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WOMEN AT UNC AND IN THE PRACTICE OF LAW

Laura N. Gasaway & Judith W. Wegner

Laura N. Gasaway has been director of the Law Library and professor of law at UNC since 1985. She received her B.A. and M.L.S. degrees from Texas Woman's University and her J.D. from the University of Houston. Prior to coming to Chapel Hill, she was director of the law libraries at the University of Oklahoma and the University of Houston. She teaches and writes in the areas of gender-based discrimination, intellectual property, law librarianship, and legal resources. She is a past president of the American Association of Law Libraries and a Fellow of the Special Libraries Association. She also serves on the American Bar Association's Accreditation Committee. She has a continuing interest in the role of women in the legal profession, legal education, and law librarianship. She has served as chair of the University of North Carolina Committee on the Status of Women. She was pleased to preside at the rededication of the UNC law library as the Kathrine Robinson Everett Law Library in 1993.

Judith W. Wegner has long been interested in the role of women as leaders in the legal profession. She is the author of a biographical article on Kathrine Robinson Everett that appeared in the 1992 Carolina Alumni Review. She, too, has served as the chair of the University of North Carolina Committee on the Status of Women. She became the first woman dean of the UNC School of Law in 1989. In 1995, Wegner will serve as the president of the Association of American Law Schools, only the fifth woman to hold that position in the Association's ninety-five-year history.

INTRODUCTION

In 1878 North Carolina became the sixth state, and the first southern state, to admit a woman to the practice of law. Just six years after the United States Supreme Court decided *Bradwell v. Illinois*,¹ which upheld the denial of a license to practice law to Myra Bradwell solely on the basis of her gender, the North Carolina

1. 83 U.S. (16 Wall.) 130 (1872).

Supreme Court permitted Tabitha Anne Holton of Guilford County to take the licensing examination. The matter was not without controversy, however. The January 10 *Raleigh Observer* commented: "We certainly admire this little woman's pluck, if we can't say so much for her judgment."² The justices reportedly were astounded on January 7, 1878, to find that among the nineteen applicants for the licensing exam was a twenty-four-year-old woman. Unsure what to do, the court did not permit her to take the bar exam that day but asked her to return in two days with an attorney to plead her case for permission to sit for the bar. Greensboro attorney Albion W. Tourgee spoke for ninety minutes, arguing that the statutory provision "such persons as may apply" included Ms. Holton. He said that the legislature expressed no intent to include women, but neither did it exclude them.

Further, Tourgee argued that under North Carolina law, lawyers from other states were permitted to practice in this state, and this included women attorneys licensed in other jurisdictions. He declared that it would be absurd to deny "a daughter of this state what is allowed to women of other states."³ Despite the opposition of William H. Battle, it took the court only ten minutes to decide that Ms. Holton should be permitted to take the examination. Examined in private, she passed, according to reports, without missing a single question. Her license was dated January 8, 1878, the date that appeared on the licenses of the male applicants that year.⁴ Ms. Holton, who mastered the law while she tutored her brothers for the bar examination, intended to practice with a brother in Kansas where there were other women lawyers. It is unknown whether they went to Kansas, but they did practice together in Yadkinville, where she died of tuberculosis in 1886.⁵

It was 1911 before another woman was admitted to practice in the state.⁶ Mrs. Lilian Rowe Fry, the first woman admitted to the University of North Carolina School of Law, was the second woman

2. 3 WILLIAM S. POWELL, *DICTIONARY OF NORTH CAROLINA BIOGRAPHY* 193 (1988).

3. Billy Arthur, *Equal Justice for All*, *THE STATE*, Apr. 1991, at 12.

4. 3 POWELL, *supra* note 2.

5. Arthur, *supra* note 3, at 13.

6. For the spring term of 1905 and the fall term of 1906, lawyers admitted to practice are listed only by last name and first initials. Thus, some of the admittees may have been women, but it is impossible to so determine.

For this and other important information, the authors thank Ms. Louise Stafford, Librarian, North Carolina Supreme Court.

licensed. By 1920 just twelve women had been licensed in North Carolina,⁷ some of whom never actively practiced. The first woman to argue and win a case before the North Carolina Supreme Court was Ms. Julia McGehee Alexander (the third woman licensed in the state). Although women had appeared before on printed briefs, Ms. Alexander of Charlotte appeared in person to argue the plaintiff's case in *Alexander v. Auten's Auto Hire*⁸ and won.⁹

WOMEN ARRIVE AT THE UNC SCHOOL OF LAW

Ms. Lilian Rowe Fry's admission to the school in 1911 was a harbinger of changes to come. Although she did not graduate (law school graduation was not then required for licensure), she was licensed to practice in 1911. The first woman graduate of the school was Margaret Berry Street, who graduated in 1915. Mrs. Street stated that she was the first woman to win a case before the North Carolina Supreme Court, appearing by brief. She practiced law in Charlotte and Asheville from 1917 until 1933; she was also an attorney on the legal staff of the Home Owners' Loan Corporation from 1934-37 in the company's Atlanta and Washington, D.C., offices. Mrs. Street was active in the Mecklenburg Bar Association and in many other civic organizations, including the North Carolina Good Roads Association prior to the passage of the state highway bill (still valid today) by the General Assembly in 1921. Mrs. Street retired in 1943 and died in 1967.¹⁰

The number of women at UNC remained small for many years. Most classes had no women, but there was a single woman graduate in 1915, 1919, 1920, 1929, and 1935. In the decade of the 1930s, there were only four women graduates, but in 1939, for the first time in its

7. The following are the first 12 women admitted to practice in North Carolina. The list includes name, county of admission, date of admission and the North Carolina Reporter cite where their admissions are noted: Tabitha Ann Holton, Guilford, Jan. 1878, 78 N.C. v; Mrs. Lillian Rowe Fry, Swain, Fall 1911, 156 N.C. v; Julia McGehee Alexander, Mecklenburg, Fall 1914, 166 N.C. vi; Margaret K. Berry, Orange, Fall 1915, 169 N.C. vi; Stella Elizabeth, Phelps, Nance and Forsyth, Fall 1917, 174 N.C. vi; Mrs. Irene Fay Graves, Orange, Spring 1919, 177 N.C. vi; Miss Willie May Stratford, Mecklenburg, Fall 1919, 178 N.C. vii; Miss Madeline Elizabeth Palmer, Mecklenburg, Fall 1919, 178 N.C. vii; Mrs. Opal I.T. Emry, Halifax, Fall 1919, 178 N.C. vi; Frances Elizabeth McKenzie, Buncombe, Spring 1920, 179 N.C. vi; Katherine McDiarmid Robinson, Fayetteville, Fall 1920, 180 N.C. vii; Louise Brevard Alexander, Greensboro, Fall 1920, 180 N.C. vi.

8. 175 N.C. 720, 95 S.E. 850 (1918).

9. North Carolina Supreme Court Minute Document, Addenda, Fall Term 1916-Fall Term 1918.

10. UNC Chapel Hill General Alumni Association files.

history, the School of Law counted two women among its June graduates. The first woman listed as a student editor of the *North Carolina Law Review* was Daisy Strong Cooper in 1925.

The first woman justice of the Supreme Court of North Carolina was Susie Marshall Sharp who graduated with honors from the School of Law in 1929. Appointed to the supreme court in 1962, she became chief justice in January 1973, the first woman elected as chief justice of a state's highest appellate court in the nation's history.¹¹ Her election as chief justice was just one of the firsts in her career: Sharp was the first female city attorney in North Carolina and the first woman to serve as a North Carolina Superior Court judge. She was often referred to as "North Carolina's first lady of the law."¹² Sharp served as a student editor of the *North Carolina Law Review* at Chapel Hill. She entered practice with her father upon passing the bar examination.¹³

The first woman on the law faculty was Law Librarian Mary W. Oliver, who was appointed in 1955. Ms. Susan Ehringhaus served on the faculty in a three-year temporary appointment from 1970-73. Other women faculty appointed in the 1970s include Gail Richmond, who currently is a professor at Nova Law School and recently served as acting dean at Nova; Susan Lewis, who now practices in Chapel Hill; and Sally Sharp, who was appointed to the faculty in 1978 and continues to serve there.

The first woman editor-in-chief of the *North Carolina Law Review* was Doris Roach Bray, who edited Volume 44 in 1965-66. Ms. Bray has enjoyed a distinguished career as a partner in the law firm of Shell Bray Aycock Abel & Livingston in Greensboro. She has a corporate practice that includes securities regulation and mergers and acquisitions. Six other women have served as editors-in-chief of the *North Carolina Law Review*: Joan Goren Brannon, 1970-71; Teresa Wynn Roseborough, 1985-86; Jaye Powell Meyer, 1989-90; Elizabeth Anne Janeway, 1990-91; Helga L. Leftwich, 1992-93; and Amy Kathryn Johnson, 1993-94.

Eight women have served as president of the Student Bar Association, beginning with Joyce L. Davis in 1973-74. Other women

11. Justice Sharp was not the first woman chief justice in the United States because Arizona rotates the position; Lorna Lockwood held the chief justiceship there prior to Chief Justice Sharp's election. Ginny Carroll, *Susie Sharp Is Sworn In; First Woman Chief Justice*, NEWS & OBSERVER (Raleigh), Jan. 3, 1975, at 19, 21.

12. *Id.* at 19.

13. Tom Sieg, *Susie Sharp: She Broke New Ground Gently To Become N.C.'s Chief Justice*, WINSTON-SALEM JOURNAL, May 17, 1987, at A13.

who have headed the SBA include Catherine Cooper (Williamson), 1975-76; Nancy Kroc, 1982-83; Patricia Nece, 1983-84; Patricia Lewandowski (Gillen), 1985-86; Lisa Rice (Hayes), 1987-88; Lauren Burnham (McClellan), 1990-91; and K. Corinne Harrah, 1994-95.

The first African-American woman to graduate from the UNC School of Law was Mrs. Sylvia X. Allen, who graduated in 1962. Mrs. Allen had been a nurse, a public school teacher, and a vocalist. She had six children when she entered law school. Upon graduation, she took the bar examination at a time when fifty-two percent of the law school class failed. Mrs. Allen and Julius Chambers were the only African-Americans to pass the bar that year. She established a general practice in Fayetteville and became an assistant district attorney in 1969. Mrs. Allen ran for district court judge in 1974. It was twelve years before another African-American woman would graduate from Carolina.¹⁴

THE CHANGING CLIMATE FOR WOMEN

In addition to the pathbreakers just noted, many other women have contributed in innumerable ways to shape the School of Law and the legal profession in North Carolina over the years. A sense of the pace of change can be gleaned from a review of the graduation data over the period 1915 to the present.

Based on demographic data alone, the history of women at the School of Law seems to be divisible into three major phases: (1) the era of pioneering women, which includes the classes of 1914 through 1972; (2) the second era, 1973 through 1983, a transitional period when women made up ten to thirty percent of the graduating class; and (3) the modern era, covering the classes of 1983 to the present, when enrollment has stabilized with women comprising approximately forty to fifty percent of each graduating class. Not surprisingly, this pattern of law school enrollment parallels national trends in women admitted to practice. From 1951 to 1967, the percentage was approximately three percent; by 1982-83 it had risen to thirty-four percent, and by 1990-91 exceeded forty percent.¹⁵ Women lawyers have also increased as a percentage of the total lawyer population in the United States, increasing from two and one-half percent (1950-51)

14. NORTH CAROLINA ASS'N OF BLACK LAWYERS, *Sylvia X. Allen*, 3 CHRONICLE OF BLACK LAWYERS IN NORTH CAROLINA 39 (1990).

15. *Legal Education and Professional Development—An Educational Continuum, Report of the Task Force on Law Schools and the Professions: Narrowing the Gap*, 1992 A.B.A. LEGAL EDUC. AND PROF. DEV. 19.

to eight and one-tenth percent (1980-81) to twenty-two percent (1990-91).¹⁶

The experiences of women as law students at UNC are portrayed most effectively through the observations of women graduates.¹⁷ Even as women's law school experiences have been slowly transformed, law alumnae have endeavored to reshape the legal profession in their image. A 1983 study documented the experiences of women graduates of the School of Law. The 121 respondents to the survey that was sent to 540 law alumnae suggested trends of experience that may still be true for women attorneys. For example, alumnae observed that, in their view, women bring something special to their law careers, particularly in the area of dealing with clients. They reported that they were trailblazers and that they experienced first-hand the effects of their pioneering efforts. Respondents indicated that alumnae encountered special challenges in finding jobs. They also noted challenges in combining professional and personal lives, especially in relation to childbearing and childrearing.¹⁸

A much more comprehensive study of the experiences of women in law practice was completed in 1993 by the Commission on the Status of Women in the Legal Profession in North Carolina, co-chaired by Dorothy Bernholz, Director of Student Legal Services at UNC, and Sharon Parker, a Durham practitioner and a UNC law alumna.¹⁹ The report cited continuing problems with sexual harassment and gender differences in legal practice, and it documented the "perception that women attorneys could be more fully and successfully involved in the management of private law firms." The report also found that "[l]awyers who are parents, especially female attorneys, face conflicting demands between their family obligations and their professional obligations."²⁰ The report encouraged law schools to

16. *Id.* at 20.

17. For thoughtful studies of the experiences of women at law schools across the country and critiques of legal education by women legal educators, see Catherine Weiss & Louise Melling, *The Legal Education of Twenty Women*, 40 STAN. L. REV. 1299 (1988).

18. Cathy Schweitzer, *Report On Alumnae Survey: How Are Our Women Graduates Doing*, LAW ALUMNI NEWSLETTER (UNC School of Law, Chapel Hill, N.C.), Jan. 1984, at 1-4; *Woman Attorney: Valuable To the Firm, But Will She Stay? Survey of Law Firms Brings Sparse Results*, LAW ALUMNI NEWSLETTER (UNC School of Law, Chapel Hill, N.C.), Apr. 1984, at 1-2.

19. NORTH CAROLINA BAR ASSOCIATION, FINAL REPORT OF THE COMMISSION ON THE STATUS OF WOMEN IN THE LEGAL PROFESSION IN NORTH CAROLINA (1993) [hereinafter NORTH CAROLINA BAR ASSOCIATION, STATUS OF WOMEN].

20. *Id.* at 2; see also Jane Wettach, *Women in the Practice: The Struggle Continues*, NORTH CAROLINA STATE BAR QUARTERLY, Summer 1990, at 18-22 (reporting study by

foster freedom from gender bias and urged bar organizations to involve women attorneys as members and to foster their development in leadership positions.²¹

WOMEN OF NOTE

From the first woman graduate in 1915 to the class of 1994, the careers of women law graduates have been varied, reflecting the wide range of career opportunities available to women attorneys at different points in the law school's history. For the following discussion, the authors selected one woman graduate as representative of each decade. To the extent possible, the accounts that follow have been prepared based on interviews or accounts of interviews with women graduates of UNC over the last eighty years. In this way, several generations of UNC women are able to trace both the evolving experience of women as students at the law school and as legal professionals, while at the same time providing personal insights in their own uniquely "different voice."²²

1910-19

Mrs. Opal I. T. Emry was born in 1884, received her law degree in 1919 and was the ninth woman licensed to practice law in North Carolina. Mrs. Emry held B.A. and M.A. degrees in botany from Ohio State University and taught botany at both Ohio State and the University of Arizona before enrolling at UNC. She was a scientific assistant at the United States Department of Agriculture and a state botanist at the North Carolina Department of Agriculture. There is no record of whether she practiced law. Mrs. Emry was invited in 1970 to attend the Old Students Club luncheon, organized to recognize individuals who graduated fifty years ago or more. The letter of invitation was filled with references to the "Half-Century Boys," "The Old Boys," and "Sons of the Alma Mater." Mrs. Emry's terse reply was, "Why not sons and daughters? As I am not a son, I do not consider myself invited." A quick response from the Alumni

North Carolina Association of Women Attorneys).

21. NORTH CAROLINA BAR ASSOCIATION, STATUS OF WOMEN, *supra* note 19, at 3.

22. See generally CAROL GILLIGAN, IN A DIFFERENT VOICE: PSYCHOLOGICAL THEORY AND WOMEN'S DEVELOPMENT 1 (1982) (observing that in speaking of moral problems and interpersonal relationships, "the women's voices sounded distinct" from men's); MONA HARRINGTON, WOMEN LAWYERS: REWRITING THE RULES 7-9 (1994) (asserting that women lawyers occupy the vantage point where the conventional roles of women and the professional roles of men collide, which enables them not only to feel the pressure of change, but to work to shape that change).

Secretary apologized and indicated that the Old Students Club included both alumnae and alumni and that she certainly was invited. Still fighting for the recognition of women, Mrs. Emry died in Weldon in 1974.²³

1920-29

Kathrine Robinson Everett, who graduated from the School of Law in 1920, practiced law in Durham for more than seventy years. The only woman in her law school class, she graduated first in the class and was the top scorer on the 1920 state bar exam. She was the eleventh woman licensed in the state. Mrs. Everett's lawyer father influenced her both in her selection of a career in law and in her dedication to public service. She graduated from UNC-Greensboro in 1913 and then taught history and business in Mount Airy and Salisbury. When the United States entered World War I, she went to Washington, D.C., to work for the war effort. While there she took courses at the Washington College of Law of American University and then enrolled in a summer session at Columbia University. Mrs. Everett applied for admission to the University of Virginia School of Law, but she was rejected, as she said, because Virginia was "still ungracious enough not to take women." To its credit and benefit, the University of North Carolina did admit her.

Mrs. Everett found her fellow students pleasant despite ribbing from classmates who said, "You [are] going to ruin the law school, with women coming." She returned to Fayetteville in the fall of 1920 after passing the bar examination, just as women received the vote, and joined her father in his practice. She also worked registering women voters in that year. Mrs. Everett told wonderful stories about husbands chasing her from front porches as she attempted to register their wives. Kathrine Everett tried her first case in Clinton, North Carolina, and recalled that "people came from miles around to see a lady lawyer." She won the case. That same fall she argued and won her first case in the North Carolina Supreme Court.²⁴ Mrs. Everett is quoted as saying: "I was concerned about whether or not to wear a hat and gloves to court."²⁵

She married fellow lawyer Reuben Oscar Everett in 1926 and moved to Durham, where Mr. Everett had his criminal law practice.

23. UNC Chapel Hill General Alumni Association files.

24. See *Elliott v. McMillan*, 180 N.C. 232, 104 S.E. 459 (1920).

25. Mike Collins, *A Lawyer Ahead of Her Time*, RALEIGH NEWS & OBSERVER, Apr. 17, 1989.

She specialized in civil matters and worked on briefs and did title work. In 1928 their son, Robinson O. Everett, now a successful attorney and law professor in Durham, was born. In 1951 Mrs. Everett became one of the first two women to run successfully for the Durham City Council.²⁶ During these years and later she continued to practice law with her husband and then her son. On the same day in 1954, all three of the Everetts were admitted to practice before the U.S. Supreme Court, a first for the Court.²⁷

In 1990 Mrs. Everett was thought to be the oldest practicing attorney in the United States.²⁸ She is remembered fondly by a host of lawyers around the country. Her twenty years on the Durham City Council and fair representation of many clients endeared her to many people. She died on January 28, 1992, at the age of ninety-eight.²⁹ In September 1994, on what would have been her 100th birthday, the law library at UNC was named in her honor and is now known as the Kathrine R. Everett Law Library.

1930-39

Sarah Starr Gillam graduated in 1939 and became the only woman lawyer in Iredell County. She associated with her father's law firm in Mooresville upon receiving her license. Gillam says that no one was ever able to change her mind, even though her mother certainly tried. Coming to UNC for law school was a foregone conclusion because her father was a graduate. Virginia Douglas Bell was her classmate, and they were the first women to graduate from a class with more than one woman. In addition to Mrs. Bell, there was one other female student in their first-year class whom Mrs. Gillam characterizes as a "fluffy one" who was gone by the end of the first semester.

The law school was a very different place in those years, but Manning Hall was welcoming. The school built a restroom for women at the side of the building; to get there, one had to walk past the faculty offices. Mrs. Gillam thought this was good since it encouraged students to approach the faculty with problems and

26. Mary Semans was the other woman elected to the Durham City Council.

27. Jim Thornton, *UNC School of Law Honors 97-Year-Old Durham Lawyer*, DURHAM MORNING HERALD, Oct. 20, 1990, at C1.

28. See Judith W. Wegner, *Writing a Woman's Life; Kathrine R. Everett '20*, CAROLINA ALUMNI REVIEW, Summer 1992, at 35-39 (recounting the life of Katherine R. Everett).

29. Treva Jones, *Kathrine Everett Dies; Legal Career Marked by Firsts*, NEWS & OBSERVER (Raleigh), Jan. 29, 1992, at 1B.

questions. She describes the atmosphere as informal and pleasant. The faculty treated her well, and most of the male students did also. "There were a few male students who had just as soon we not be there," she recalls, "but most were polite and pleasant." She had a part-time job working with the dean's secretary to earn extra money and knew Dean Maurice T. Van Hecke better than she knew any other member of the faculty.

While practicing in Mooresville, Charles Tillett, a well-known attorney in Charlotte, asked Gillam to come to work for him, but she was not interested in relocating. He successfully tempted her to work for him two days per week, however. While working for Tillett in Charlotte, she met Julia Alexander, who was still in active practice. Ms. Alexander (the first woman to argue and win a case before the Supreme Court of North Carolina) was known as "Miss Carrie." Mrs. Gillam had great admiration for Miss Carrie, describing her as a character who once got confused in an introduction and presented her to Judge William H. Bobbitt as Susie Sharp. Judge Bobbitt replied that he knew Susie Sharp and this was not she. Sarah Gillam replied that she certainly was not Susie Sharp, she was Sarah Starr.

During World War II, Mrs. Gillam went to work at the Office of the State Attorney General in Raleigh. She did not want to accept this position, but her father encouraged her because he felt it would be excellent experience. During those years she became reacquainted with classmate Moses B. Gillam, Jr., whom she married in 1942. After the war, the Gillams decided to come back to Windsor, North Carolina, where her husband's father and uncle had been in practice. Sarah Starr Gillam remains a partner in the law firm of Gillam & Gillam, where she practices with her husband and the younger of her two sons. The older son, Bob, is Associate General Counsel for Carolina Power & Light Company in Raleigh. Mrs. Gillam is active in the Bertie County Bar Association and the North Carolina State Bar and is still practicing after fifty-five years. Although she has done extensive title work and some civil litigation, she was originally interested in criminal law. Moses Gillam was the local prosecutor for a number of years, however, and by the time criminal work ceased to constitute a conflict of interest, her proclivities had changed. Mrs. Gillam found law practice to be an excellent career for women. Combining family responsibilities and law practice worked well for her, but she credits practice in a small town with some of her success in these demanding endeavors.

Sarah Gillam recognized law as a good career choice for women long before there were many female law students or attorneys. The

variety of types of practice and other uses to which one can put a legal education make it most attractive, in her opinion. If Mrs. Gillam could change one thing about the practice of law, it would be to return to the ideal of law as a service profession. "It now seems to be pure business, and that is too bad."³⁰

1940-49

Bertha "Bea" Merrill Holt attended the University of North Carolina School of Law from 1938 to 1940 and subsequently received her degree from the University of Alabama in 1941. In the intervening years, she served her country, raised a family, traveled the world, and contributed important leadership to the state through her twenty years of service in the North Carolina General Assembly.

Bea Holt grew up in Eufala, Alabama, where her father was a lawyer. She remembers that her calling to the law came early. In the seventh grade, students were asked to write about their career choices, and she wrote that she wanted to be a lawyer. Bea laughingly reports, "Everyone said I was nuts!" She notes that her decision was "always an amazement for mother, who cried when I said I wanted to go to law school."

Ms. Holt received her B.A. from Agnes Scott College in Decatur, Georgia, during the Depression, and economic conditions required that she give careful thought to how to pursue her dream of a legal education. She had family ties to Chapel Hill through a cousin, Allen Merrill (editor of the *Daily Tar Heel* and the proud possessor of a car that she could share). She financed her education with the help of an uncle and the state. She found the campus beautiful and the social life a good deal of fun for someone who had just spent four years in a women's college.

Bea enjoyed law school despite not having other women in her class, and despite feeling she had no real mentors and few role models. She remembers that women such as Sarah Starr Gillam, Clover Johnson, and Virginia Douglas Bell had preceded her. She also notes that Libby Shumate, who stood at the top of an earlier class, had not been allowed to be editor-in-chief of the *North Carolina Law Review*. Bea got on well with male students and recalls her first meeting with her husband, Clary Holt, who received his J.D. in 1938. While she was studying in the basement of the library, he came upon

30. Telephone interview with Sarah Starr Gillam, partner, Gillam and Gillam Law Firm (July 18, 1994); UNC Chapel Hill General Alumni Association files.

her and insisted that she type something for him. Bea's retort ("I never was a good typist. And who do you think you are?") led to an enduring affection and a fifty-two-year marriage that is still going strong. She was skilled at turning challenge into opportunity. She recalls her first class with Albert Coates, who lectured her for twenty minutes about law school's being a "rough go" for a woman. His brusque approach failed to deter her thirst for a legal education. "Besides," she quips, "my knees had turned to rubber, so I couldn't walk out."

After graduation and success on the Alabama bar exam, Bea found few doors open to women lawyers. Law firms recommended that she get training as a secretary, and a bank where she applied to be a trust officer told her that she would not be paid as much as a man. She finally headed for wartime Washington, D.C., where she worked for the United States Department of the Treasury and later the Department of the Interior. She and Clary Holt became reacquainted, married, and returned to Burlington where he began to practice. Still there were few opportunities for women lawyers. Bea became a homemaker and raised three children, one of whom is the manager of the rock band, R.E.M.

Ms. Holt began her long tenure in the North Carolina General Assembly in 1975, when she was appointed to fill the unexpired term of James Long. In the House she has earned a reputation for her wit, good humor, candor, and ability. She stands up for what she believes in, even though she may not win the day. For example, she called for public hearings when the legislature considered reinstating retirement for a judge who had been removed from the bench. None of her bills passed during the remainder of that legislative session. On the other hand, she has enjoyed moments of considerable triumph. For example, in 1993 she served as chair of the legislative women's caucus and forged an effective coalition that eliminated North Carolina's marital rape exemption. In 1994 she was instrumental in shepherding criminal-law reform proposals and in gaining support for capital appropriations to begin planning for a new addition to the UNC law school building.

Bea is a favorite speaker at the law school, and she is an active member of the UNC Law Alumni Association Board. In words and

deeds, she inspires those around her to keep their perspective and sense of humor and to use their legal training for the public good.³¹

1950-59

Mary W. Oliver graduated from the School of Law in 1951 with a totally different career plan from most graduates. Ms. Oliver received her A.B. degree from Western Maryland College in 1940 and her master of library science degree from Drexel University in Philadelphia three years later. When she entered law school, she already had had several years of library experience and had worked at the University of Virginia Law Library. Ms. Oliver never considered law school until after she had become a librarian. She worked ten hours per week in the law library for Ms. Lucille Elliott (UNC's first law librarian) while completing her legal education. When Mary entered law school, there were only ten women in the whole school, and only three graduated with her class. One entered practice, one married and did not practice, and Ms. Oliver became a law librarian and law professor.

While most of the faculty said that women were welcome in the school, Ms. Oliver does not believe that the women really felt welcome. Most male students treated the women quite well, although there were a few who thought that the only place for women in law was as legal secretaries. Because there were so few women, they did not cling together but participated with male students in study groups and the like.

Ms. Oliver's first job after graduation was as a researcher for Albert Coates at the Institute of Government working with the legislative commission studying North Carolina administrative agencies. In September 1952, she became Assistant Law Librarian at UNC despite other offers. Although Ms. Elliott would be retiring in a few years, there was no assurance that Ms. Oliver would replace her. Some members of the faculty thought it would be better to have a man for the job. Nonetheless, in 1955 Ms. Oliver was appointed Law Librarian and Assistant Professor of Law. The University had

31. Interview with Bertha M. Holt, Representative to the North Carolina General Assembly (July 1, 1994); Pat Bailey, *Prison Cooking Grads Hear Alamance 'Lady Legislator'*, DURHAM MORNING HERALD, Mar. 12, 1976, at 3B; Martha Waggoner, *Rep. Holt Credited with Success of Marital Rape Bill*, NEWS-ARGUS (Goldsboro, N.C.), July 30, 1993, at A12; UNC Chapel Hill General Alumni Association files. See generally Betty Mitchell Gray, *Women in the Legislature: A Force for the Future*, 15 N.C. INSIGHT 2 (1994) (discussing the increasing numbers and growing influence of women in the North Carolina General Assembly).

some hesitation about appointing to the faculty someone whose main responsibility was administration rather than teaching, but the law faculty was behind her appointment, especially since she would teach legal bibliography. The law library had only two full-time staff members at that time.

Mary Oliver says that she found her career challenging and rewarding. The two most difficult things about the position were the lack of financial resources to provide the staff, collection, and services that users demanded, and the faculty's refusal to permit a security system in the new Van Hecke-Wettach building. There were frequent budget cuts, frozen positions, and holds on spending during those years. Both Ms. Elliott and Dean Henry Brandis were supportive and encouraged her to become active not only in the American Association of Law Libraries (AALL) but also in the Association of American Law Schools (AALS) at a time when there were not many women in the field as librarians or law professors. Professor Oliver was president of the AALL in 1972-73, served on the AALS Executive Committee, and chaired the Law Library Committee of the American Bar Association.

Professor Oliver retired in 1984 after a distinguished career, having devoted thirty-two years to her work at the UNC Law Library. She is remembered fondly by former students and is well known and respected among leaders in legal education.

1960-69

Susan Haughton Ehringhaus graduated in 1968 with honors and served as articles editor of the *North Carolina Law Review*. From her early teens Ms. Ehringhaus was increasingly sure that she did not want to adopt the traditional pattern of following college with marriage and then a family without developing her other interests. In her ninth-grade civics class she wrote a paper on career choices; law was one of those she highlighted. She comes from a family of lawyers; her father, grandfather, and various other male family members enjoyed long and distinguished legal careers. Additionally, Ms. Ehringhaus's mother had a career of her own, serving for several years as executive director of the North Carolina Art Society and later the North Carolina Museum of Art. Ms. Ehringhaus credits her parents with rearing all three of their children free of gender stereotypes; her older sister is a theater producer and her younger brother is a banker. Following two years at St. Mary's College, Ms. Ehringhaus transferred to UNC to complete her B.A. in a combined degree program. Ms. Ehringhaus states that she was attracted to

Carolina for law school for a variety of reasons: its fine reputation; her legacy (both her father and grandfather were graduates of the School of Law); the affordability of a legal education at Carolina; and scholarship support awarded by Dean J. Dickson Phillips, Jr., who was "willing to take a chance on me."

There were five women in her class, but only she graduated in 1968. There were approximately four women in the class behind and four in the class ahead of hers. Ms. Ehringhaus credits Doris Bray, the first female editor-in-chief of the *North Carolina Law Review*, as one of her role models: "She gave heart to everyone; I knew of her and felt the power of her coattails. Further, her success kindly disposed the faculty to women."

Ms. Ehringhaus says that she had a thoroughly positive law school experience. Many women from this era report that they felt isolated and sometimes alienated during law school; fortunately, this was not Ehringhaus's experience. She feels that she had a first-rate education at the School of Law and that she was fortunate to be there.

Her first job was as an associate at the firm of Maupin, Taylor and Ellis in Raleigh, followed by a year at the United States Justice Department in the Appellate Section of the Antitrust Division. In 1970 she left the Justice Department and joined the UNC law faculty for a three-year stint. Since 1974 she has served as Assistant to the Chancellor and Senior University Counsel at the University of North Carolina at Chapel Hill. She continues to teach part-time in the School of Law. Ms. Ehringhaus loves her job and being part of the University's noble tradition. Her colleagues are not just lawyers; she enjoys contact with the faculty and finds the variety of backgrounds especially interesting. She describes the work as similar to being in-house counsel to an \$800 million business with all of its attendant challenges.

The School of Law, she says, "should inspire young people to know that they can belong to this group. Once one becomes a part of the profession, it is important to reach back and help younger people; this is no less than a professional responsibility."³²

32. Telephone interview with Susan H. Ehringhaus, Assistant to the Chancellor and Senior University Counsel at UNC Chapel Hill (June 29, 1994).

1970-79

S. Elizabeth Gibson received her law degree in 1976. In the ensuing years, she distinguished herself as one of the first women to clerk for a justice of the United States Supreme Court and as one of the most talented and beloved members of the current UNC law faculty.

Gibson grew up in Raleigh, and, like many young women of her generation, planned to become a teacher. She was inspired by active, involved women in her family, including her mother and her aunt Frances Satterfield, who was active in the Democratic Party and worked in the Women's Bureau of the Department of Labor.

Gibson considered the possibility of a legal career while attending Duke University as an undergraduate, but remained unsure. After working for a year in Washington, D.C., at the Department of Justice's Civil Rights Division, she found that she missed being on a college campus and decided to take the LSAT. Success on the exam boosted her confidence and she decided to enter UNC, which she considered to be a good school at an affordable price. She hoped that there she would come to know those with whom she would work in law practice.

Gibson's experiences at law school were different from those of the women who preceded her. Her class had an enrollment of approximately twenty percent women in contrast to the much lower proportion in earlier years. The class was different in other respects as well. Returning veterans of the Vietnam War seemed to add a tone of seriousness of purpose to the school, and women were more readily treated as equals by most of their male classmates. A few men continued to comment unkindly about outspoken women in their classes. Some others played cards and seemed to enjoy relatively uncomplicated lives while their wives worked to put them through law school. Change was the order of the day, however, and institutional fixtures such as the *North Carolina Law Review* changed in tone and character. Professors were fair and respectful, although their awkwardness seemed unavoidable when they asked whether women preferred to be called "Mrs." or "Miss." Women students generally survived with good grace and enjoyed feeling like pioneers.

Law faculty members such as Paul Verkuil, Susan Lewis, and Gail Richmond were mentors who provided encouragement at key moments. At the end of her second year, Gibson met United States Circuit Judge J. Braxton Craven, Jr., the UNC law graduation speaker; she was invited to interview for and was offered a judicial

clerkship with him. Fellow law clerk (now husband) Robert Mosteller encouraged her to pursue a clerkship with a United States Supreme Court justice. She interviewed unsuccessfully with Justice Lewis F. Powell, Jr., and later was invited to interview with Justice Byron R. White. She became Justice White's first female clerk and one of only seven female clerks at the Supreme Court during its 1977 term.

Gibson then practiced with the firm of Shea & Gardner in Washington, D.C. She found Shea & Gardner "just the right place" for someone who valued intellectual challenge and took pride in her work. She was made a partner in 1983, just before she joined the UNC law faculty.

Professor Gibson enjoys her job as a faculty member at UNC. She is well respected by her colleagues, including those who were her teachers. Professor Gibson teaches courses in civil procedure, federal jurisdiction, and bankruptcy. She received awards for teaching excellence from the classes of 1988 and 1991. Professor Gibson has also become a nationally-respected scholar on the procedural and jurisdictional aspects of bankruptcy. She has written for and worked closely with federal bankruptcy judges on the handling of large corporate "mega-bankruptcies." Professor Gibson became the first woman to be named to a distinguished professorship at the UNC School of Law when she became Burton Craige Professor of Law in 1993.

1980-89

Teresa Wynn Roseborough graduated in 1986 as the first African-American woman to serve as editor-in-chief of the *North Carolina Law Review*. Ms. Roseborough had long been interested in the law as a tool for social change, an interest which she credits to being a child old enough to appreciate but too young to participate in the civil rights movement. Attorneys for the NAACP Legal Defense Fund and justices of the Supreme Court were her heroes. Ms. Roseborough, whose B.A. is from the University of Virginia, also has a master's degree in education from Boston University and is the first lawyer in her family.

Women comprised over forty percent of the first-year class when she entered, but there were only twenty-two African-American students; however, this was a tremendous improvement over the previous two years. She credits Professor Harry Groves as her role model for his strong interest in individuals and for caring so much that students develop strong legal analytical skills. Although he ran a tight ship in class, he encouraged students to rely on their own

abilities to find answers and have the confidence to share the outcomes with the class. Although Ms. Roseborough believes that she was treated very well at Carolina, in one class she remembers a difficult case where the professor was going down the row asking the same question to student after student, each of whom was unable to answer the question. Just before the bell rang, the professor came to Roseborough, who answered the question correctly. She reports that the professor appeared stunned that someone finally answered correctly and that the person was a black woman.

Ms. Roseborough never felt that she was treated differently from other students, and she believes that Dean Ken Broun set a wonderful tone to encourage discussion and openness and that he would not tolerate discrimination. The low number of women on the faculty was a problem, however. One issue she feels was not handled well was the focus on rape cases in criminal law classes where some professors never appeared to understand how offensive it was to continually use rape as the paradigm for the criminal law nor how difficult it was for women to deal with the complexity of criminal law through such a difficult and personal situation.

Upon graduation Ms. Roseborough clerked for Judge J. Dickson Phillips, Jr., of the United States Court of Appeals for the Fourth Circuit and then for Justice John Paul Stevens on the United States Supreme Court. She feels very fortunate to have worked with two such outstanding jurists and to be trained by them. She says that Judge Phillips is "all of what a judge should be, both as a scholar and a human being." Justice Stevens, she says, is such a wonderful person that she "would work for him if he were running a service station."

Ms. Roseborough entered private practice with the firm of Sutherland, Asbill & Brennan in Atlanta in 1988. When she was hired there was only one woman partner, and the firm had policies that permitted partners to entertain clients at race- and gender-restrictive clubs. These policies changed soon thereafter, and the firm no longer reimbursed attorneys for entertainment in such establishments. She found that some sections of the firm were very welcoming to women, but others reflected the difficulty women have entering all-male professions. Too many male attorneys view women as unwilling to make the sacrifices to have a successful career, Ms. Roseborough believes; at the same time, they fail to recognize that a large percentage of male attorneys have stay-at-home wives.

After five years at the firm, Ms. Roseborough joined Assistant Attorney General Walter Dellinger as one of his deputies at the Office of Legal Counsel in the Justice Department. Although she

finds it hard to be separated from her husband Joseph (UNC Law '87), and two-year-old daughter Courtney, both of whom remain in Atlanta, Ms. Roseborough says that Attorney General Janet Reno has made it possible for many women in the Justice Department to work hours that support family life. Ms. Roseborough lives in Washington, D.C., from Sunday night through Thursday and returns to Atlanta Thursday evenings.

As she looks to the future, Ms. Roseborough hopes that Carolina will soon develop the same kind of network that several major private schools have created, through which one turns to classmates for advice, political appointments, and the like.³³

1990-94

Amy Kathryn Johnson graduated first in her class in 1994 and served as editor-in-chief of the *North Carolina Law Review*. With an undergraduate degree in business administration from the University of Michigan, Ms. Johnson decided on law as a career in her senior year, even though she has no other family members or close family friends who are attorneys. She chose law school because studying law affords numerous career opportunities.

Ms. Johnson reports that her experiences at the law school were uniformly positive, due in part to the fact that women comprised forty-three percent of her entering class. When she became editor of the *North Carolina Law Review*, she found many of the faculty quite helpful, especially Professors Louis Billionis and Richard Rosen. She can recall no instance in which she felt that her gender was a liability.

Ms. Johnson began clerking for Judge J. Dickson Phillips, Jr., of the United States Court of Appeals for the Fourth Circuit after taking the July 1994 North Carolina bar exam.

CONCLUSION

Women have been important contributors to the School of Law for well over fifty years. The dramatic change in the place of women since the school's centennial in 1945 is symbolized by the leadership of the school's first woman dean, the naming of its law library in honor of a noted alumna, the dramatic rise in the number of female students and law alumnae, and the contributions that its women graduates are making to the legal profession and society. Although such developments in many respects are relatively recent, there is a

33. Telephone interview with Teresa W. Roseborough, (June 30, 1994).

much deeper and longer history of women affiliated with the UNC School of Law than is readily accessible or adequately documented.

This short essay has sought to fill that gap by more fully tracing the increasing presence of women at the UNC School of Law and more fully canvassing the history of women's entry into the legal profession. While it is impossible to predict the future, it seems likely that the substantial presence of women in the law school will lead to a continuing pattern of transformation of legal institutions, the legal profession, and its traditions as women make their voices heard and share their own experiences and values with their male colleagues.