An historical note is appropriate here. Virtually every woman graduate we interviewed began her law studies while still an undergraduate. Under this option (available until the mid-1960s) Stanford students could, as early as the end of their sophomore year, declare a “Pre-Legal” major and spend their senior year taking the regular first-year postgraduate legal curriculum. They would then have earned an A.B. and, with two more years of law study, could gain an LL.B. The existence of this option made the barrier between college and professional study relatively permeable and enabled the women to make their professional choices early. Many of the alumnae I talked with remember being eager to do so, believing that unless they acted quickly, they would be drawn into traditionally female professions that held less appeal for them. “I knew I didn’t want to be a teacher,” was a frequent response. One woman saw being a nurse as the alternative to avoid; for another it was becoming a nun.

Miriam E. Wolff '39 felt less limited in her options- Egyptology had its attractions-when she designated Pre-Legal as her undergraduate major. Though at first unsure whether it would be her final choice, she found that her interest increased in direct proportion to accusations that she would not finish law school. “I really got kind of burned,” she recalls. (Lawyers probably have a genetic predisposition to take the opposite of whatever position is being urged on them.)

Others in our survey “always knew” they would go to law school. “I do not remember when I was not going to be a lawyer or writer,” says Elizabeth Rosenfield. Her attorney father considered law “the finest of professions and an intellectual pursuit,” she adds, recalling a mountain trip where he took a new edition of Blackstone along as vacation reading. Another attraction of law school was that she wanted “to do something difficult.”

Christine Murdoch Goble '25 also mentions her father-a lawyer unable

to practice because of a hearing loss - as influencing her choice of profession. Besides, “there were several girls in law school, and perhaps it seemed exciting and glamorous.”

Nora Blichfeldt Bower '35 and Lois Berry Betzenderfer '45, who date their interest in law back to childhood, have no idea how it all began. Betzenderfer describes herself as a vocal child, which inspired people to remark, “You ought to be a lawyer.” Other respondents also remember being loquacious or argumentative - characteristics apparently perceived as necessary for the practice of law - and were counseled accordingly. Mary Rechif Mulcahy '36 was one such: “I had been on debate teams and in oratorical contests, and received encouragement from speech teachers.”

The appeal of “logic and reason” drew Rhoda V. Lewis '29 to law. She also cited another critical but little-mentioned factor: “My father was willing to pay for my legal education.”

In short, the reasons given by these women for studying law are not so very different from those of their male peers: evident aptitude, intellectual drive, supportive parents, and avoidance of less appealing career alternatives.

What was, of course, different for the women was the degree of social acceptance and support for their aspirations. Josephine Wood remembers the statement of a Stanford University president (at a dormitory gathering in the teens) that he preferred the Stanford woman to be “a cricket on the hearth.” In such times it took a special kind of person to join, as Wood did, a law school registration line in which she was the only woman.

One ubiquitous remark seems to have launched many a career: “Why go to law school-why don’t you just settle down and have children?”

### School Days

Was the experience of law school different for women and men? “Absolutely,” replies Avis Walton, while Rhoda

da Lewis says. "No." Their answers are not so much contradictory as they are reflective of what was in fact a mixed picture. A few professors were seen as outspokenly discriminatory. But most members of the faculty - and the preponderance of fellow students - were not. Furthermore (as noted above) it was not in the nature of these pioneering women to be intimidated by derogatory remarks or even to be supersensitive to them.

Miriam Wolff recalls: "Some of the discrimination didn't filter down to me. I took jokingly some remarks that were probably serious, for example, that women are only here to catch a husband." She describes law school as "closely knit, friendly, supportive."

Mary Mulcahy recalls the following: "At the very start, several of the professors announced that they did not approve of women taking law, but could not prevent it; however, they would be rough on the women." More than one of our respondents remembers Professor Osborne's saying, "A woman should do what her husband tells her to do." Yet, he is also fondly remembered by several alumnae for the generous encouragement and praise he gave for work well done.

Criminal law classes seem to have generated the most differential treatment. Professor Vernier apparently made a practice of calling on the women students when discussing rape and other sexual cases. The women turned this to their advantage, reports Mulcahy, by "always being well prepared" (leading, in her case, to an invitation to help Vernier with a book). Mulcahy also

recalls that some professors seemed to enjoy humiliating women - but then, she adds, they seemed to enjoy humiliating the male students, as well. (Other evidence of a "paper chase" atmosphere was cited by Frances Sheldon Bower '24, who remembers a professor's pointing out to a first-year class

that only one of three would return. Predictably, she resolved to be - and was - among that one-third.)

In general, our respondents seemed to have expected not to be treated "differently" from male students and for the most part did not perceive that they were. Whatever discrimination they might have felt was put in the category of facts of life to be dealt with like anything else. Since the facts of life during this period consisted of the end of World War I, the Great Depression, and World War II, being singled out to recite rape cases must have seemed of comparatively little consequence.

Our respondents, on balance, describe law school as a positive experience - even a high point - of their lives. "My Stanford days were happy ones, and in law school I think I was totally accepted," says Christine Goble, who attended in the mid-1920s. She sensed a certain awkwardness among the men in criminal law classes ("because of the language") but in other respects remembers no problems.

Nora Bower of the mid-1930s remembers being the only woman in her class but not feeling "anything particular about that." Bower acknowledges that the kindness of her classmates enabled her to pass her first year of law school. When an appendicitis attack took her out of school during the second quarter, James Boccardo '34 gave her his notes, and others provided rides. She adds that Stanford law men were "broader minded" than most males she met in her work - an observation frequently expressed by our respondents.

The School was, of course,



**"I've a right to think,"  
said Alice sharply.  
"Just about as much right,"  
said the Duchess,  
"as pigs have to fly."**



relatively small in those early years and even smaller during the war years at the end of our survey period. By 1943, enrollment had plunged to thirty-one students, for whom there were

seven professors. Lois Betzenderfer remembers Professor Owens lecturing with his usual formality to a class with only two students, one of whom was asleep! Such intimate, if not informal, circumstances increased the likelihood of women students being treated as individuals.

Whatever problems the women may have encountered in school as a result of their sex were, however, eclipsed by those they met later. Writes Rhoda Lewis: "In law school, I was treated so well, that the obstacles I encountered upon graduation came as a shock."

### An Unwelcoming World

It was a severe blow to our women graduates to discover how profoundly reluctant the legal establishment was to accept them as lawyers. Consider, for example, the tale of Justice Lewis:

*Since I was a member of the Order of the Coif and first in the class, Dean Kirkwood felt he should help me. He suggested an interview with a woman lawyer in active practice in San Francisco, but it turned out the lawyer he had in mind was a man with a feminine-sounding first name. This came to nothing.*

*I could have worked for a Santa Barbara firm that stipulated that I would not be practicing law but merely seeing to it that the other lawyers met filing times, etc. Naturally, I declined. . .*

*I wrote to some of the leading law firms in Honolulu, my hometown, but without success.*

*The best offer I had was from Professor Brenner, the law librarian and professor in that field, who was leaving Stanford to organize the State Bar of California.*

*Professor Brenner made me Secretary of the Committee of Bar Examiners. Other than preparation of examination questions the work was not really in the legal field. But as I had never before earned a penny I was happy.*

*Finally, in 1932, I faced up to the fact that this was a dead end. While on a visit to my sister, who then was living in Buffalo, N. Y., I made arrangements to work in a law firm there. . .*

Lewis went on to build a fascinating career, eventually returning to Hawaii, where she played a key role in implementing statehood and ultimately became an associate justice on the state supreme court.

For some other women graduates of that era, however, the barriers were just too high. "Women were not accepted," wrote an alumna from the same decade. "Law firms would accept a woman as a stenographer and her knowledge of law was a bonus, but not to the extent that she could actually practice law. For example, I applied for a position in an excellent law firm at the same time as a man, graduating the same year as I did from Santa Clara. He was accepted - I was not - and I felt that my qualifications were as good as his, perhaps even better." This same graduate also reveals that her husband was "not all that keen about my practicing law."

Looking back, she said: "There has always been regret that I did not fulfill my education. Here was I - a graduate of a fine law school, but not using my education to the extent that it should have been used. It seemed as if I were up against a rock wall."

Entry into the profession does not seem to have been much easier in the 1930s. Judge Miriam Wolff and Nora Bower both remember being turned down by law firms on the grounds that "clients wouldn't like" dealing with a woman lawyer. Mary Mulcahy found employment as a stenographer and bookkeeper for a large San Francisco firm. The problem, she said, was that "it was impossible to convince any law office that a woman could be profitably employed as a lawyer."

The war years of the 1940s provided only the illusion of change, according to our respondents. Gloria Beutler reports: "During the time of World War II, when we were in law school, we were encouraged (or should I say, not completely discouraged) in our ambitions. After the war's end, the reversal was very destructive and led to a degree of bitterness." Lois Betzenderfer, graduating in 1945, also found a "huge amount" of discrimination. "Women," she explains, "were being fired from so many firms to make room for men." Avis Walton, another 1945 graduate, mentions that even women secretaries seemed to have a certain resistance to dealing with a woman lawyer.

Despite such obstacles, all twelve of the women we heard from managed to practice law or use their law school education in some way." Three, including Rhoda Lewis, became judges. Miriam Wolff, who first distinguished herself in the field of maritime law, has just retired after eleven years on the bench of the Santa Clara County Municipal Court. And Mary Conway Kohler '28 served for seventeen years as a San Francisco Juvenile Court referee before moving to New York, where she was active in public service (see In Memoriam section).



Several of the graduates entered full-time practice after first raising their children. Some went into other professions: Josephine Wood, for example, used her legal education to help her in the social work inspired by Jane Addams, and in participating actively in politics; Elizabeth Rosenfield became an editor, and credits her law school education with training her to think logically and analytically; Avis Walton practiced for a while, then added a teaching cre-

dential; Mary Mulcahy, finding herself unable to support herself and her three children during the Depression as a lawyer, became an escrow officer, and in time was head of the Land Acquisition Branch of the U.S. Bureau of Reclamation in Sacramento. Other women went into business with their husbands, using their legal training in that way. The respondents have also done a large amount of *pro bono* work.

Though many wish they had been able to go farther in the legal profession, none of our respondents expresses regret at having studied law. As one 1920s graduate said: "It was a wonderful experience in itself."

### Challenges and Choices

Professional acceptance for women as lawyers has, of course, changed dramatically in the decades since these women first approached the practice of law. The kind of up-front rejection they confronted is largely a thing of the past. Another challenge they faced has, however, a more modern sound: the difficulty of managing the competing demands of personal life and career.

We asked a number of questions relating to the career/family dichotomy, and got almost as many different answers.

A minority of our respondents chose not to marry at all - a "necessity," said one, for her career. Interestingly, two of the three judges in our sample are in this group.

The rest of our respondents did, however, attempt to combine career and family. All found it possible, at least to some degree - in sequence if not simultaneously. Two who felt compelled to put their careers on hold while raising children express mixed feelings about the situation. "I gave up the law for many years for a personal life," says one. "That was what my generation was expected to do. However, I always felt a victim of the system."

I asked one of the graduates who had managed to balance both career and family how she did it. "Mediocrity," she replied. That response - sincerely felt,



"No room! No room!" they  
cried out when they saw Alice coming.  
"There's plenty of room!" said  
Alice indignantly.

but patently untrue - was representative of the attitude of many of the women responding. They had in their own lives accomplished much, made many hard choices, and faced and responded with originality to formidable social obstacles. Yet all too often, their self-evaluation amounted to, "I wish I had done more."

In general, however, the responding women recognized that the choices they faced had been difficult and did not regret the ones they had made. Even among those who had not practiced full time, there was not one who failed to appreciate the relevance of her law school education to the rest of her life. What comes through, in many cases, is a frustration that they were capable by education and inclination of much more

than they were able to do.

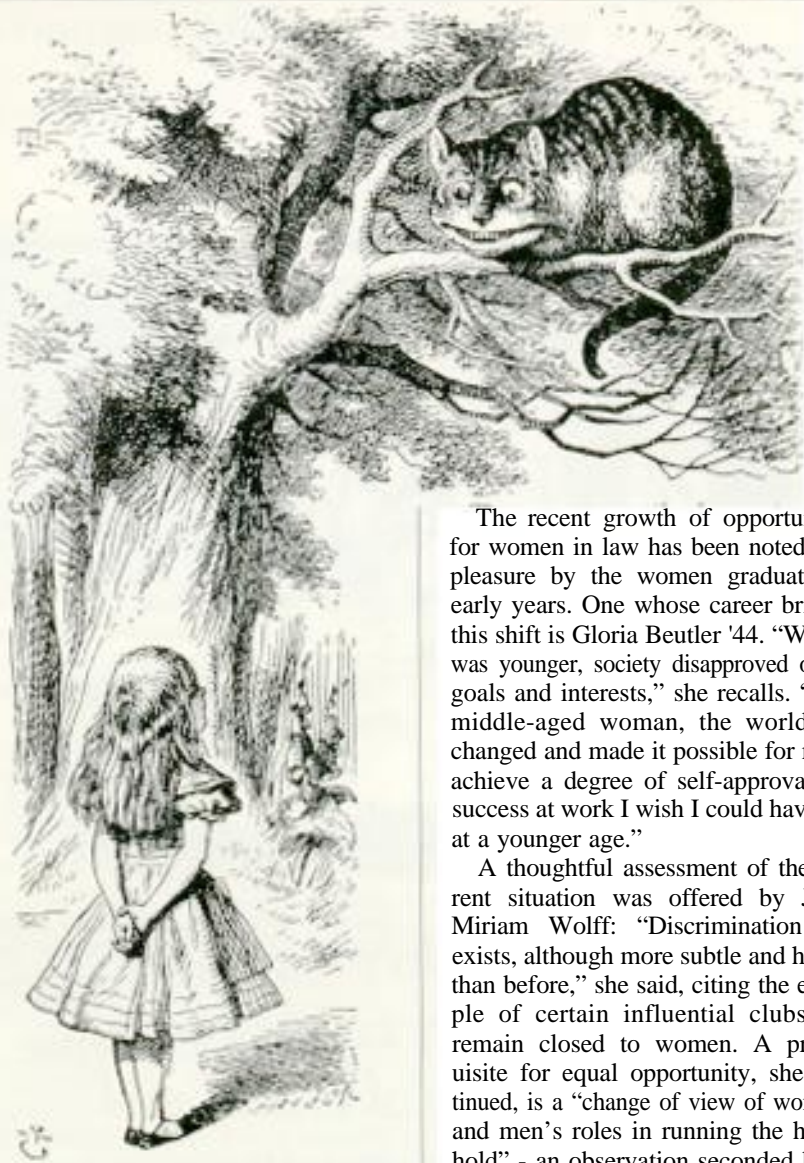
What advice do our trailblazers have for young women entering the profession today? Responses ran the full range from pessimism to optimism, i.e. :

- "Stop beating your head against the wall. You can't have it all. You have to decide what's important in life."

- "Don't expect perfection on all fronts. But then I don't think young men lawyers should try to do it/have it all at the expense of their families, either. You really need to find someone who is willing to form a marriage partnership."

- "Try for it all, both as a woman and a lawyer. Many have proven that it can be done. If a woman wants marriage and children along with her practice, she should make every effort to fulfill her dream."





The recent growth of opportunities for women in law has been noted with pleasure by the women graduates of early years. One whose career bridged this shift is Gloria Beutler '44. "When I was younger, society disapproved of my goals and interests," she recalls. "As a middle-aged woman, the world had changed and made it possible for me to achieve a degree of self-approval and success at work I wish I could have had at a younger age."

A thoughtful assessment of the current situation was offered by Judge Miriam Wolff: "Discrimination still exists, although more subtle and hidden than before," she said, citing the example of certain influential clubs that remain closed to women. A prerequisite for equal opportunity, she continued, is a "change of view of women's and men's roles in running the household" - an observation seconded by all those who spoke to the issue. At the same time, Judge Wolff pointed out, "Women have to reassess what they mean by equality of treatment. The bearing of children is a valid difference, and one that needs to be addressed."

I found, along with such cautious realism, a profound appreciation for the progress so far made. One alumna said simply: "I am very proud of what women have attained in this field." And another: "My gratitude goes out to those such as Betty Friedan who have made that possible." The writer is too modest. In fact, the Friedans of the world might well be looking back at the "trailblazers" with gratitude. For it is the venturesome few of earlier generations who opened the doors of higher education and the professions for the great numbers of today's young women, who can almost forget that the doors were ever, anywhere, closed. •

"Would you tell me, please, which way I ought to walk from here?"  
 "That depends a good deal on where you want to get to,"  
 said the Cat. •

### Footnotes

\*A more formal survey of Stanford Law alumnae conducted in 1970 by Virginia Nordby '54 indicated that women graduates of the School - then 130 in number - utilized their legal educations at very high rates. Of 90 respondents, some 66 percent were employed full time in the legal field, 12 percent part time, and another 18 percent had been at some time previously - for a total of 91 percent.

The engravings and accompanying quotations are, of course, from Lewis Carroll's *Alice in Wonderland*, as originally illustrated by Sir John Tenniel (1820-1914).



*Leelane Ellis Hines has been a solo practitioner in the Peninsula area since her graduation in 1959. Her specialty is criminal appeals. The experiences described by the women in this article are, she says, very like those she remembers as one of just five women in her graduating class. She credits her mother with steering her towards a professional career. "I don't think I would have been permitted to go to secretarial school even if I had wanted to!" she says. In talking to alumnae of former years, Hines felt "a great sense of honor-as if I were contacting my roots and discovering a lot to be proud of."*