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## Black Lawyers of Missouri: 150 Years of Progress and Promise

Willie J. Epps Jr.

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# MISSOURI LAW REVIEW

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## **Black Lawyers of Missouri: 150 Years of Progress and Promise**

*Willie J. Epps, Jr.\**

### ABSTRACT

*In this Article, Judge Epps amasses and orchestrates an unprecedented amount of information about Missouri's Black lawyers from 1871 to 2021. As Missouri marks its bicentennial, and the sesquicentennial of the first Black lawyer admitted to practice here, this Article offers analysis and insights about the most well-known Black lawyers, including new details on many previously unknown Black lawyers. According to Judge Epps, the earliest of these legal pioneers courageously practiced law when Blacks had few or no rights under the Supreme Court's interpretation of the Constitution, and de jure and de facto discrimination reigned in Missouri. His research shows how Black attorneys fought prejudice within the profession even as they represented Black clients before a sometimes hostile judiciary. Judge Epps's scholarship also spotlights a generation of Missouri Black lawyers who shattered ceilings, sparking*

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\* United States Magistrate Judge for the Western District of Missouri. A.B., 1992, Amherst College; J.D., 1995, Harvard Law School. I would like to thank Kathryn Winfrey, branch librarian, U.S. Court of Appeals for the Eighth Circuit, and John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., for their invaluable assistance in researching Missouri's Black legal pioneers, as well as Eric Kendall Banks, Judge Duane Benton, Professor Frank Rudy Cooper, Keith A. Cutler, Edward L. Dowd, Jr., Mischa Buford Epps, Dean Roger A. Fairfax, Jr., Judge Fernando J. Gaitan, Jr., Judge Jon R. Gray, Judge Lisa White Hardwick, Basil L. North, Jr., Professor Kimberly Jade Norwood, Professor Leonard S. Rubinowitz, Dean Peter B. "Bo" Rutledge, Beatryx Epps Washington, and Professor David B. Wilkins for their helpful insights. I gratefully acknowledge the substantial assistance of my law clerks: Cailynn D. Hayter, University of Missouri School of Law, J.D. 2017; Josh M. LeVasseur, University of Michigan School of Law, J.D. 2019; Grace Colato Martinez, University of Missouri-Kansas City School of Law, J.D. 2018; and Jonathan M. Warren, University of North Carolina School of Law, J.D. 2018. I thank Trent Hamoud, my summer 2020 intern, University of Missouri School of Law, J.D. expected 2022. What errors remain are mine.

*progress within the profession. This Article is the essential resource to understand the stony road Blacks have trod, the transformation of civil rights law, and the challenges ahead.*

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## I. INTRODUCTION

As we celebrate the Missouri Bicentennial,<sup>1</sup> it is time to observe how the professional, political, and social standing of Black lawyers in Missouri has progressed substantially. Black lawyers occupy important and prestigious positions in the State, including: partners at large law firms; general counsel and executive officers of corporations and large companies; the Mayor of Kansas City; the Circuit Attorney in the City of St. Louis; the Prosecuting Attorney for St. Louis County; the Executive Director of The Missouri Bar; and tenured professors at the four Missouri law schools.<sup>2</sup> A Black man

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1. In 1820, amid growing sectional tensions over the issue of slavery, the U.S. Congress passed a law that admitted Missouri to the Union as a slave state and Maine as a free state, while banning slavery from the remaining Louisiana Purchase lands located north of the 36° 30' parallel. This law, now known as the Missouri Compromise, allowed Missouri to enter the Union on August 10, 1821. 16th Cong., 3 Stat. 545 (1820), <https://www.loc.gov/law/help/statutes-at-large/16th-congress/c16.pdf> [<https://perma.cc/F3BR-7MNS>]. The Supreme Court of Missouri was established a year earlier when Missourians approved a constitution to submit to Congress. MO. CONST. art. V, § 1 (1820).

2. Wesley O. Fields is the managing partner of Bryan Cave Leighton Paisner, Kansas City Office. *Bryan Cave Leighton Paisner – Wesley O. Fields*, BRYAN CAVE LEIGHTON PAISNER, <https://www.bclplaw.com/en-US/people/wesley-o-fields.html> [<https://perma.cc/M256-YATH>]. Keith Williamson serves as President of the Centene Charitable Foundation, after stepping down as General Counsel of Centene Corporation, the second largest publicly traded company in the State. *Centene Appoints Chris Koster to Senior Vice President, Secretary and General Counsel and Keith Williamson to President of the Centene Charitable Foundation*, CENTENE CORPORATION, (Feb. 3, 2020), <https://centene.gcs-web.com/news-releases/news-release-details/centene-appoints-chris-koster-senior-vice-president-secretary> [<https://perma.cc/QY2S-7FMC>]. Chris Lewis is the General Counsel of Edward Jones, a Fortune 500 company and leading financial services entity. *Chris Lewis | Edward Jones*, EDWARD JONES, <https://www.edwardjones.com/about/media/press-kit/resources/firm-leaders/chris-lewis.html> [<https://perma.cc/25SF-XM8U>]. Mark C. Darrell is Senior Vice President and General Counsel at Spire, a public utility holding company traded on the New York Stock Exchange. *Mark C. Darrell | Spire*, SPIRE ENERGY, <https://www.spireenergy.com/people/mark-c-darrell> [<https://perma.cc/T9NA-469F>]. Wesley Bell serves as the elected Prosecuting Attorney for St. Louis County, the first African American to do so. *A Vision for Justice, Saint Louis County Prosecuting Attorney*, <https://www.stlouiscountyprosecutingattorney.com/wesleybell#:~:text=Wesley%20Bell%20is%20the%20Prosecuting,by%20a%2014%20point%20margin> [<https://perma.cc/6PP8-N2AT>]. Kim Gardner is the elected Circuit Attorney in the City of St. Louis, another first. *Kim Gardner*, St. Louis, MO City Government, <https://www.stlouis-mo.gov/government/departments/circuit-attorney/profiles/kim-gardner.cfm> [<https://perma.cc/9CZL-SE6H>]. Quinton Lucas, the 55th mayor of Kansas City, is the third Black to hold the position. *Mayor Quinton Lucas | KCMO.gov – City of Kansas City, MO*, City of Kansas City, Missouri, <https://www.kcmo.gov/city-hall/city-officials/mayor-quinton-lucas> [<https://perma.cc/LM9S-5SWG>]. Mischa Buford Epps is the Executive Director of

currently presides as Chief Justice of the Supreme Court of Missouri, and a Black woman now sits on the Supreme Court of Missouri.<sup>3</sup> Black men and women hold ten federal trial judgeships.<sup>4</sup> Two Black Kansas City trial

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The Missouri Bar. *Mischa Buford Epps begins role of Missouri Bar executive director*, THE MISSOURI BAR (April 1, 2020). Professors Kimberly Norwood, Adrienne Davis, Peggie R. Smith, and Trevor Gardner have tenure at Washington University School of Law. *Kimberly Norwood – WashULaw*, Washington University in St. Louis School of Law, <https://law.wustl.edu/faculty-staff-directory/profile/kimberly-norwood/> [<https://perma.cc/89SE-7MTU>]; *Adrienne Davis – WashULaw*, Washington University in St. Louis School of Law, <https://law.wustl.edu/faculty-staff-directory/profile/adrienne-davis/> [<https://perma.cc/L4P8-G3YL>]; *Peggie R. Smith – WashULaw*, Washington University in St. Louis School of Law, <https://law.wustl.edu/faculty-staff-directory/profile/peggie-r-smith/> [<https://perma.cc/5X6U-5C9A>]; *Trevor G. Gardner – WashULaw*, Washington University in St. Louis School of Law, <https://law.wustl.edu/faculty-staff-directory/profile/trevor-g-gardner/> [<https://perma.cc/L7AV-T7RN>]. Professor Ruqaiyah Yearby enjoys tenure at Saint Louis University School of Law. *Ruqaiyah Yearby: SLU*, Saint Louis University School of Law, <https://www.slu.edu/law/faculty/ruqaiyah-yearby.php> [<https://perma.cc/G88W-J8NA>]. Professors Kenneth D. Ferguson, Jamila Jefferson, Mikah Thompson, and Del Wright have tenure at UMKC School of Law. *Kenneth D. Ferguson*, UMKC School of Law, <https://law.umkc.edu/profiles/faculty-directory/kenneth-d-ferguson.html> [<https://perma.cc/2EVU-ZEYG>]; *Jamila Jefferson-Jones*, UMKC School of Law, <https://law.umkc.edu/profiles/faculty-directory/jamila-jefferson-jones.html> [<https://perma.cc/CZZ4-9RT2>]; *Mikah Thompson*, UMKC School of Law, <https://law.umkc.edu/profiles/faculty-directory/mikah-thompson.html> [<https://perma.cc/U7VF-MP5W>]; *Del Wright*, UMKC School of Law, <https://law.umkc.edu/profiles/faculty-directory/del-wright.html> [<https://perma.cc/R559-W3CS>]. S. David Mitchell, with tenure, was the Associate Dean for Academic Affairs at the University of Missouri School of Law from 2015 to 2020. *S. David Mitchell*, University of Missouri School of Law, <https://law.missouri.edu/person/s-david-mitchell/> [<https://perma.cc/7QUY-BRHH>]; S. David Mitchell, *PROFESSIONAL EXPERIENCE*, <https://www.niutoday.info/wp-content/uploads/2020/02/Mitchell-David-CV-NIU-redacted.pdf> [<https://perma.cc/V6ZS-ER24>] (last visited Dec. 30, 2020).

3. The Honorable George W. Draper, III, Chief Justice of Missouri, is the second African American to lead the State's highest Court. *Chief Justice George W. Draper, III*, Supreme Court of Missouri, <https://www.courts.mo.gov/page.jsp?id=50536>; Ashley Byrd, Chief Justice of the Missouri Supreme Court notes his own historic tenure, court's bicentennial, MissouriNet (Jan. 22, 2020), <https://www.missourinet.com/2020/01/22/chief-justice-of-the-missouri-supreme-court-notes-his-own-historical-tenure-courts-bicentennial-audio-and-text/> [<https://perma.cc/HP2Q-NTF2>]; Jeanne Kuang, *Parson appoints Robin Ransom, first Black woman to serve on Missouri Supreme Court*, THE KANSAS CITY STAR (May 24, 2021, 6:35 PM), <https://www.kansascity.com/news/politics-government/article251653058.html>.

4. Of the 42 federal trial judges in Missouri, ten (24%) are African American, in seniority order: District Judges Fernando J. Gaitan, Jr., Henry E. Autrey, Brian C. Wimes, and Ronnie L. White, Sr.; Magistrate Judges Nannette A. Baker, Shirley A. Padmore Mensah, Noelle C. Collins, Willie J. Epps, Jr., and Lajuana M. Counts; and

lawyers even star in a nationally syndicated television show, *Couples Court with the Cutlers*.<sup>5</sup>

Even so, Black lawyers across the nation have struggled mightily for equality, fairness, and opportunity and remain underrepresented in the legal profession.<sup>6</sup> This Article focuses on that struggle in Missouri, where Black attorneys have challenged the legal system to live up to its promise of equal justice under the law. These inspiring individuals have overcome widespread discrimination and oppression to gain admission to the bar, integrate law schools and bar associations, and advance the cause of civil rights for all. Despite the monumental struggle of this State's Black attorneys, their stories, and those of their allies, remain largely untold. This Article shines a spotlight on the important history of Blacks, principally in the Missouri legal profession: from the first Black lawyer to those practicing today.

Part II of the Article examines the inception of Black lawyers in Missouri from 1871 to 1921, emphasizing those who have not yet received their due on

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Chief Bankruptcy Judge Kathy Surratt-States. *Judges' Contact Information and Requirements*, Eastern District of Missouri – United States District Courts, <https://www.moed.uscourts.gov/judges-contact-information-and-requirements> [https://perma.cc/49Z6-MWSC]; *Judges*, Western District of Missouri – United States District Courts, <https://www.mow.uscourts.gov/district/judges> [https://perma.cc/8L3M-76AH].

5. They, “the first-ever married couple to preside over a television court show,” star in a two-time Emmy-nominated daytime show called the *Couples Court with the Cutlers*. MGM TELEVISION, *Keith and Dana Cutler*, <https://couplescourttv.com/> [https://perma.cc/HX58-DMH3] (last visited Jan. 8, 2021); *Couples Court with the Cutlers* (MGM television broadcast, 2017–present). They are members of their family's law firm, practicing with Dana's father, James W. Tippin. Interview with Keith A. Cutler, Partner, James W. Tippin & Associates (Aug. 2, 2020).

6. In 2019, about 5% of U.S. lawyers identified as African American. *American Bar Association's National Lawyer Population Survey, 10-Year Trend in Lawyer Demographics*, AMERICAN BAR ASSOCIATION, (2019) [https://www.americanbar.org/content/dam/aba/administrative/market\\_research/national-lawyer-population-demographics-2009-2019.pdf](https://www.americanbar.org/content/dam/aba/administrative/market_research/national-lawyer-population-demographics-2009-2019.pdf) [https://perma.cc/T2ZZ-XR5N] (last visited July 16, 2020). By contrast, Blacks comprised 13.6% of the U.S. population in 2010. Sonya Rastogi, et al., *The Black Population: 2010*, U.S. CENSUS BUREAU (Sept. 2011), <https://www.census.gov/prod/cen2010/briefs/c2010br-06.pdf> [https://perma.cc/4AAY-SDEA]. Scholarship on the struggles for equality led by Black lawyers includes: Leonard S. Rubinowitz, Michelle Shaw, & Michal Crowder, *A “Notorious Litigant” and “Frequent of Jails”: Martin Luther King, Jr., His Lawyers, and the Legal System*, 10 NW. J. L. & SOC. POL'Y 494 (2016); David B. Wilkins, *The New Social Engineers in the Age of Obama: Black Corporate Lawyers and the Making of the First Black President*, 53 HOW. L.J. 557 (2010); Kenneth W. Mack, *Rethinking Civil Rights Lawyering and Politics in the Era Before Brown*, 115 YALE L.J. 256 (2005); JACK GREENBERG, *CRUSADERS IN THE COURTS: HOW A DEDICATED BAND OF LAWYERS FOUGHT FOR THE CIVIL RIGHTS REVOLUTION* (1st ed., 1994); and GENNA RAE MCNEIL, *GROUNDWORK: CHARLES HAMILTON HOUSTON AND THE STRUGGLE FOR CIVIL RIGHTS* (1983).

the stage of history.<sup>7</sup> Part III focuses on Black lawyers in the State between 1921 and 1971, highlighting the major civil rights cases first litigated here and eventually argued before the Supreme Court of the United States. Particular attention is paid to Missouri Blacks who struggled to integrate, navigate, and improve Missouri's legal institutions. Part IV, the bulk of the Article, delves into the backgrounds and profiles of Black lawyers from 1971 to the present. Part V examines the history and role of majority and minority bar associations, including when, where, and why Blacks formed their own bar associations, contributing to the quest for equality and opportunity.

## II. JUST THE BEGINNING, 1871-1921

“The race problem in the United States is the type of unpleasant problem which we would rather do without but which refuses to be buried.”

– Charles Hamilton Houston<sup>8</sup>

The first record of any Black lawyer in Missouri appears in 1871, some 50 years after Missouri entered the Union as a slave state.<sup>9</sup> Racial exclusion, hostility, and even terrorism were the norm during this era.<sup>10</sup>

Indeed, the Missouri Compromise was the first congressional attempt to find a solution to America's tolerance of slavery.<sup>11</sup> As new states sought to

7. The first Black lawyer in Missouri emerged in 1871. J. CLAY SMITH, JR., *EMANCIPATION: THE MAKING OF THE BLACK LAWYER, 1844-1944* (1999). Despite a long history of Blacks practicing law in the State, few written accounts document their experiences. Accordingly, there are few details about how they worked in their law offices and practiced in courtrooms throughout Missouri, let alone how these lawyers handled racism and discrimination. Fortunately, a rich oral history of Missouri's Black lawyers among the senior members of the bar spans 70 years. Dozens of practitioners from various racial backgrounds were interviewed for this Article. The interviews and e-mail correspondence – along with archival material, historical data, personal records, news articles, law review articles, and books – anchor this work.

8. DAVID BRADLEY, *THE HISTORIC MURDER TRIAL OF GEORGE CRAWFORD: CHARLES H. HOUSTON, THE NAACP AND THE CASE THAT PUT ALL-WHITE SOUTHERN JURIES ON TRIAL* 174 (2014).

9. SMITH, *supra* note 7.

10. Around the time Missouri was admitted to the United States via the Missouri Compromise, one source claims 55 attorneys, all White men, had previously visited or were currently in Missouri. Anton-Hermann Chroust, *The Legal Profession in Early Missouri*, 29 *Mo. L. REV.* 129, 130 (1964).

11. Roberta Alexander, *Dred Scott: The Decision That Sparked A Civil War*, 34 *N. KY. L. REV.* 643, 647 (2007). “Although slavery was a fully entrenched institution in Missouri, the state never officially seceded from the Union during the Civil War. Unlike in the seceding states, slavery was not a dominant social, economic or political issue. Slaves constituted only 10 percent of Missouri's population, and only 1-2 percent of the population owned slaves.” JOSHUA M. DUNN, *COMPLEX JUSTICE: THE CASE OF MISSOURI V. JENKINS* 32 (2008).



join the Union, the question whether they could allow slavery arose.<sup>12</sup> Missouri sought admission as a slave state.<sup>13</sup> To keep the balance in the Senate, Maine was admitted as a free state.<sup>14</sup> Henry Clay – a slaveholder – is credited with orchestrating the Missouri Compromise, allowing enslavement to continue for the next four decades.<sup>15</sup>

There is no record of any Black lawyer in the United States in 1821.<sup>16</sup> But in the 1840s, several Blacks gained admission to state bars.<sup>17</sup> Macon Bolling Allen, the first known Black lawyer in the United States, passed the Maine bar examination in 1844.<sup>18</sup> “He was sponsored for admission by General Samuel Fessenden, an abolitionist and politician with what was then

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12. Alexander, *supra* note 11, at 646.

13. *Id.*

14. *Id.* at 647.

15. “The Great Compromise may have ‘hushed’ the controversy for the moment, [President Thomas] Jefferson thought, but it would rise again. As it is, he went on to say, ‘we have the wolf by the ear, and we can neither hold him, nor safely let him go. [J]ustice is in one scale, and self-preservation in the other.’ The failure of the new generation of political leaders to settle the controversy amicably grieved him deeply. It was ‘suicide,’ he lamented, and ‘treason against the hopes of the world.’ The ‘unwise and unworthy passions of their sons,’ he feared, would destroy the great nation he and the other Founding Fathers had made.” HENRY LOUIS GATES, JR., *LIFE UPON THESE SHORES: LOOKING AT AFRICAN AMERICAN HISTORY 1513-2008* 61 (2011).

16. Historical literature on Black legal pioneers is scarce. *Negroes and the Law* by Fitzhugh Lee Styles was the first significant book written about the history of Black lawyers in the United States. SMITH, *supra* note 7, at 1; FITZHUGH LEE STYLES, *NEGROES AND THE LAW* (Boston: Christopher Publishing House, 1937). *The Genesis of the Negro Lawyer in New England*, published in 1959 in the *Negro History Bulletin*, was the first comprehensive article about the beginning of Black lawyers in America. SMITH, *supra* note 7, at 1. Anne-Marie Clarke’s *The History of the Black Bar*, published in 1984 in *The St. Louis Bar Journal*, charts the earliest history of Black lawyers in St. Louis, and the founding of the Mound City Bar Association and National Bar Association. Anne-Marie Clarke, *History of the Black Bar*, 30 ST. LOUIS B.J. 17 (1984). Leland Ware’s *Contributions of Missouri’s Black Lawyers to Securing Equal Justice*, published in 2011 in the *Journal of The Missouri Bar*, examines the history of Black lawyers in Missouri during the late nineteenth and early twentieth centuries, describing the development of Black bar associations, and the *Missouri ex rel. Gaines v. Canada* and *Shelley v. Kraemer* cases. Leland Ware, *Contributions of Missouri’s Black Lawyers to Securing Equal Justice*, 67 J. MO. B. 42 (2011). See generally SMITH, *supra* note 7 (most comprehensive book about the social and political history of Black lawyers in the U.S.).

17. J. Clay Smith, Jr., *Justice and Jurisprudence and the Black Lawyer*, 69 NOTRE DAME L. REV. 1077, 1077 (1994).

18. *14 Groundbreaking Black Lawyers*, A.B.A. JOURNAL (Feb. 22, 2020), [https://www.abajournal.com/gallery/groundbreaking\\_black\\_lawyers/1920](https://www.abajournal.com/gallery/groundbreaking_black_lawyers/1920) [<https://perma.cc/LNF3-4TT6>] (last visited July 14, 2020).

the largest law practice in Maine.”<sup>19</sup> Allen was also the first Black admitted in Massachusetts on May 5, 1845.<sup>20</sup> Two years later, Robert Morris, Sr., the second Black lawyer in the United States, became the first to file a lawsuit.<sup>21</sup> In 1850, John Mercer Langston became the first Black known to apply to an American law school, in New York State.<sup>22</sup> Denied admission because of his race, he later was rejected by another law school in Cincinnati, Ohio.<sup>23</sup> In 1853, Langston served as an apprentice for Philemon Bliss, a White Ohio lawyer, publisher, and abolitionist, and was admitted to the bar the next year.<sup>24</sup> In 1855, White voters in Brownhelm, near Oberlin, Ohio, elected Langston as township clerk, making him “the nation’s first elected Black official.”<sup>25</sup>

During the Civil War, in a public reply to New York journalist Horace Greeley, President Abraham Lincoln wrote:

If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps save the Union.<sup>26</sup>

Indeed, Chief Justice Michael A. Wolff of the Missouri Supreme Court summarized the times:

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19. *Women and Minorities Gain Entry*, N.Y. L.J. (Sept. 11, 1995) (citing Paul Finkelman, *Not Only the Judges’ Robes Were Black: African-American Lawyers as Social Engineers*, 47 STAN. L. REV. 161, 172, 175, 197 (1994)).

20. *14 Groundbreaking Black Lawyers*, *supra* note 18.

21. Monica R. Hargrove, *The Evolution of Black Lawyers in Corporate America: From the Road Less Traveled to Managing the Major Highways*, 53 HOW. L.J. 749, 753–54 (2010).

22. John Mercer Langston, “the most prominent member of the nineteenth-century Black bar,” was the first dean of Howard Law School, from 1869 to 1875. Kenneth W. Mack, *Rethinking Civil Rights Lawyering and Politics in the Era Before Brown*, 115 YALE L.J. 256, 273 (2005). Langston was elected a U.S. Congressman from Virginia in the 1880s, one of 16 African Americans elected to Congress after Reconstruction and before the Jim Crow laws. *LANGSTON, John Mercer*, U.S. HOUSE OF REP.: HIST., ART, & ARCHIVES, <https://history.house.gov/People/Detail/16682> [<https://perma.cc/DJ95-YY9N>] (last visited July 16, 2020). He applied to a law school located in Ballston Spa, New York. Finkelman, *supra* note 19, at 198.

23. Finkelman, *supra* note 19, at 198.

24. *Blacks in Law: Individuals who Paved the Way for African-Americans to Enter in the Field of Law*, THE TENNESSEE TRIBUNE, Feb. 16, 2006, at E2. *See also* GATES, *supra* note 15, at 110.

25. GATES, *supra* note 15 at 109. “Voters repeatedly elected [John Mercer Langston] to the town council and the local board of education, happy to select a man of superior managerial skills and sound grasp of the law.” *Id.*

26. HENRY LOUIS GATES, JR., *LINCOLN ON RACE AND SLAVERY* xxxvi (Donald Yacovone, ed. 2009).

As a border state, Missouri was having a real civil war, from which [the State is] still in recovery. Members of the same families fought one another. [Missouri's] battles, not as big or as well known as Vicksburg, Shiloh and Gettysburg, were nonetheless brutal. Acts of terrorism by small cadres abounded.

Missouri was said to have at least three distinct factions: The Charcoals, so called because of their demand for the immediate end of slavery. The Claybanks, because their principles were thought to be "pallid gray" - they were unionists, but they favored gradual emancipation. Some of these loyal unionists were themselves slaveholders. And, of course, there were confederates.

President Lincoln, exasperated in 1863 by the bitter divisions among [the State's] unionists, wrote: "It is very painful to me that you in Missouri cannot, or will not, settle your factional quarrel among yourselves. I have been tormented with it beyond endurance for months, by both sides. Neither side pays the least respect to my appeals to your reason."<sup>27</sup>

Later in 1863, President Lincoln issued the Emancipation Proclamation, freeing slaves within the rebellious southern states.<sup>28</sup> The second half of the 1860s represented a more hopeful, if short-lived, era of Reconstruction, with ratification of the Thirteenth, Fourteenth, and Fifteenth Amendments to the U.S. Constitution in 1865, 1868, and 1870, respectively.<sup>29</sup> The first iteration of the Ku Klux Klan rose after the Civil War and fell, for a period, thanks largely to President Ulysses S. Grant's creation of the United States Department of Justice.<sup>30</sup> Howard University established the first law school

27. Michael A. Wolff, *Race, Law and the Struggle for Equality*, MO. LAWS. WKLY., Mar. 5, 2007.

28. GATES, *supra* note 15, at 132–34.

29. *Id.* at 142–61.

30. Allyson Hobbs, *The US government destroyed the Ku Klux Klan once. It could do so again*, THE GUARDIAN (Aug. 21, 2017 5:00 PM), <https://www.theguardian.com/commentisfree/2017/aug/21/us-government-ku-klux-klan-charlottesville> [<https://perma.cc/4BRB-882N>]; Grant, *Reconstruction and the KKK*, PBS, <https://www.pbs.org/wgbh/americanexperience/features/grant-kkk/> [<https://perma.cc/Y65B-A97K>]; see also GATES, *supra* note 15, at 151–52. The Civil Rights Act of 1871, known as the Ku Klux Klan Act, granted the federal rather than state governments the right to prosecute individuals who deprived or conspired to deprive citizens of their constitutionally guaranteed rights. The act also authorized military intervention and the suspension of habeas corpus to prevent lawlessness. The Klan Act yielded hundreds of indictments and arrests, effectively curtailing the KKK's power. By 1873, the organization had essentially disbanded. Unfortunately, this development brought little relief to the region, since the organization had already achieved its goal of neutralizing the effort to reconstruct the South. Hobbs, *supra*; Grant, *Reconstruction and the KKK*, *supra*; GATES, *supra* note 15, at 151–52.

for Blacks in 1869.<sup>31</sup> That year, George Lewis Ruffin became the first Black graduate of a U.S. law school, earning his law degree from Harvard Law School.<sup>32</sup>

Racial violence abounded in Missouri during Reconstruction, including shootings and lynchings. General Clinton B. Fisk,<sup>33</sup> a White senior official in the Bureau of Refugees, Freedmen and Abandoned Lands during Reconstruction, described post-war Missouri:

Slavery dies hard. I hear its expiring agonies and witness its contortions in death in every quarter of my district. In Boone, Howard, Randolph, and Callaway[,] the emancipation ordinance has caused disruption of society equal to anything I saw in Arkansas or Mississippi in the year 1863. I blush for my race when I discover the wicked barbarity of the late masters and mistresses of the recently freed persons of the counties heretofore named. I have no doubt but that the monster, [deceased Confederate guerilla] Jim Jackson, is instigated by the late slave owners to hang or shoot every negro he can find absent from the old plantations. Some few have driven their Black people away from them with nothing to eat or scarcely to wear. The consequence is, between Jim Jackson and his collaborators among the first families, the poor Blacks are rapidly concentrating in the towns and especially at garrisoned places. My hands and heart are full. I am finding homes for them in Northwest Missouri, Kansas, Illinois, and

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31. The History Engine, *The Establishment of the First Black Law School*, U. RICHMOND, <https://historyengine.richmond.edu/episodes/view/3554> [https://perma.cc/9WH8-C8BA] (last visited June 14, 2020).

32. *George Lewis Ruffin*, BRIDGEWATER ST. UNIV. VIRTUAL COMMONS, <https://vc.bridgew.edu/hoba/33/> [https://perma.cc/6NTP-U8W3]; *George Lewis Ruffin Society*, NORTHEASTERN UNIV. SCHOOL OF CRIMINOLOGY & CRIMINAL JUSTICE, <https://cssh.northeastern.edu/sccj/about/george-lewis-ruffin-society/> [https://perma.cc/T56H-FGMA] (noting that in 1883 Ruffin became the first Black judge in the U.S.). In 1872, Charlotte E. Ray of Howard University School of Law became the first Black woman to graduate law school. Ada H. Kepley, in 1870, became the first White woman to graduate law school. She attended Union Law College of Chicago, now Northwestern University School of Law. *See Blacks in Law; Individuals who paved the way for African-Americans to enter in the field of law*, THE TENNESSEE TRIBUNE, Feb. 16, 2006, at E2.

33. General Clinton B. Fisk, through the Freedmen's Bureau and the American Missionary Association, established a free school for Black and White children. *Fisk University History*, FISK UNIVERSITY, <https://www.fisk.edu/about/history/> [https://perma.cc/6KQE-CAZ9]. Fisk University, an HBCU, is named in honor of General Fisk who provided the school with "facilities in former Union Army barracks near the present site of Nashville's Union Station." *Id.* *See also* EZRA J. WARNER, *GENERALS IN BLUE: LIVES OF THE UNION COMMANDERS* 155 (1965).

Iowa. There is much sickness and suffering among them; many need help.<sup>34</sup>

Freed Blacks not only lacked resources, skills, training, and education, but they were also subjected to the daily horrors of anti-Black sentiment and violence dominating Missouri. Professor Gary R. Kremer, the Executive Director, Secretary, and Librarian of the State Historical Society of Missouri, captured this anti-Black sentiment from an account in the widely distributed *Lexington Weekly Caucasian* newspaper:

We want to see [ex-slaves] all quietly and happily settle in Liberia, where they may indeed enjoy the full blessings of liberty . . . equality, and fraternity . . . Here, these blessings can never be enjoyed by the African, and he is an enemy to the race who would legislate enactment, or by persuasion, induce him to believe otherwise . . . The position of the negro is that of vassalage here; there it would be, if he chose to make it, a condition of real independence. Here he must deteriorate and finally disappear [sic] or go back to bondage; there he might multiply and replenish the land, and contribute toward building up a government and civilization that would ennoble him.<sup>35</sup>

The brief political gains by Blacks in the South contrast with continued oppression in Missouri, which was not subject to federally-mandated Reconstruction.<sup>36</sup> The era of Missouri's first Black lawyers – from 1871 to 1921 – witnessed very little progress or acceptance of Black professionals in any career, much less the law. Nevertheless, during this period, Black lawyers practiced in Missouri with some success. Below are profiles of several legal pioneers. While documentation of their lives, achievements, and struggles is often sparse, the information here paints a fuller portrait of each lawyer's

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34. LORENZO J. GREEN, GARY R. KREMER & ANTONIO F. HOLLAND, *MISSOURI'S BLACK HERITAGE* 91 (2d ed. 1993).

35. GREEN, ET AL., *supra* note 34, at 92.

36. During Reconstruction, Blacks, including thousands of former slaves, participated in the political, economic, and social life in the South. Hundreds of Blacks were elected to state legislatures and to Congress, including Hiram R. Revels of Mississippi, who became the first Black to serve in the U.S. Senate (1870-1871), taking the seat vacated by Jefferson Davis. *Black Americans in Congress*, U.S. HOUSE OF REP.: HIST., ART, & ARCHIVES, <https://history.house.gov/Exhibitions-and-Publications/BAIC/Black-Americans-in-Congress/> [<https://perma.cc/P2PV-GXVN>]. Missouri, however, did not go through Reconstruction. Moreover, no Black has ever held statewide office in Missouri. “Unlike the slaveholding states of the Deep South, Missouri was not placed under federal military occupation after the war; nor was the state, which had never official seceded from the Union, required, like the slaveholding states farther to the south, to ratify the Reconstruction Amendments to the Constitution in order to reenter the Union.” WALTER JOHNSON, *THE BROKEN HEART OF AMERICA: ST. LOUIS AND THE VIOLENT HISTORY OF THE UNITED STATES* 141 (2020).

journey, pulling them from the wayside into the thoroughfare of history. Part II concludes with a brief discussion of Jim Crow laws.

### *A. John H. Johnson*

On December 7, 1871, John H. Johnson likely became the first Black lawyer in Missouri.<sup>37</sup> He was admitted to the St. Louis bar on the motion of a White lawyer who drew “a distinction between the political and social equality of Blacks.”<sup>38</sup> That is, some supported Blacks being admitted to the bar as a political right, but never to the same social standing as Whites.<sup>39</sup> A.J.P. Garesche, a “bitter Democrat and secessionist during the war,” moved for the admission of Johnson:

[W]hile I will maintain ever the distinction between political and social equality, I shall necessarily deny that they are synonymous terms, but the law has granted to the people of color political equality and however I may depreciate the manner in which it has been brought about, still it is an accomplished fact, and I do honestly believe that lasting, though peace will never be secured, or real harmony obtained, until a cheerful acquiescence is given to the principle.<sup>40</sup>

The admission of a Black to the bar was unique in St. Louis, inspiring the *New National Era* newspaper to lead with:

A Colored Lawyer.—In St. Louis on Thursday last an unusual scene in the Supreme Court of that city, it being the enrolling as a practicing lawyer of the State of John H. Johnson, belonging to an old Creole family in St. Louis.<sup>41</sup>

The article concluded, “Mr. Johnson is said to be a talented and highly cultivated young man.”<sup>42</sup>

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37. *City and Vicinity*, KAN. CITY DAILY TIMES, Nov. 15, 1871, at 4; SMITH, *supra* note 7 at 331 (citing *A Colored Lawyer*, NEW NATIONAL ERA, Dec. 14, 1871). John H. Johnson was about 25 when admitted to the bar. It does not appear that Johnson practiced law for any significant length of time, if at all. Johnson, beginning in 1874, worked as a clerk to the disbursing agent at the St. Louis Custom House. STAFF OF S. COMM., 46TH CONG., REP. ON NEGRO EXODUS FROM SOUTHERN STATES, NO. 693 AT PART II, 288, 289 (1880).

38. SMITH, *supra* note 7, at 331.

39. JAMES W. ENDERSBY & WILLIAM T. HORNER, LLOYD GAINES AND THE FIGHT TO END SEGREGATION 14 (2016).

40. *A Colored Lawyer*, NEW NATIONAL ERA, Dec. 14, 1871, <https://www.loc.gov/resource/sn84026753/1871-12-14/ed-1/?sp=3&r=0.376,1.074,0.326,0.199,0> [<https://perma.cc/DT4J-EKXH>] (available at image three); *see also* SMITH, *supra* note 7, at 331.

41. *See A Colored Lawyer*, *supra* note 40.

42. *Id.*

Johnson was licensed when the vast majority of Black people were being “thrust into a fundamentally new social, political, and economic situation.”<sup>43</sup> Recently freed from slavery, without money, property, or education, Blacks tried “to move into the mainstream of a highly competitive, literate, and capitalistic society.”<sup>44</sup> Johnson, born and raised in St. Louis, began a professional journey when “more than two-thirds of the Black males employed in the state were still working as farm laborers” and street-car companies in St. Louis “prohibited Blacks from riding inside their cars.”<sup>45</sup>

While many Blacks responded to anti-Black sentiment by leaving Missouri, Johnson chose to stay. Active in the Colored Emigration Aid Society – a group supporting Black people uprooted after the Civil War – he took the courageous step to desegregate the Missouri bar.<sup>46</sup> Johnson also assisted countless Blacks to flee the South after the Civil War, helping them relocate to Kansas, among other states.<sup>47</sup> His efforts are documented in his 1880 testimony before a special U.S. Senate committee on the flight of Blacks from the South.

Johnson’s testimony is a remarkable, uncensored peek into history. Startling today, the official transcript includes a racial identifier: “John H. Johnson (colored).”<sup>48</sup> Johnson explained he was an “attorney at law, but at present” worked at the Custom House in St. Louis, perhaps due to challenges in finding enough clients to support a law practice.<sup>49</sup> Johnson discussed the migration of Blacks from the South to the West as they trekked through St.

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43. GREEN, ET AL., *supra* note 34, at 88.

44. *Id.*

45. *Id.* at 92–93.

46. SMITH, *supra* note 7, at 331. John H. Johnson is no relation to John N. Johnson, the first Black lawyer admitted to the Texas Supreme Court in 1883. John G. Browning, *John N. Johnson-Texas’ First Civil Rights Lawyer*, NAT’L B. ASS’N MAG. 30, 30–31 (July 2016).

47. JOHN AARON WRIGHT, *DISCOVERING AFRICAN AMERICAN ST. LOUIS: A GUIDE TO HISTORIC SITES* 16–17 (2002).

African American leaders from Virginia to Louisiana to Texas had discussed plans for alleviating the suffering; they formed a committee to investigate conditions and report on them to the United States government. When their appeal went unheeded, the committee asked for land in the West or for an appropriation of money to allow southern Blacks to travel to Liberia, but this request also was ignored. A spontaneous mass movement of Blacks from the South to the West began in 1879 . . . . Prominent African Americans in St. Louis organized to feed, house, and supply transportation for the impoverished immigrants as they reached the city. Early in the year, John H. Johnson, a young Black attorney at the St. Louis Custom House, proposed the creation of a committee to raise money for relief.

*Id.*

48. STAFF OF S. COMM., *supra* note 37, at 288–91.

49. *Id.*

Louis.<sup>50</sup> He noted that the “emigrants” began arriving in early 1879, continuing to arrive in St. Louis even as he testified in Washington, D.C. before the Senate committee.<sup>51</sup> In response to this crisis, Johnson and others helped provide food, clothing, and money to Black migrants through a “colored refugee board of St. Louis,” of which he was the Treasurer.<sup>52</sup>

Black migrants from the South were generally “destitute and helpless,” often having only the clothes on their backs.<sup>53</sup> Johnson explained:

[T]heir clothes were very poor, indeed; some of them had nothing but rags and some had on old clothes very much worn; they were very poor for the commencement of the fall down South, let alone the winter in Saint Louis. Some of them had clothes, and had three or four pair of pants and coats on at the same time.<sup>54</sup>

Johnson testified that, at first, he and others were puzzled why Blacks fled the South in the winter.<sup>55</sup> The distressing responses:

[T]hey stated that it was owing to the treatment they received down South. They stated that they had no security for life, limb, or property; that they worked year in and year out, and, notwithstanding they raised good crops, they were at the end of the year in debt; that they were charged exorbitant prices for provisions, and all these things kept them down and in debt. The high prices charged them for lands and the denial of their rights as citizens induced them to leave there and seek a genial spot where they could have an opportunity to build themselves and their families. Some of them stated that they had been on plantations alongside of theirs where men were shot down for political purposes, and the women stated all the impositions practiced on colored women in the South.<sup>56</sup>

As an example of these “impositions,” Johnson retold one migrant’s story:

One old lady stated to me, when I saw her at the levee, that she was from Louisiana, and that while she and another colored woman were on their way to the boat to come to Kansas some White people met them and asked them if they were going to Kansas; they said that they were, and this White man said, “God damn it, you will get there some time or other.” One of the women was seven months gone in a family way, and she said she was going to join her husband, when the White

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50. *Id.*

51. *Id.* at 289.

52. *Id.* at 290.

53. *Id.*

54. *Id.*

55. *Id.*

56. *Id.*



man pulled out his revolver and shot her; and the child came to life there and he took it and mashed its brains out. There were other cases of the same kind which were stated to me by various parties.<sup>57</sup>

While Johnson may not be remembered for any specific lawsuit, his admirable legacy of leadership in humanitarian and human rights affairs should not be forgotten.

### B. Albert Burgess

In 1877, Albert Burgess likely became Missouri's first Black lawyer to practice law full time, beginning a career spanning over 50 years.<sup>58</sup> In 1927, near the end of his eminent career, Burgess gave an illuminating interview to an unnamed White reporter from the *St. Louis Globe-Democrat Magazine*.<sup>59</sup> Burgess recounted he was one of five children born in Detroit to Amos and Sarah Burgess.<sup>60</sup> Burgess discussed his father at length, explaining he had never been a slave despite being born in slave-holding Kentucky. Amos Burgess had been a sailor before being injured in an explosion, and then worked as a custodian at Detroit's City Hall, supervising a staff of 12.<sup>61</sup> Burgess worked odd jobs for his father during school vacation, crediting him with prioritizing the importance of education.<sup>62</sup> He said that, at age 12, he and three other Black children became the first to integrate an elementary school.<sup>63</sup> Although Burgess feared violence, "nothing of the sort happened."<sup>64</sup> He graduated from high school in 1874.<sup>65</sup>

Accepted to the University of Michigan, he "took one year in the regular academic department, then entered the law school of the university."<sup>66</sup> Michigan Law then had only four law professors and Burgess had only one other Black man in his graduating class.<sup>67</sup> Burgess graduated from the law school in 1877 at age 20.<sup>68</sup> He quipped that he became a member of the bar

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57. *Id.* at 290–91.

58. As previously discussed, John H. Johnson became Missouri's first Black lawyer in 1871 but worked as a clerk in the U.S. Custom House and did not practice law full-time. *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, ST. LOUIS GLOBE-DEMOCRAT MAG., May 29, 1927, at 4, (an image of this magazine can be found at WUSTL Digital Gateway Image Collections & Exhibition, <http://omeka.wustl.edu/omeka/items/show/13633>).

59. *Id.*

60. *Id.*

61. *Id.*

62. *Id.*

63. *Id.*

64. *Id.*

65. *Id.*

66. *Id.*

67. *Id.*

68. *Id.*

before he could vote(at 21).<sup>69</sup> Months later, he moved to St. Louis after hearing that a large number of Blacks sought lawyers of their own race.<sup>70</sup> Arriving with very little money, he knew only one other person there.<sup>71</sup> On New Year's Eve in 1877, Burgess passed the bar exam in Missouri and was admitted to practice law.<sup>72</sup> He immediately opened his own practice, renting space in downtown St. Louis.<sup>73</sup> But success did not come easily. The first few years of Burgess's practice were financially challenging.<sup>74</sup> Clients were sparse; he once went 48 hours without eating.<sup>75</sup> Burgess noted that many prospective Black clients were skeptical a Black man could handle a case "to the best advantage," attributing this to prejudice.<sup>76</sup> Despite being broke, he refused to "return home defeated," instead continuing to "struggle along."<sup>77</sup> As Burgess slowly built his stellar reputation, clients – both Black and White – eventually came.<sup>78</sup>

Indeed, Burgess explained he interacted almost exclusively with White St. Louisans, many of whom later became his clients.<sup>79</sup> He paved the way for other Black lawyers in St. Louis, becoming the first Black man to serve as a prosecutor in a St. Louis court,<sup>80</sup> and later serving as an Assistant City Attorney for three different mayors.<sup>81</sup> Burgess also became active in the Colored Emigration Aid Society, filing its articles of incorporation in 1879.<sup>82</sup>

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69. *Id.*

70. *Id.*

71. *Id.*

72. *Id.* Interestingly, another Black man, John D. S. Ferrier, also sat for the Missouri bar exam but failed. *Id.* Ferrier passed the exam a few months later and joined Burgess's law firm, which was renamed Burgess & Ferrier. *Id.* Ferrier died a few years later of tuberculosis. *Id.*

73. *Id.* Burgess stated his office was "at the northwest corner of Olive Street and Broadway." *Id.*

74. *Id.*

75. *Id.*

76. *Id.*

77. *Id.*

78. *Id.*

79. *Id.*

80. *Id.*; *Missouri Negroes Slated*, THE NEW YORK AGE, Sept. 16, 1909, <https://www.newspapers.com/clip/19351874/st-louis-election-promise-Black-police/> [<https://perma.cc/B2LJ-RC6M>].

81. *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, *supra* note 58.

82. SMITH, *supra* note 7, at 331.

By mid-April [1879], there was a split in the Committee of Twenty-five, which reorganized as the Colored Refugee Relief Board . . . . A rival group, incorporated as the Colored Immigration Aid Society on April 12, 1879 . . . was led by James Milton Turner. It intended to raise funds for the establishment of Black colonies in the West and to assist Blacks in their efforts to leave the South.

He served the Mound City Bar Association – the first Black bar association west of the Mississippi – as its first Treasurer,<sup>83</sup> in addition to being a counselor to the City of Carondelet’s Police Court and a vestryman in the All Saints Episcopal Church.<sup>84</sup>

Burgess himself repeatedly minimized or avoided discussions about race, except to note he had been treated with respect by White lawyers and judges.<sup>85</sup> Other evidence, however, hints at racial discrimination he surely experienced.<sup>86</sup> Burgess signed an “1892 plea against [the] persecution of” Blacks.<sup>87</sup> And around the time of his appointment as an assistant state prosecuting attorney, one newspaper article noted rumblings about Black appointments, including him by name.<sup>88</sup>

Another telling incident involved the St. Louis Symphony and Burgess’s children. His daughter, Myrtle, had season tickets near the front of the theatre.<sup>89</sup> At the start of a new season, she, along with ten other Blacks with season tickets, were moved to the very back of the theatre because “management during the 1922-23 season was beset on several occasions by people who objected to sitting next to negroes.”<sup>90</sup> When one of his sons learned this, he traveled to the Symphony theatre and objected “in a gentlemanly and courteous manner.”<sup>91</sup> The Symphony’s manager brought him into the office and

explained to him the request he was making involved the entire negro problem and it was not the business of the Symphony Society to discuss it. He also called to his attention the fact that negroes were excluded from most theatres and that instead of resenting what he considered a wrong he should take the other point of view and feel much had been accomplished for the negro race in St. Louis when they

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WRIGHT, *supra* note 47, at 26.

83. Marshall D. Hier, *Perseverance of Albert Burgess, St. Louis’ First Black Lawyer*, 50 ST. LOUIS B.J. 42, 45 (2004).

84. Ware, *supra* note 16, at 42.

85. *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, *supra* note 58, at 4, 13.

86. By 1927, Burgess estimated that 30 Black lawyers practiced in St. Louis. *Id.* at 13.

87. Hier, *supra* note 83, at 45. Burgess signed this plea along with Walter Moran Farmer, the first Black graduate of the Washington University School of Law. Farmer set up his law practice in the same building as Burgess, and both men “were chosen for biographical entries in the 1915 edition of *Who’s Who of the Colored Race*.” *Id.*

88. *Missouri Negroes Slated*, *supra* note 80.

89. *St. Louis Symphony Society, 1923*, WUSTL DIGITAL GATEWAY IMAGE COLLECTIONS & EXHIBITION, <http://omeka.wustl.edu/omeka/exhibits/show/music-segregation/burgess> [<https://perma.cc/3WBJ-X6HF>].

90. *Id.*

91. *Id.* It is unclear which of Burgess’ sons raised the complaint to the Symphony.

were admitted to such high class functions as the Symphony Orchestra.<sup>92</sup>

Although the manager noted that Burgess's son "seemed quite appeased," others apparently called the Symphony afterwards and took "up the cudgel for Mr. Burgess."<sup>93</sup> Nevertheless, the Symphony ultimately decided to restrict Blacks to one section of the theatre but "avoid[] in all instances the use of the word 'segregated.'"<sup>94</sup>

Burgess was perhaps most proud of his three children, who attended the University of Toronto and "settled in[to] useful careers."<sup>95</sup> Missouri then offered "no institution of higher learning" for Blacks.<sup>96</sup> Although Burgess hinted to them about the University of Michigan, he explained that one of his sons spent time with family in Windsor, Canada, and "became interested in the University of Toronto."<sup>97</sup> "I don't know, hardly, how I managed to stand the expense, around \$1500 a year, but I am glad and proud now that I was able to manage it."<sup>98</sup> Myrtle Burgess became a music teacher while one son, Elmer Burgess, became the director of physical education for students in Baltimore's Black schools.<sup>99</sup> Yet another son, Wilmont Burgess, became the principal of the Dessalines School, an all-Black elementary school in St. Louis.<sup>100</sup>

Concluding his 1927 interview, Burgess summarized his accomplishments: "I showed that it was possible for a colored man to be a lawyer in this great city and state. I have kept my character high according to my ideals and my skirts clean in professional life. And I can point with pride to my children."<sup>101</sup>

92. *Id.*

93. *Id.*

94. *Id.*

95. *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, *supra* note 58, at 4, 13.

96. *Id.* at 4. For the status of Lincoln University from 1870 to 1937, see *State ex rel. Gaines v. Canada*, 113 S.W.2d 783, 786 (Mo. 1937) (en banc), *rev'd*, 305 U.S. 337 (1938), *abrogated by* *Planned Parenthood of St. Louis Region v. Dep't of Soc. Servs.*, No. SC 98020, 2020 WL 3529379 (Mo. June 30, 2020) (en banc) ("Because the rot of state-mandated racial segregation infests the entirety of this Court's *Gaines* decision, it is repudiated in its entirety and, henceforth, should no longer be cited even for the most otherwise unimpeachable legal principles.>").

97. *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, *supra* note 58, at 4, 13.

98. *Id.* at 4.

99. Hier, *supra* note 83, at 45; *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, *supra* note 58, at 4, 13.

100. Hier, *supra* note 83, at 45; *First Negro Lawyer in St. Louis Completing Fifty Years of Practice*, *supra* note 58, at 4, 13. Interestingly, the Dessalines School is the same institution where Hale G. Parker resigned as principal a few decades earlier to protest low pay.

101. *Id.*

*C. Hale Giddings Parker*

Born in 1853 to John P. and Miranda (Boulden) Parker, Hale Giddings Parker came to Missouri in 1878.<sup>102</sup> His father was noteworthy. John Parker “was born into slavery in 1827 in Virginia and then forced to march to Alabama” at eight years old.<sup>103</sup> At age 18, John bought his freedom for a reported \$1800.<sup>104</sup> He moved north, saved money, and bought a foundry for \$10,000 in Ohio, which became successful.<sup>105</sup> John was also an active conductor on the Underground Railroad, repeatedly crossing the Ohio River

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102. *John Parker*, ANNE STANTON PUBLICATIONS, <https://annestantonpublications.com/resource-materials/> [https://perma.cc/9BLM-6HUF]; *HALE GIDDINGS PARKER (1851-1925)*, BLACKPAST, <https://www.Blackpast.org/african-american-history/parker-hale-giddings-1851-1925/> [https://perma.cc/LGT2-S76A]. Six of the Parkers’ eight children survived into adulthood. *John Parker*, *supra*.

103. *John Parker*, *supra* note 102.

[John Parker] was only eight years old when he was sold and went to Richmond, Virginia, to live. He was chained to an old man, who was later whipped to death. The experience set the boy on fire with hatred and the desire to gain his freedom. Just four months later, he was chained to a gang of 400 slaves. It was customary at the time to sell the slaves as they passed through the country. Parker walked to the end of the slave trail at Mobile, Alabama.

*About*, JOHN P. PARKER MUSEUM & HISTORICAL SOCIETY, <http://johnparkerhouse.net/about/> [https://perma.cc/LQ79-K5QA].

104. *Hale Giddings Parker*, CHICAGO LEGAL NEWS 77, Oct. 31, 1896, <https://heinonline.org/HOL/P?h=hein.journals/chiclene29&i=85>; *John Parker*, *supra* note 102.

When [John Parker] was 14, he entered into a contract with a widow, Mrs. Ryder of Mobile. If she would buy his freedom for \$1,800, he would pay her back on a weekly installment plan of \$10 per week with interest. By this time he had made himself so disagreeable to his old master, he was glad to get rid of Parker at any price. It was 1845 before he had paid Mrs. Ryder and gained his freedom.

*About*, *supra* note 103.

105. *Hale Giddings Parker*, *supra* note 104; *John Parker*, *supra* note 102. One newspaper described the foundry in 1891 as “the largest on [the Ohio River] between Cincinnati and Portsmouth, and probably the only foundry in the United States owned and conducted by a Colored man.” *Prof. Hale G. Parker*, THE APPEAL 1, Feb. 14, 1891, at 1, Minnesota Digital Newspaper Hub, <https://newspapers.mnhs.org/jsp/browse.jsp> [https://perma.cc/J3W2-W8YH] (click “search” tab, then search field for “Prof. Hale G. Parker” and click the second search result titled “The Appeal” published on February 14, 1891).

into Kentucky alone to lead Blacks to freedom.<sup>106</sup> Returning to Ohio, John was “[a]lways armed and ready for a fight.”<sup>107</sup> Once, there was a \$3000 bounty for his capture.<sup>108</sup> He reportedly never had his picture taken, fearing its use on a wanted poster.<sup>109</sup> During the Civil War, John “helped the war effort by freeing many enslaved men from Kentucky and recruiting them to serve in the 127th Regiment of the Union Army, an African-American regiment.”<sup>110</sup> From this background, his son, Hale Parker, “inherited an attitude of intrepid directness based on a childhood upbringing in a household that had gained renown in complete defiance of the slave regime.”<sup>111</sup>

Before moving to Missouri, Hale Parker graduated from Oberlin College in 1873 and held several teaching positions and a principalship in Indiana.<sup>112</sup> In 1878, Parker arrived in St. Louis to serve as Principal of the Alexandre Dumas Elementary School (Colored School No. 1).<sup>113</sup> That year he married Eleanor O. Steele.<sup>114</sup> They would have three children: Eleanore, Hortense, and Hale, Jr.<sup>115</sup> While working at Dumas School, Parker became the first Black student to attend (now) Washington University School of Law,<sup>116</sup>

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106. *Hale Giddings Parker*, *supra* note 104; CHRISTOPHER ROBERT REED, *BLACK CHICAGO’S FIRST CENTURY: VOLUME I, 1833-1900* 266 (2005).

107. REED, *supra* note 106, at 266.

108. *Hale Giddings Parker*, *supra* note 104.

109. *About*, *supra* note 103.

110. *John Parker*, *supra* note 102.

111. REED, *supra* note 106.

112. *HALE GIDDINGS PARKER (1851-1925)*, *supra* note 102. Parker’s brother also attended Oberlin College before transferring to Harvard, where he later died as a student. *Prof. Hale G. Parker*, *supra* note 105.

113. *HALE GIDDINGS PARKER (1851-1925)*, *supra* note 102.

By the end of the Civil War, five schools for African American children, with a total attendance of sixteen hundred pupils, existed in St. Louis. They fell under the supervision of a board of education for colored schools, composed of Black community leaders . . . . The St. Louis Board of Education took control of public education for Black children after the Civil War, when the reconstructed state constitution of 1865 stipulated public support for the education of all children in the city. The first public schools for Blacks were established in 1866 in rented rooms so dilapidated that additional funds were needed to make them suitable for classes. These schools absorbed the pupils of the original five schools.

WRIGHT, *supra* note 47, at 31.

114. *HALE GIDDINGS PARKER (1851-1925)*, *supra* note 102.

115. *Id.*

116. Parker failed to graduate from Washington University School of Law “because his average grade point average missed meeting the minimum standard by less than a percentage point.” David Roediger, *What’s Wrong with These Pictures - Race, Narratives of Admission, and the Liberal Self-Representations of Historically White Colleges and Universities*, 18 WASH. U. J.L. & POL’Y 203, 211 (2005). However, the law school had “flexible arrangements to retake exams in the late

although he ultimately graduated from Saint Louis University School of Law in 1885.<sup>117</sup> Parker became a member of the St. Louis bar that same year and practiced law to some extent.<sup>118</sup> Even after earning a law degree, Parker continued as Principal at Dumas School.<sup>119</sup> He later became the attorney and financial secretary for the St. Louis Colored Orphan's Home, and president of the Frederick Douglass Memorial Association.<sup>120</sup> President Benjamin Harrison appointed him as "an alternate commissioner-at-large for the Chicago World's Fair in 1893."<sup>121</sup> Parker – the only Black member from the United States – was appointed after an outcry against the utter lack of diverse representation on the Commission.<sup>122</sup>

Parker remained Principal at Dumas School until 1894, resigning due to an impending transfer to the Dessalines School, another all-Black elementary school. "As Principal of the Dumas School, Parker received a salary of \$9 a day, while as Principal of the Dessalines he would only receive \$6 a day. He felt this a humiliation and an outrage, and he determined to resign when he could not get a rehearing."<sup>123</sup> Parker soon moved to Illinois, passed the bar there, and continued the practice of law.<sup>124</sup> His two daughters "graduated from the University of Chicago in 1905 and became public school teachers," while his son "practiced dentistry in the city."<sup>125</sup> Hale died in 1925 at the age of 74.<sup>126</sup>

#### D. Walter Moran Farmer

Walter Moran Farmer, a successful lawyer and effective activist, spent most of his life in Missouri and Illinois. Born in Brunswick, Missouri, he graduated with high honors from Lincoln (then) Institute in Jefferson City in

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nineteenth century," which were apparently denied to Hale. *Id.* at 211–12. Indeed, in 1883 at least one other law student's degree was "delayed, but not denied, despite spectacularly plagiarizing his thesis from the published writings of Oliver Wendell Holmes." *Id.*

117. SMITH, *supra* note 7, at 332.

118. *Hale Giddings Parker*, *supra* note 104.

119. *Parker Resigns*, ST. LOUIS POST-DISPATCH, Sept. 3, 1894, at 1.

120. *Frederick Douglas Memorial Association*, CHICAGO LEGAL NEWS, Feb. 20, 1897, at 217, HeinOnline, <https://heinonline.org/HOL/P?h=hein.journals/chiclene29&i=225>.

121. SMITH, *supra* note 7, at 332.

122. Elliott M. Rudwick & August Meier, *Black Man in the 'White City': Negroes and the Columbian Exposition, 1893*, 26 PHYLON 354, 354–61 (1965).

123. *Parker Resigns*, *supra* note 119.

124. *HALE GIDDINGS PARKER (1851-1925)*, *supra* note 102; *see also* SMITH, *supra* note 7, at 332.

125. *HALE GIDDINGS PARKER (1851-1925)*, *supra* note 102.

126. *Id.*

1884.<sup>127</sup> He then enrolled at Washington University School of Law.<sup>128</sup> Not thrilled with his presence, classmates tried to force him to quit.<sup>129</sup> But, at the urging of Dean William G. Hammond, Farmer persevered, becoming the first Black graduate of the law school in 1889.<sup>130</sup> At graduation, Dean Hammond walked with Farmer when other students refused to walk with him.<sup>131</sup>

After his graduation, Farmer began practicing law in St. Louis where he “enjoyed a diverse practice covering all branches of law,”<sup>132</sup> including “several major murder trials and probate cases.”<sup>133</sup> Only a year after obtaining his law degree,<sup>134</sup> Farmer handled a murder case, *Duncan v. Missouri*.<sup>135</sup> At the first trial, the defendant was found guilty of first-degree murder, but Farmer persuaded the judge a new trial was necessary.<sup>136</sup> At the second trial, the defendant was again convicted of murder and sentenced to death.<sup>137</sup> Undeterred and convinced of his client’s innocence, Farmer appealed, becoming the first Black to argue before the Supreme Court of Missouri in

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127. *Attorney Walter M. Farmer*, THE BROAD AX, Dec. 31, 1910, Library of Congress: Chronicling America, <https://chroniclingamerica.loc.gov/lccn/sn84024055/1910-12-31/ed-1/seq-4/> [https://perma.cc/K2YR-FP5J].

128. *Id.*

129. SMITH, *supra* note 7, at 332.

130. *Id.*

131. Richard B. Teitelman, *Celebrating African-Americans’ contributions to Missouri’s justice system*, MO. CTS. (Mar. 5, 2013), <https://www.courts.mo.gov/page.jsp?id=60263> (reflections of then-Missouri Chief Justice Richard B. Teitelman). William G. Hammond, appointed in 1881, the second dean of Washington University School of Law, was the School’s first full-time professor and dean. Dorsey D. Ellis, Jr., *Legal Education: A Perspective on the Last 130 Years of American Legal Training*, 6 WASH. U. J.L. & POL’Y 157, 160 (2001).

Significantly, while Hammond was dean at Washington University, the school admitted and graduated its first African-American law student, Walter Moran Farmer. Although Missouri had remained in the Union during the Civil War, prejudice against African-Americans still prevailed in St. Louis and at the University. Farmer endured many manifestations of that prejudice as a law student. As a final insult, the members of his class refused to walk with him in the graduation procession. Dean Hammond walked with him.

*Id.* at 169–70.

132. *Attorney Walter M. Farmer*, *supra* note 127. “One among his many notable cases in St. Louis was a will contest in which a White lady had left a Colored woman \$13,000, the relatives of the lady hotly contested the case, and Mr. Farmer ably represented the Colored women and finally won out.” *Id.*

133. SMITH, *supra* note 7, at 332.

134. Marshall D. Hier, *Duncan Shot a Hole in Brady’s Breast*, 50 ST. LOUIS B.J. 40, 41 (2003).

135. 152 U.S. 377 (1894).

136. Hier, *supra* note 134, at 42.

137. *Id.*



1893.<sup>138</sup> Receiving another unfavorable ruling, he became one of the first Black lawyers to argue before the Supreme Court of the United States.<sup>139</sup> In 1900, Farmer became the first Black in Missouri to serve in a judicial capacity when Judge William Zachritz appointed him a Special Judge in the St. Louis Municipal Court.<sup>140</sup> In 1905, Farmer departed St. Louis for Chicago to continue the practice of law.<sup>141</sup>

Farmer's success persisted in Chicago, where he maintained a thriving law practice.<sup>142</sup> He once won an eight-year-long property dispute after a husband died and the widow, Farmer's client, received only half the marital property.<sup>143</sup> The case received media coverage, involving 20 to 30 individuals as parties to the litigation.<sup>144</sup> Farmer also was elected to lead the National Grand Lodge of the United Brothers of Friendship in 1909.<sup>145</sup> He later became a chartering director of the National Negro League, one of

138. *Id.* at 42–43.

139. *Id.* at 43; SMITH, *supra* note 7, at 332; *see also* Jae Jones, *WALTER M. FARMER: FIRST AFRICAN AMERICAN TO SERVE IN A JUDICIAL CAPACITY IN MISSOURI*, BLACKTHEN (Mar. 9, 2018), <https://Blackthen.com/walter-m-farmer-first-african-american-serve-judicial-capacity-missouri/>. Duncan's conviction and sentence were upheld, and he died by hanging in 1894. Hier, *supra* note 134, at 43. Farmer maintained that “[i]f ever an innocent man was hanged, that man was Duncan.” RICHARD POLENBERG, *HEAR MY SAD STORY: THE TRUE TALES THAT INSPIRED “STAGOLEE,” “JOHN HENRY,” AND OTHER TRADITIONAL AMERICAN FOLK SONGS* 25 (2015).

140. SMITH, *supra* note 7, at 332.

141. *Id.*; *Hon. Walter M. Farmer*, THE PROFESSIONAL WORLD, Oct. 30, 1903, at 1, Library of Congress: Chronicling America, <https://chroniclingamerica.loc.gov/> [<https://perma.cc/QA5E-ADC5>] (search for “Hon. Walter M. Farmer, our talented attorney of St. Louis”).

142. *Logical and Eloquent Address Delivered by Attorney Walter M. Farmer*, THE BROAD AX, Jan. 25, 1913, at 1, <https://chroniclingamerica.loc.gov/> [<https://perma.cc/3284-WXBH>] (search for “Logical and Eloquent Address Delivered by Attorney Walter M. Farmer”); *Attorney Walter M. Farmer Continues to Meet with Wonderful and Brilliant Success at the Chicago Bar*, THE BROAD AX, June 7, 1919, at 4, <https://chroniclingamerica.loc.gov/> [<https://perma.cc/9322-PJCP>] (search for “Attorney Walter M. Farmer continues to meet”); *The Hon. Thomas Wallace Swann Admitted on the Witness Stand*, THE BROAD AX, July 17, 1915, at 1, <https://chroniclingamerica.loc.gov/> [<https://perma.cc/K6M6-6Z7N>] (search for “Walter M. Farmer one of the best and most up-to-date lawyers”) (describing Farmer's legal acumen in the courtroom).

143. *Attorney Walter M. Farmer Continues to Meet with Wonderful and Brilliant Success at the Chicago Bar*, *supra* note 142.

144. *Id.*

145. *The National Grand Lodge of the United Brothers of Friendship*, THE BROAD AX, Aug. 7, 1909, at 1, <https://chroniclingamerica.loc.gov/> [<https://perma.cc/Z6YA-27UW>] (search for “Walter M. Farmer Lawyer an all-around good citizen”).

several all-Black leagues established during baseball's era of segregation.<sup>146</sup> One newspaper article described Farmer as “a prominent Mason . . . an honored member of the Baptist church, and a highly cultured gentleman.”<sup>147</sup>

Farmer, a member of the National Association for the Advancement of Colored People (NAACP), “played a leadership role nationally, having served as a delegate to the Republican National Convention three times.”<sup>148</sup> He gave a speech there discussing the history of race relations in the United States and how to move forward, fully printed in a newspaper.<sup>149</sup> In another speech, he “denounced lynching at a meeting drawing 15,000 listeners.”<sup>150</sup>

Farmer's response to a Chicago property association's racist publication showcases Farmer's superb rhetorical, analytical, and persuasive prowess. In 1920, the Kenwood and Hyde Park Property Owners' Association published an article decrying the increase of home-owning Blacks in Hyde Park.<sup>151</sup> “[E]very colored man who moves to Hyde Park[] knows he is damaging his White neighbor's property, therefore he is making war on the White man.”<sup>152</sup>

Farmer, himself a homeowner in Hyde Park since 1905, responded with an open letter to Martin J. Isaacs, a member of the association who worked for a state judge.<sup>153</sup> Farmer began by noting his incredulousness that Isaacs was part of the association. “[The] proposition set forward in the article . . . is so unfair, unreasonable[,] and untrue that I am sure you do not give your assent to it.”<sup>154</sup> Farmer then argued that the association was intentionally stoking tensions between the races.<sup>155</sup> He explained that Blacks did not overrun neighborhoods.<sup>156</sup> Instead, “we are sought as customers because we can be forced to pay more for run down property, either as renters or purchasers than Whites will pay. And yet we are told that we depreciate values.”<sup>157</sup> He attacked the association as publishing “reprehensible propaganda . . . that should be condemned by every well thinking, self-respecting man and woman in our community.”<sup>158</sup>

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146. DEAN A. SULLIVAN, *MIDDLE INNINGS: A DOCUMENTARY HISTORY OF BASEBALL, 1900-1948*, at 121 (2001).

147. *Attorney Walter M. Farmer*, *supra* note 127.

148. Roediger, *supra* note 116, at 211.

149. *Logical and Eloquent Address Delivered by Attorney Walter M. Farmer*, *supra* note 142.

150. Roediger, *supra* note 116, at 219.

151. *Attorney Walter M. Farmer, Writes an Open Letter*, *THE BROAD AX*, Feb. 14, 1920, at 1, <https://chroniclingamerica.loc.gov/> [<https://perma.cc/WUL8-MZ3C>] (search for “Attorney Walter M. Farmer, Writes an Open Letter”).

152. *Id.*

153. *Id.*

154. *Id.*

155. *Id.*

156. *Id.*

157. *Id.*

158. *Id.*

Referencing a recent race riot in Chicago, which likely contributed to the letter's palpable urgency, Farmer stated that the association "is the only one, that I know, that seems bent on bringing about a clash between the races."<sup>159</sup> Farmer noted that Isaacs, a Master-In-Chancery for a Superior Court Judge, was in essence a judge.<sup>160</sup> He asked, "Can you expect any colored man to feel that you will be fair and just to him in the weighing of his rights and the adjusting of his interest should he come before you?" Farmer continued, "From what I know of you, and what I have heard of you, I do not think that you are actuated by any such feelings [of racism]."<sup>161</sup> Farmer ended his letter with an appeal to Isaacs:

I am therefore asking you to join us and other wel[l]-disposed citizens in taking steps to counteract this pernicious influence so insidiously attempted by this publication. If there is any problem to be solved; if there are any race adjustments to be made, their solution and adjustment lay only in the exercise of justice and good will toward our people.<sup>162</sup>

Farmer continued advocating zealously for justice and equality before retiring from the practice of law in 1942.<sup>163</sup> He died nine months later after a fall in his home.<sup>164</sup> Although a century has passed since he left St. Louis, Farmer is still recognized as a trailblazer for Missouri lawyers.

#### *E. D.D. Sledge*

Born in Alabama, D.D. Sledge lost his father at an early age during the Civil War.<sup>165</sup> Although Sledge's mother – a widow with three young children – worked hard, she was in no position to ensure Sledge received a good education.<sup>166</sup> He, therefore, took it upon himself to achieve a common school education.<sup>167</sup> After graduating, he immediately began teaching before earning his undergraduate degree in 1884.<sup>168</sup>

Sledge began studying law with Judge J.C. Longstreet and Judge A.H. Whitfield, Chief Justice of the Mississippi Supreme Court, not long after his

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159. *Id.*

160. *Id.*

161. *Id.*

162. *Id.*

163. *Obituaries Walter M. Farmer*, CHI. TRIB., (Jul. 26, 1943), <https://www.newspapers.com/clip/52260996/chicago-tribune/> [<https://perma.cc/TM6S-R4ED>].

164. *Id.*

165. GREEN POLONIUS HAMILTON, THE BRIGHT SIDE OF MEMPHIS 75 (1967).

166. *Id.*

167. *Id.*

168. *Id.*

undergraduate education.<sup>169</sup> He completed his legal studies in Missouri, and in 1894, was admitted to the Missouri bar.<sup>170</sup> Sledge practiced law in St. Louis for three years before relocating to Memphis, Tennessee, where he was “successfully and honorably connected with the local bar.”<sup>171</sup>

Although little is known about Sledge’s practice in Missouri, he was described as a “quiet, gentlemanly man and enjoy[ed] the best wishes of all with whom he [was] personally acquainted.”<sup>172</sup> He was a fierce advocate with an honorable reputation.<sup>173</sup>

### *F. L. Amasa Knox*

L. Amasa Knox was born in Poplar Mount, Virginia, in 1869.<sup>174</sup> His father, Africanus Knox, was a blacksmith by trade and a former slave.<sup>175</sup> Although Knox served as an apprentice in his father’s shop, he spent much more time reading and studying.<sup>176</sup> After attending Virginia State College, he earned a law degree in 1897 from Howard University School of Law in Washington, D.C.<sup>177</sup> He was admitted to the bar in St. Louis in either 1898 or 1899, practicing law in St. Louis and St. Joseph.<sup>178</sup> In 1905, he settled in Kansas City.<sup>179</sup>

[Knox] soon became a fixture in the affairs of the African American community. He was one of the many organizers of the Wheatley-Provident Hospital and for many years served as the hospital’s treasurer. He supported the Kansas City chapter of the NAACP in its early years and served on the board of directors of the Urban League branch. He joined Hugh O. Cook and Myrtle Foster Cook in the

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169. SMITH, *supra* note 7, at 332. A.H. Whitfield also served as Professor of Law at the University of Mississippi. Samuel Marion Davis, *J.A.P. Campbell: Lawyer, Statesman, and Judge*, 86 Miss. L.J. 777, 792 (2017).

170. SMITH, *supra* note 7, at 332.

171. HAMILTON, *supra* note 165, at 75.

172. *Id.*

173. *Id.* Sledge apparently was also ordained as a minister of the gospel. *See Book E, 1891-95, CALDWELL CNTY., MO. MARRIAGE RECS.*, at 147, <http://files.usgwarchives.net/mo/caldwell/marriage/marr-e.txt> [<https://perma.cc/Z3JM-U8HA>] (last visited Sept. 25, 2020).

174. CHARLES EDWARD COULTER, *TAKE UP THE BLACK MAN’S BURDEN: KANSAS CITY AFRICAN AMERICAN COMMUNITIES, 1865-1939*, at 158 (2006).

175. *Id.*

176. *Id.*

177. SMITH, *supra* note 7, at 332.

178. *Id.* Two sources claim he was admitted to the bar in 1898. SMITH, *supra* note 7, at 332; SHERRY LAMB SCHIRMER, *A CITY DIVIDED: THE RACIAL LANDSCAPE OF KANSAS CITY, 1900-1960*, at 148 (2002). Another source, however, claims Knox was admitted in Missouri in 1899 after earning his Master of Law degree. COULTER, *supra* note 174, at 159.

179. *See id.*; SCHIRMER, *supra* note 178, at 148.

establishment of the People's Finance Corporation. Knox also was among Kansas City's representatives to the conference on Black education held in Jefferson City in 1921, was an early supporter of the Paseo YMCA, and served as the legal advisor to the grand lodge, and, along with fellow lawyers Charles Calloway and William C. Hueston, Dr. Lon Tillman, and undertaker Theron B. Watkins, Knox was a leading member of Kansas City's Elks lodge. Knox and his wife, Clara, lived in the 1800 block of The Paseo, just two blocks from Vine.<sup>180</sup>

On August 1, 1925, Knox was one of twelve Blacks who met in Des Moines, Iowa, to form the National Bar Association (NBA), the oldest and largest national network of predominately Black attorneys.<sup>181</sup> A few years later, in 1928, Knox was elected to Missouri's House of Representatives – the first Black lawyer elected to it, the second Black to serve there, and the first Black man to represent Jackson County.<sup>182</sup> His election reflected the strength of Black Republicanism and the favorable geography of the legislative district. “The Fourth District, from which Knox was elected, wound serpentine through the city's East Side and included both the Eighteenth and Vine district and a portion of the Church Hill area.”<sup>183</sup>

In the legislature, Knox authored legislation that required State support of Black schools in any district with at least 8 children.<sup>184</sup> Although the State originally set the limit at 15, Knox staunchly advocated for State support of Black children in areas less populated by Blacks.<sup>185</sup> This proved particularly important during the Great Depression, when school districts considered closing all-Black schools to conserve resources.<sup>186</sup>

After losing re-election in 1930, Knox returned to practicing law full-time. In 1939, he became counsel of record for Lucile Bluford in the seminal lawsuit, *Bluford v. Canada*.<sup>187</sup> In that case, the plaintiff sued the Registrar of

180. COULTER, *supra* note 174, at 159.

181. *This Week in Black History*, JET, at 19 (Aug. 4, 2003), [https://books.google.com/books?id=Cb4DAAAAMBAJ&source=gbs\\_all\\_issues\\_r&cad=1](https://books.google.com/books?id=Cb4DAAAAMBAJ&source=gbs_all_issues_r&cad=1) [<https://perma.cc/W4LX-MHQ6>]. “When the National Bar Association was organized there were fewer than 1,000 Black lawyers in America, and fewer than 120 belonged to the Association. By 1945, there were nearly 250 members representing 25 percent of the African-American members of the bar.” *Id.*

182. In 1920, Walthall Moore became the first Black to serve in the Missouri legislature. See GREEN, ET AL., *supra* note 34, at 148; see also COULTER, *supra* note 174, at 158.

183. COULTER, *supra* note 174, at 158. Knox defeated Albert Morris by 903 votes. *Id.* at 159.

184. *Id.* at 159–60.

185. *Id.*

186. *Id.*

187. *Bluford v. Canada*, 2 F. Supp. 707 (W.D. Mo. 1940); *State ex Rel. Bluford v. Canada*, 153 S.W.2d 12 (Mo. 1941); *KNOX, L. AMASA*, THE KAN. CITY PUB. LIBR., <https://pendergastkc.org/names/knox-l-amasa> [<https://perma.cc/Z9JF-BTHN>] (last

the University of Missouri.<sup>188</sup> Bluford, a Black woman, was denied admission to the University of Missouri's journalism program – the only program of its kind in a state institution in Missouri – because of her race.<sup>189</sup> The Supreme Court of Missouri ruled that the University of Missouri was not required to admit Bluford.<sup>190</sup> Instead, Lincoln University, then the state's only all-Black college, was ordered to establish a journalism program.<sup>191</sup> Knox served in the city attorney's office from 1944 until his death in 1949.<sup>192</sup>

### G. Charles Henry Calloway

Charles H. Calloway was born in Bradley County, Tennessee, educated in the Nashville public school system, and graduated from Fisk University.<sup>193</sup> He studied law under William R. Morris, a Black lawyer in Minneapolis, while attending the University of Minnesota School of Law.<sup>194</sup> Following graduation in 1905, Calloway moved to Kansas City, Missouri, joining the bar in 1906.<sup>195</sup> Calloway and William C. Hueston formed the law firm of Hueston & Calloway, which received media praise for its handling of *People v. Dr. Leroy Bundy*, a murder case.<sup>196</sup> Additionally, Calloway successfully defended William McCrary, the owner of a restaurant at 18th and Woodland in Kansas City, accused of murdering J.J. Mattjoy, a probation officer and prominent politician.<sup>197</sup> Calloway was a member of an illustrious delegation of Black

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visited July 16, 2020). Other counsel of record in the case included Charles Hamilton Houston of Washington; Kansas City residents Charles H. Calloway, James H. Herbert, and Carl R. Johnson; and Sidney R. Redmond of St. Louis. *Id.*

188. *About Lucile H. Bluford*, THE KAN. CITY PUB. LIBR., <https://www.kclibrary.org/bluford/exhibit> [https://perma.cc/SC2Z-6WXH] (last visited July 14, 2020).

189. *Id.*

190. *Id.*

191. Bluford initiated numerous lawsuits about this issue. She ultimately declined to attend Lincoln, yet nonetheless became editor of *The Call*, a newspaper that “covered the struggles and triumphs of the African-American community.” *Id.*

192. Russell L. Jones, *African American Legal Pioneers: A Biography of Vanue B. Lacour “A Social Engineer”*, 23 S.U.L. REV. 63, 69–70 (1995). “In 1944, [Knox] was appointed to the city counselor’s office after the death of Charles Calloway. COULTER, *supra* note 174, at 160.

193. H.L. Kinsler, *The Biography of Kansas City’s Negro Business and Professional Men and The Trip South*, AM. JAZZ MUSEUM, at 14 (Apr. 9, 1934), <https://pendergastkc.org/sites/default/files/collections/13AmericanJazzMuseum1/AJM-1995-001-39.pdf> [https://perma.cc/L4TF-PDMW].

194. *Hon. Charles Henry Calloway*, THE KAN. CITY SUN, at 1 (Apr. 3, 1920), <https://www.newspapers.com/image/62923969/> [https://perma.cc/3BMX-S6HL]; SMITH, *supra* note 7, at 332.

195. SMITH, *supra* note 7, at 332–33.

196. *Hon. Charles Henry Calloway*, *supra* note 194, at 1.

197. *McCrary Acquitted*, THE KAN. CITY SUN, at 1 (Dec. 11, 1920), <https://www.newspapers.com/image/62923969/> [https://perma.cc/W5BE-8JBK].

men who toured Memphis and Birmingham in 1920 to “make an exhaustive study of Negro business and educational development.”<sup>198</sup> In 1921, Calloway and L. Amasa Knox sought and won the governor’s support on “a civil rights case where African-Americans were being returned to a state where peonage was practiced.”<sup>199</sup> In 1925, Calloway was one of twelve Blacks who met in Iowa to create the National Bar Association,<sup>200</sup> later serving as its second president.<sup>201</sup> Calloway also attended a political and economic conference at the White House in 1925.<sup>202</sup> Calloway served as a trustee at Allen Chapel<sup>203</sup> and as President of the Kansas City NAACP.<sup>204</sup>

### *H. Homer G. Phillips*

Homer G. Phillips, an accomplished lawyer and civic leader, was born in Sedalia, Missouri, in 1880. His father, a Methodist minister, orphaned him early in life, so Phillips was raised by an aunt. Phillips eventually moved to Washington, D.C. to attend Howard University School of Law, living with Black poet Paul Laurence Dunbar.<sup>205</sup> Upon graduation, Phillips began working for the Justice Department.<sup>206</sup> Returning to Missouri, Phillips practiced law and became active in St. Louis politics.<sup>207</sup> “In 1922, he was

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198. *Prominent Men Tour South*, THE KAN. CITY SUN, at 1 (May 8, 1920), <https://chroniclingamerica.loc.gov/lccn/sn90061556/1920-05-08/ed-1/seq-1/> [<https://perma.cc/FWZ4-J6MR>].

199. Kim Walker, *A Monumental Journey*, THE IOWA LAWYER, Dec. 2016/Jan. 2017 at 8.

200. *This Week in Black History*, *supra* note 181, at 19.

201. *Heads Negro Bar Association. National Convention in Chicago Elects Charles H. Calloway President.*, KAN. CITY TIMES, July 8, 1926, at 2; SMITH, *supra* note 7, at 333.

202. *Members National Political and Economic Conference at White House*, RICHMOND PLANET, (Nov. 21, 1925), at 1, <https://chroniclingamerica.loc.gov/lccn/sn84025841/1925-11-21/ed-1/seq-1/> [<https://perma.cc/BL56-P62U>].

203. *Bishop H.B. Parks Incurs Displeasure of Church Trustees*, PHOENIX TRIB., at 1 (Jan. 7, 1922), <https://chroniclingamerica.loc.gov/lccn/sn96060881/1922-01-07/ed-1/seq-1/> [<https://perma.cc/ZRL4-E6YF>].

204. ENDERSBY & HORNER, *supra* note 39, at 88.

205. Adrienne Wartts, *Homer G. Phillips (1880-1931)*, BLACKPAST (Oct. 25, 2008), <https://www.Blackpast.org/african-american-history/phillips-homer-g-1880-1931/> [<https://perma.cc/4CQY-YX3N>].

206. *Id.*

207. Phillips was “a founder of the Citizens’ Liberty League, advocating for Blacks after city residents voted in 1916 to mandate segregation in housing. He was influential in the local Republican Party, a common affiliation for Blacks before the New Deal, and made an unsuccessful bid for Congress in 1926. Republican mayors sought his advice.” Tim O’Neil, *A look back: Homer G. Phillips was a leader among Blacks in St. Louis*, ST. LOUIS POST-DISPATCH (June 20, 2010), <https://www.stltoday.com/news/local/metro/a-look-back-homer-g-phillips-was-a->

given the prominent role of securing about \$1 million to construct a new hospital for African-Americans on the city's North Side."<sup>208</sup> Funding through a bond measure was subject to voter approval.<sup>209</sup>

Although the bond issue was approved by the voters, White city officials tried to force Black St. Louis residents to use an outdated facility.<sup>210</sup> Phillips led the resistance, persuading leaders to create the new fully funded hospital as originally proposed. Unfortunately, construction was delayed for another decade. Phillips was thereafter one of the twelve founders of the National Bar Association in 1925 and its third president during 1927-1928.

On June 18, 1931, Phillips tragically died after being randomly attacked on the streets of St. Louis while traveling to work. He was only 51 years old.<sup>211</sup> Although he did not live to see the hospital he championed, the Homer G. Phillips Hospital opened in 1937, serving the city's Black residents for decades and enabling talented Black physicians to practice medicine.<sup>212</sup>

### *I. Silas E. Garner*

Born in Mississippi around 1884, Silas E. Garner completed his undergraduate studies at Alcorn A&M College (now Alcorn State University) in Lorman, Mississippi.<sup>213</sup> Graduating from Walden University's School of Law in Nashville, Tennessee, he began practicing in St. Louis around 1908.<sup>214</sup> He later formed a law practice with George L. Vaughn, another Black attorney. Between 1930 and 1932, Garner served as a special assistant to the Attorney General of Missouri.<sup>215</sup> In 1932, Garner and Richard W. Kent, also Black, were appointed by Circuit Judge Hartman as receivers for the People's Finance Corporation, a Black loan firm in St. Louis.<sup>216</sup>

Garner served as a Republican committeeman for the Eighteenth Ward for 12 years (1948 to 1960)<sup>217</sup> and was vice chair of the Missouri delegation

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leader-among-Blacks-in-st-louis/article\_5cbde89d-d490-5a90-9a25-79dcc80409c9.html []].

208. *Id.*; Wartts, *supra* note 205.

209. O'Neil, *supra* note 207; Wartts, *supra* note 205.

210. O'Neil, *supra* note 207; Wartts, *supra* note 205.

211. O'Neil, *supra* note 207; Wartts, *supra* note 205.

212. O'Neil, *supra* note 207; Wartts, *supra* note 205.

213. *Board of Elections Commissioners' Notice of Primary Election*, ST. LOUIS POST-DISPATCH, at 10 (July 29, 1946), <https://www.newspapers.com/image/139097891/> [<https://perma.cc/RXX3-YTZX>].

214. SMITH, *supra* note 7, at 333.

215. *Board of Elections Commissioners' Notice of Primary Election*, *supra* note 213, at 10.

216. *Two Appointed Receivers for Negro Loan Concern*, ST. LOUIS POST-DISPATCH, at 14 (Aug. 11, 1932), <https://www.newspapers.com/image/139023057/>.

217. Silas E. Garner, *Experience Vital*, ST. LOUIS GLOBE-DEMOCRAT, at 14 (Oct. 3, 1960), <https://www.newspapers.com/image/574635127/>.



to the Republican National Convention in 1952,<sup>218</sup> the only Black member of the delegation.<sup>219</sup> On June 6, 1952, just before the convention, Garner traveled to Abilene, Kansas, to meet with General Dwight D. Eisenhower.<sup>220</sup> When Garner's late train prevented him from attending a larger meeting with Eisenhower, Eisenhower insisted on talking separately with Garner.<sup>221</sup>

Garner said after the meeting that Eisenhower's answers to his questions were "completely satisfactory," and that he thought the retired general would make a "wonderful" President.<sup>222</sup>

Garner, however, had many setbacks. He unsuccessfully ran for state representative in 1946 and 1960, for magistrate in 1950 and 1954, and for the party's nomination for alderman in 1947.<sup>223</sup> He died on February 9, 1966, at Homer G. Phillips Hospital, survived by his wife, Annie Russell Garner, and son, Harold Garner.<sup>224</sup>

### *J. Laws Designed to Hold Back Pioneering Black Lawyers*

The accomplishments of the first Black lawyers in Missouri are cause for celebration, but the fight for equality was just beginning. Progress during and after Reconstruction was met with the ugly arrival of the first Jim Crow laws, which continued well into the twentieth century.<sup>225</sup> The terrors of post-Reconstruction life for Blacks are well documented – systemic denial of the right to vote and widespread vigilante violence. The infamous 1896 Supreme Court decision of *Plessy v. Ferguson* authorized the policy of "separate but equal," which was fervently employed in Missouri and across the South.<sup>226</sup>

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218. *Silas E. Garner Dies; With GOP City Group*, ST. LOUIS POST-DISPATCH, at 18 (Feb. 10, 1966), <https://www.newspapers.com/image/142593047>.

219. *Id.*

220. *St. Louis Group Sees Eisenhower; Pleased With Him*, ST. LOUIS POST-DISPATCH, at 8 (June 6, 1952), <https://www.newspapers.com/image/140053168>.

221. *Id.*

222. *Id.*

223. *Information on Candidates in Friday's Primary Election*, THE ST. LOUIS STAR & TIMES, at 15 (Mar. 3, 1947), <https://www.newspapers.com/image/204266969/>.

224. *Silas E. Garner Dies; With GOP City Group*, *supra* note 218, at 18.

225. *Jim Crow Laws*, HISTORY (Aug. 19, 2020), <https://www.history.com/topics/early-20th-century-us/jim-crow-laws> [<https://perma.cc/FQ84-PUDY>].

226. *Plessy v. Ferguson*, 163 U.S. 537, 550–51 (1896) (holding constitutional a state statute requiring "equal but separate accommodations" for White and Black railway passengers).

As a consequence, in 1909, the NAACP was formed<sup>227</sup> and large numbers of Blacks moved north between 1910 and 1920 in search of better jobs.<sup>228</sup>

One lesser-known effect of Jim Crow was slowing the rise of Black lawyers. In 1890, Black lawyers comprised only 431, or 0.48%, out of 89,630 total lawyers in the U.S.<sup>229</sup> By 1900, Black lawyers numbered 728, or 0.63%, out of 114,703 total lawyers in the U.S.<sup>230</sup> By 1910, Black lawyers crept upward to 779, or 0.72%, out of 107,888.<sup>231</sup> By 1920, Black lawyers reached 950, or 0.78%, out of 122,519.<sup>232</sup>

These numbers stand in stark contrast to the growth of the American bar generally:

Between 1870 and 1910, the number of lawyers in the United States increased at an unprecedented pace, growing by 181% (from 40,736 to 114,704). This rate was almost double that of the population as a whole which grew by 97% (from 38.6 million to 76.0 million). The African-American bar kept pace only in the sense that Black lawyers as a percentage of all lawyers remained fairly constant [at less than 1%].<sup>233</sup>

Moreover, most law schools excluded Black law students outright; several states created vastly inferior “Jim Crow law schools.”<sup>234</sup> Southern states also witnessed substantial declines in Black attorneys, coinciding with the wider disenfranchisement, segregation, racism, and violence against Blacks under White-dominated southern governments.<sup>235</sup>

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227. *NAACP, HISTORY* (Mar. 13, 2019), <https://www.history.com/topics/civil-rights-movement/naacp> [<https://perma.cc/J3NN-9666>].

228. *The Great Migration, 1910 to 1970*, U.S. CENSUS BUREAU (Sept. 13, 2012), <https://www.census.gov/dataviz/visualizations/020/> [<https://perma.cc/F2Q7-TA3Z>].

229. Edward J. Littlejohn & Leonard S. Rubinowitz, *Black Enrollment in Law Schools: Forward to the Past?*, 12 T. MARSHALL L. REV. 415, 418 (1987).

230. *Id.*

231. *Id.*

232. *Id.* By 1930, there were 1,247 Black lawyers in the United States, and in 1940, only 1,066. Joseph Gordon Hylton, *The African-American Lawyer, The First Generation: Virginia as a Case Study*, 56 U. PITT. L. REV. 107, 112 (1994).

233. Hylton, note 232, at 111.

234. Richard H. Sander, *A Systemic Analysis of Affirmative Action in American Law Schools*, 57 STAN. L. REV. 367, 375 (2004).

235. Finkelman, *supra* note 19, at 182. From 1904 to 1920, Louisiana’s Black lawyers declined from 15 to eight. Rachel L. Emanuel, *History: Black Lawyers in Louisiana Prior to 1950*, 53 LA. B.J. 104, 107 (2005). From 1927 to 1941, few, if any, Black lawyers were admitted to the Louisiana bar. *Id.* From 1900 to 1940, the number of Black lawyers in Mississippi declined from 24 to three. Finkelman, *supra* note 19. Over this same time period, the number of Black lawyers in South Carolina declined from 29 to five. *Id.* Texas bucked the trend of decline, but barely. Twelve Black lawyers practiced in Texas in 1890, and by 1930 this number had grown to only 20. John G. Browning & Chief Justice Carolyn Wright, *We Stood on Their Shoulders: The*

## III. STRUGGLE FOR CIVIL RIGHTS, 1921–1971

“If you can’t fly then run, if you can’t run then walk, if you can’t walk then crawl, but whatever you do you have to keep moving forward.”

– Martin Luther King, Jr.<sup>236</sup>

In 1921, when Missouri celebrated its centennial, Black lawyers faced great challenges practicing in Missouri courts – limited education, experience, and skills, often limited resources. James Endersby and William Horner discovered that even by late 1939, Charles Hamilton Houston<sup>237</sup> – an African American, “the chief architect of the legal assault on Jim Crow laws,”<sup>238</sup> and one of the greatest lawyers of the twentieth century – “needed books and information on court rules in Missouri in order to file an NAACP-sponsored civil case for damages in a federal court.”<sup>239</sup> But Missouri counsel were sometimes of little help. Houston complained to Thurgood Marshall on October 18, 1939: “I could not get the books and court rules. None of our lawyers had them either in St. Louis or Kansas City.”<sup>240</sup>

Physical attacks on Black lawyers were rare but not unheard of. In Missouri’s bootheel, an attorney, William A. Cole, was beaten by a mob of

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*First African American Attorneys in Texas*, 59 HOW. L.J. 55, 58 (2015). Most of the early Black lawyers in Texas practiced in rural areas or small towns, while others gradually moved to cities such as Dallas, Houston, and Galveston. *Id.*

236. THE PAPERS OF MARTIN LUTHER KING, JR. VOLUME V: THRESHOLD OF A NEW DECADE, JANUARY 1959-DECEMBER 1960 at 419 (Clayborne Carson, ed. 2005).

237. Charles Hamilton Houston is the attorney who laid the groundwork for *Brown v. Board of Education*. NAACP HISTORY: CHARLES HAMILTON HOUSTON, NAACP, <https://www.naacp.org/naacp-history-charles-hamilton-houston/> [<https://perma.cc/XH9V-G9D6>] (last visited July 16, 2020). Houston, a graduate of Amherst College and Harvard Law School, was the first Black editor of the Harvard Law Review. *Id.* He later served as Vice-Dean of Howard Law School and first special counsel for the NAACP. *Id.* He trained Thurgood Marshall, Oliver Hill, William Henry Hastie, and scores of civil rights attorneys. *Id.* Known as “The Man Who Killed Jim Crow,” he argued *Missouri ex rel. Gaines v. Canada* and *Shelley v. Kraemer* before the Supreme Court of the United States, among numerous other civil rights matters. Brett Milano, *The man who killed Jim Crow: The legacy of Charles Hamilton Houston*, HARV. L. TODAY (Sept. 5, 2019), <https://today.law.harvard.edu/the-man-who-killed-jim-crow-the-legacy-of-charles-hamilton-houston/> [<https://perma.cc/AJG8-HHZK>]; CHARLES HAMILTON HOUSTON: A GALLERY, CORNELL L. SCH. LEGAL INFO. INST., <https://www.law.cornell.edu/houston/housbio.htm> [<https://perma.cc/H7UM-2LNB>] (last visited July 16, 2020).

238. Roger A. Fairfax, Jr., *Wielding the Double-Edged Sword: Charles Hamilton Houston and Judicial Activism in the Age of Legal Realism*, 14 HARVARD BLACK LETTER L.J. 17, 18 (1998).

239. ENDERSBY & HORNER, *supra* note 39, at 275 n.18.

240. *Id.*

angry Whites for defending four Black sharecroppers.<sup>241</sup> Another Black lawyer and his client were confronted by lawless, hostile Whites in mid-Missouri:

On April 29, 1923, a mob in Columbia, Missouri, lynched James T. Scott, a thirty-five-year-old Black janitor employed by the University of Missouri, from Stewart Bridge, an automobile overpass located a quarter of a mile from the school's campus. Scott was being held in the Boone County jail, charged with assaulting the fourteen-year-old daughter of a university foreign language professor. The day before the lynching, a local newspaper reported that the victim had "positively identified" Scott as her assailant. The paper also published an editorial demanding "swift justice." Perhaps stirred by the newspaper's inflammatory remarks, a mob of fifty men stormed the jail at 11:00 p.m. that night. Around midnight, prominent [Black] St. Louis attorney George L. Vaughn, who was in Columbia to assist in Scott's legal defense, telephoned Governor Arthur M. Hyde, urging him to mobilize the 128<sup>th</sup> Field Artillery of the Missouri National Guard, which was headquartered in Columbia, to disperse the mob.

The national guard never arrived to prevent the lynching. Two thousand spectators witnessed the mob hang Scott around 1:40 a.m. The lynching attracted front-page headlines from newspapers across the country because of the University of Missouri's presence in the community. Subsequently, a grand jury indicted five White men, including a national guard sergeant, for their participation in the lynching, but only one man ever came to trial. Charged with first degree murder, he was acquitted after only eleven minutes of deliberation.<sup>242</sup>

Between 1900 and 1931, at least 17 Black men were lynched in Missouri,<sup>243</sup> continuing the extreme depravity from the nineteenth century until at least the mid-twentieth century.

During this period, economic opportunities for Black lawyers were limited. Whites would often not consider hiring a Black attorney, limiting with few exceptions, Black lawyers to Black clients. Even then, some Blacks with means passed over Black attorneys for White ones. These confined professional opportunities meant Black lawyers had to support themselves outside the practice of law.

Yet these harsh challenges did not deter most of the era's Black lawyers. Instead, they joined the fight against violence and oppression by organizing

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241. *Id.* at 14.

242. GREEN, ET AL., *supra* note 34, at 148–49.

243. *Id.* at 148. Examples of lynchings include the killing of Roosevelt Grigsley in Charleston, Missouri in 1924. *Id.* at 149. Raymond Gunn was lynched in Maryville, Missouri on January 12, 1931. *Id.* There were at least a dozen other victims. *Id.*

within the Black bar and filing lawsuits that led to substantive changes across the United States. Below are brief profiles of several of these inspirational Black attorneys, followed by a brief discussion of Blacks in the judiciary and the progress achieved during this time period.

### A. George L. Vaughn

George L. Vaughn, born and raised in Kentucky, graduated from Lane College and Walden University School of Law in Tennessee.<sup>244</sup> He served as a First Lieutenant in the U.S. Army during World War I.<sup>245</sup> He relocated to St. Louis to practice law, becoming a leader in the NAACP and a vocal supporter of the anti-lynching movement.<sup>246</sup> In 1919, Vaughn helped form the Citizen Liberty League to help recruit more Blacks to run for public office.<sup>247</sup> Three years later, he became the first President of the Mound City Bar Association. In the 1930s and 40s, Vaughn, a prominent Democrat, was a Justice of the Peace for the Fourth District of St. Louis.<sup>248</sup>

Vaughn is best known for his role in *Shelley v. Kraemer*,<sup>249</sup> where the Supreme Court of the United States held unconstitutional the judicial enforcement of racially restrictive covenants.<sup>250</sup> The national spotlight again shone on Vaughn when, as an alternate delegate to the 1948 Democratic Convention, “he forcefully demanded the unseating of the Mississippi delegation and adoption of a civil rights report.”<sup>251</sup> Although falling short of the votes to adopt his proposal, he remained a civil rights advocate until his death a year later, in 1949, in St. Louis.

### B. Sidney Redmond

Sidney R. Redmond is perhaps an unsung hero in Missouri civil rights history.<sup>252</sup> Born and raised in Jackson, Mississippi, he was the son of the state’s wealthiest Black man.<sup>253</sup> A second-generation Black attorney,

244. Vaughn, George L., NOTABLE KY. AFR. AM. DATABASE, <https://nkaa.uky.edu/nkaa/items/show/1825> [<https://perma.cc/DD5N-CSHC>] (last visited July 14, 2020).

245. Herbert C. Ruffin II, George L. Vaughan, BLACK PAST, <https://www.blackpast.org/african-american-history/vaughan-george-l-1885-1950/> [<https://perma.cc/D4YF-AAKP>] (last visited Sept. 22, 2020).

246. ENDERSBY & HORNER, *supra* note 39, at 14.

247. Vaughn, George L., *supra* note 244.

248. Ruffin, *supra* note 245; Vaughn, George L., *supra* note 244.

249. 334 U.S. 1, 2 (1948). *Shelley*, which originated in St. Louis, is discussed at length below.

250. Vaughn, George L., *supra* note 244.

251. ENDERSBY & HORNER, *supra* note 39, at 14.

252. Mary Ellen Maatman, *Lawyering in the Lion’s Mouth: The Story of S.D. Redmond and Pruitt v. State*, 83 MISS. L.J. 459, 461 (2014).

253. *Id.*

Redmond attended Harvard University for both college and law school. He moved to St. Louis in 1929. When asked why he chose Missouri over Mississippi, Redmond replied:

[T]he opportunities in St. Louis were greater than they were [in Jackson]. And you just had more difficulty trying a case [in Jackson] and getting anything like what it was worth. The jury didn't look upon a Negro as being worth anything and you could have a good case and they would give you what they thought a Negro was worth. And it was unheard of to have a Negro on any jury in Mississippi in that day. Well, I had heard about St. Louis, I guess most people in the South in those days had heard about it. But it was a large population here, and they were making money here [in St. Louis], and where you have that, you ought to be able to go and make some yourself.<sup>254</sup>

Yet, St. Louis was far from utopia for Redmond. He explained that, while “it was a tremendous improvement over Mississippi, Jackson,” particularly with opportunities in the law, a Black in downtown St. Louis still could not “get a sandwich, [get] a drink of water, go to the lavatory.”<sup>255</sup> Redmond once offered two stories told by Silas E. Garner, a Black St. Louis attorney and friend who had previously practiced in Mississippi, to illustrate this point.

I said to him, “Mr. Garner, I read a case of yours on a simple contract that went to the Supreme Court, how did that happen?” And he said, “That’s an amusing thing. After I took it up to the Court and got it reversed, I went back before the judge on another matter and he said, ‘Sir, how was it you reversed me?’ And he said, ‘Judge, you didn’t read my brief. I filed the same brief in the Mississippi Supreme Court I filed with you, but you just assumed I knew no law and didn’t read it.’ And the judge said, ‘I guess you’re right.’”<sup>256</sup>

His second story was even more egregious.

Mr. Garner had an urgent matter and tried to get [a] judge in his office, and they said he wasn’t there. He called [the judge’s] home and he was out, and [Garner] left word that he was very anxious to talk with Judge Garland Lyle. And the next morning at seven o’clock, Judge Lyle called him and said, “[s]ir, you called me. Let me tell you this, if

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254. Richard Resh & Franklin Rother, *Oral History Interview with Sidney Redmond*, STATE HIST. SOC’Y OF MO. (July 6, 1970), <https://shsmo.org/sites/default/files/pdfs/oral-history/transcripts/s0829/t0025.pdf> [<https://perma.cc/WS3R-HGXZ>].

255. *Id.*

256. *Id.*

you ever have to call me again, be sure and tell my wife that you are a nigger, because I don't want my wife calling any nigger 'mister.'"<sup>257</sup>

Redmond primarily handled personal injury and insurance cases but is best known as chief counsel for Lloyd Gaines, the plaintiff in *Missouri ex. rel. Gaines v. Canada*, which held that “separate but equal” required the admission of Blacks to the University of Missouri School of Law, or creation of a separate law school for Blacks.<sup>258</sup> The president of the St. Louis NAACP from 1938 to 1944 and president of the board of directors of the local Urban League, Redmond was a member of St. Louis Mayor Aloys P. Kaufmann's Inter-racial Committee.

Asked in July 1970 whether the Black community in St. Louis sought his legal services, Redmond stated:

Well, I don't know how glad they were to turn to me for help, but I got my share of it. And a lot of Negroes still preferred White lawyers. I believe White lawyers get at least fifty percent of divorces for Negroes in St. Louis today. And it used to be a much larger percentage. I think a lot of them think a White lawyer can do more before a prejudiced judge for them than a colored lawyer can do.<sup>259</sup>

Asked about his most famous client, Redmond replied, “Lloyd Gaines [wa]s a mysterious person.”<sup>260</sup> Redmond recounted encouraging Gaines to apply to the University of Missouri School of Law and helping him obtain the application to complete.<sup>261</sup> Redmond noted that he “didn't get any money out of” the case, and instead simply sought “to help Negroes to go further.”<sup>262</sup> He then explained the impact of Gaines's case.

Before the Gaines Case, Missouri like a lot of states said they were complying with the law when they would appropriate about ten thousand a year to pay the tuition of Negroes to go to schools in other states. But that ten thousand wasn't a drop in the bucket for the number who applied. Most of the teachers wanted to improve themselves, and in the summer they would apply to go off. And there just wasn't any money there for them to go on. And the Gaines case held that the equal opportunity had to be offered within the state.<sup>263</sup>

Redmond speculated about the fate of Gaines, who disappeared after the favorable ruling but before the case concluded.

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257. *Id.*

258. 113 S.W.2d 783, 786 (Mo. 1937) (en banc), *rev'd*, 305 U.S. 337 (1938).

259. Resh & Rother, *supra* note 254.

260. *Id.*

261. *Id.*

262. *Id.*

263. *Id.*

I heard that [Gaines] was in Kansas City and got some information I thought was true. And his mother and brother lived on West Belle in St. Louis . . . They were really anxious to find their brother and son. But I have heard reports, I don't know what's to them, someone said that a certain editor in Missouri gave him some money to go to Mexico. You see, we wanted Gaines to go on and use him to try to get him admitted to the law school here. And somebody, or Gaines himself just disappeared.<sup>264</sup>

Although the case was ultimately dismissed due to Gaines's absence, Redmond's efforts and advocacy advanced the civil rights of Blacks in Missouri and across the nation. Redmond died in 1974 in St. Louis.<sup>265</sup>

### *C. Dorothy L. Freeman*

On November 7, 1942, Dorothy L. Freeman became the first Black woman admitted to practice in Missouri.<sup>266</sup> She was also the first Black woman to graduate from Lincoln University School of Law.<sup>267</sup>

Freeman, a native of St. Louis and honors graduate of Sumner High School, was an honor student at Stowe Teachers College.<sup>268</sup> In 1939, she entered law school on a scholarship.<sup>269</sup> She worked as a student assistant in the library and as a secretary for Silas Garner, who, as discussed, was a Black attorney and member of the law school staff.<sup>270</sup> Freeman graduated first in her class.<sup>271</sup> In June 1942, Dorothy Freeman was hired as the library's first full-time assistant librarian.<sup>272</sup>

### *D. Margaret Bush Wilson*

On March 27, 1943, Margaret Bush Wilson was admitted to practice law in Missouri.<sup>273</sup> A member of Lincoln University School of Law's second graduating class, she became the second Black woman admitted to practice

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264. *Id.*

265. *S.R. Redmond Funeral; Lawyer, School Official*, ST. LOUIS POST-DISPATCH, (May 12, 1974), <https://www.newspapers.com/clip/37780736/obituary-for-s-r-redmond-aged-71/> [<https://perma.cc/E9MH-3AZS>] (last visited on Sept. 22, 2020).

266. SMITH, *supra* note 7, at 335; Ernesto Longa, *A History of America's First Jim Crow Law School Library and Staff*, 7 CONN. PUB. INT. L.J. 77, 99 (2007).

267. Teitelman, *supra* note 131.

268. Longa, *supra* note 266, at 99.

269. *Id.*

270. *Id.*

271. *Id.*

272. *Id.* at 100. Her salary as an assistant librarian was set at \$2100 per year. *Id.* at 99.

273. SMITH, *supra* note 7, at 335.



law in Missouri.<sup>274</sup> Wilson served as an attorney for the Rural Electrification Administration of the U.S. Department of Agriculture.<sup>275</sup> In 1944, she married Robert Wilson, a classmate from Lincoln.<sup>276</sup> A few years later, the couple began practicing in St. Louis.<sup>277</sup> Wilson specialized in real estate law.<sup>278</sup>

Wilson, along with George Vaughn, played a significant role in *Shelley v. Kraemer*, the 1948 case that declared unconstitutional the judicial enforcement of racially restrictive housing covenants. Also, she ran for Congress in 1948.<sup>279</sup> Wilson headed the Missouri NAACP in the 1960s and then served as Chairperson of the NAACP National Board of Directors from 1975 to 1984.<sup>280</sup> She also served on the boards of Washington University and Webster University.<sup>281</sup> She was Board Chair for St. Augustine's College and Talladega College, two historically Black colleges.<sup>282</sup> Wilson was Chair of Law Day 2000 for the American Bar Association.<sup>283</sup>

### E. Frankie Muse Freeman

In 1947, Frankie Muse Freeman graduated second in her class from Howard University School of Law.<sup>284</sup> Despite this high ranking, she was not

274. *Margaret Bush Wilson (1919-2009)*, THE STATE HIST. SOC'Y OF MO: HIST. MISSOURIANS, <https://historicmissourians.shsmo.org/historicmissourians/name/w/wilson/> [https://perma.cc/ZFE2-37TA] (last visited July 14, 2020).

275. *Id.*

276. *Id.*

277. *Id.*

278. *Id.*

279. FRANKIE MUSE FREEMAN & CANDACE O'CONNOR, *A SONG OF FAITH AND HOPE: THE LIFE OF FRANKIE MUSE FREEMAN* 43 (2003).

280. Eric L. Muller, *Where, But for the Grace of God, Goes He? The Search for Empathy in the Criminal Jurisprudence of Clarence Thomas*, 15 CONST. COMMENTARY 225, 226 (1998). Today the Missouri NAACP is headed by Nimrod T. "Rod" Chapel, Jr., a Black trial lawyer based in Jefferson City who clerked for Hon. Duane Benton. Chapel earned a B.S. in economics from Oklahoma State University, J.D. from Tulane University School of Law, and LL.M. in Tax from Washington University School of Law. *Leadership*, MISSOURI NAACP, <https://www.monaacp.org/about/leadership/> [https://perma.cc/2UWJ-ZPUU] (last visited Sept. 22, 2020).

281. *Biography of Margaret Bush Wilson*, THE HISTORYMAKERS, <https://www.thehistorymakers.org/biography/margaret-bush-wilson-41> [https://perma.cc/GQ2J-LJQD] (last visited on Sept. 22, 2020).

282. *Id.*

283. *Id.*

284. Judge Nannette A. Baker, *Civil Rights Pioneer Frankie Muse Freeman*, 54 NO. 2 JUDGES' J. 4, 4 (2015); FREEMAN & O'CONNOR, *supra* note 279, at 35.

There were 30 students in Freeman's class; the Howard Law Dean, who taught Freeman evidence, was William Henry Hastie, later chief judge of the U.S.

considered by the large, White law firms in St. Louis, so she opened her own law firm in 1949.<sup>285</sup> Freeman’s civil rights work with the NAACP is perhaps best exemplified by her lead representation in the 1954 class-action case of *Davis v. The St. Louis Housing Authority*,<sup>286</sup> a landmark decision ending legalized public-housing discrimination in St. Louis.<sup>287</sup> In 1964, President Lyndon Johnson appointed Freeman as the first woman on the U.S. Commission on Civil Rights.<sup>288</sup> “She was reappointed by presidents Richard Nixon, Gerald Ford, and Jimmy Carter.”<sup>289</sup> A tireless fighter for equality, Freeman said in 1967:

We are now on a collision course that may produce within our borders two alienated and unequal nations confronting each other across a widening gulf created by a dual educational system based upon income and race. Our present school crisis is a human crisis, engendered and sustained in large part by the actions, the apathy, or the shortsightedness of public officials and private individuals. It can be resolved only by the commitment, the creative energies, and the

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Court of Appeals for the Third Circuit; and her torts professor, Spottswood William Robinson, III, later served on the U.S. Commission on Civil Rights (1961-1963) and as chief judge of the U.S. Court of Appeals for the District of Columbia.

FREEMAN & O’CONNOR, *supra* note 279, at 31–32.

285. Baker, *supra* note 284, at 5.

I remember the first man who walked in, probably on the second day I was open. He said he wanted a lawyer, and I said, “I am a lawyer.” He looked at me, replied, “I don’t want a woman,” and walked out. Some people—even some *black* people—were also not interested in having a black lawyer; they felt that it would help to have a white lawyer. I was aware of that attitude, and every other black lawyer knew about it too. Today some black lawyers are getting the million-dollar lawsuits, but things were different then.

FREEMAN & O’CONNOR, *supra* note 279, at 44.

286. *Davis v. St. Louis Hous. Auth.*, CA # 8637 Div. 1 (E.D. Mo. Dec. 27, 1955) (Nat’l Archives Catalog, Civ. Case Files 1938-2000).

287. Baker, *supra* note 284, at 4. Freeman and Robert Witherspoon were co-counsel, but Freeman became lead attorney, with “occasional help from Constance Baker Motley, the NAACP associate general counsel[.]” FREEMAN & O’CONNOR, *supra* note 279, at 58.

288. Baker, *supra* note 284, at 4. Confirmed by U.S. Senate acclamation on September 15, 1964, Freeman joined a Commission that included four men from leading universities: “John A. Hannah, president of Michigan State University; Erwin N. Griswold, dean of Harvard University School of Law; Robert S. Rankin, professor of political science at Duke University; and the Reverend Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame.” FREEMAN & O’CONNOR, *supra* note 279, at 87, 91.

289. Baker, *supra* note 284, at 4.

combined resources of concerned Americans at every level of public and private life.<sup>290</sup>

Freeman went on to win many awards and accolades. She was named to the National Bar Association's Hall of Fame in 1990, the Civil Rights Walk of Fame in 2007, and the St. Louis Walk of Fame in 2015.<sup>291</sup> Freeman and Wilson were awarded the Lawyers Association of St. Louis Award of Honor in 2006 for actively fighting for civil rights for all Americans.<sup>292</sup> "Many people now take for granted the right to vote, the right to live where one chooses, and the right of all people to use public accommodations, but it was not always so . . . . The efforts of Ms. Freeman and Ms. Wilson helped correct those wrongs," stated attorney and 1954 Lawyers Association past president Bernard Susman who nominated Wilson and Freeman for the award.<sup>293</sup>

In 2011, the NAACP awarded Freeman its highest honor, the Spingarn Medal, during its national convention in Los Angeles.<sup>294</sup> Freeman stated that she accepted the award with "a great sense of pride and humility."<sup>295</sup> She noted she had been an active member of the NAACP for more than 60 years. NAACP President Benjamin Todd Jealous said Freeman had been "a premiere advocate for African Americans over the past six decades . . . [and] embodie[d] the NAACP's core values. Her record of success is a testament to her competence and resolve."<sup>296</sup> Missouri Governor Jay Nixon proclaimed July 28, 2011, as "Frankie Muse Freeman Day," noting "[a]ll Missourians can take pride in her many accomplishments that broke down barriers and advanced equality."<sup>297</sup> The St. Louis City branch of the NAACP unveiled a statue of Freeman in Kiener Plaza, depicting her leaving the courthouse after winning the landmark case, *Davis v. The St. Louis Housing Authority*.<sup>298</sup>

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290. Kimberly Jade Norwood, *Minnie Liddell's Forty-Year Quest for Quality Public Education Remains A Dream Deferred*, 40 WASH. U. J.L. & POL'Y 1, 64–65 (2012).

291. *NAACP Unveils Statue of Attorney Frankie Freeman*, MO. LAWS. MEDIA, Nov. 22, 2017. Freeman received the Walk of Fame award for St. Louis in 2015 in Washington D.C. during the same time Judge Fernando J. Gaitan, Jr. was honored with the Walk of Fame award for Kansas City. E-mail from Hon. Fernando J. Gaitan, Jr., Senior U.S. District Judge, U.S. District Court for the Western District of Missouri, to author (Aug. 3, 2020) (on file with author).

292. Emily Umbright, *Lawyers Association of St. Louis to honor Frankie Freeman, Margaret Bush Wilson*, ST. LOUIS DAILY REC./ST. LOUIS COUNTIAN, Mar. 9, 2006.

293. *Id.*

294. Scott Lauck, *NAACP Honors St. Louis Civil Rights Attorney Frankie Freeman*, MO. LAWS. MEDIA, July 28, 2011.

295. *Id.*

296. *Id.*

297. *Id.*

298. *NAACP Unveils Statue of Attorney Frankie Freeman*, *supra* note 291; *Davis, et al. v. St. Louis Hous. Auth.*, CA #8637 Div. 1 (E.D. Mo. Dec. 27, 1955) (Nat'l Archives Catalog, Civ. Case Files 1938-2000).

*F. Leona Pouncey Thurman*

Leona Pouncey Thurman was the first Black woman to practice law in Kansas City. Born in Russellville, Arkansas in 1911, she attended Henderson Business College in Memphis before moving to Kansas City in 1931.<sup>299</sup> She became interested in the law while working as a secretary for attorney James D. Pouncey, whom she married in 1937.<sup>300</sup> Following his death, she enrolled at Howard University School of Law, earning her law degree in 1949. Passing the Missouri bar, she opened her practice in the historic 18th and Vine area of Kansas City, where she primarily focused on criminal cases in her early years before later focusing on divorce cases.<sup>301</sup>

John W. Kurtz,<sup>302</sup> a White plaintiff's lawyer there, reported that Thurman was a legend in the legal community.

I believe she was the first African-American female to serve as a lawyer in the Kansas City area. I did know her. I had high regard for her. She had a very magical presence, it seemed to me. When she came into the courtroom, I remember judges saying something like, "Mrs. Thurman, can we help you today?" She was very warm, friendly, vivacious. Her office was in the 18th and Vine area. Her name remained on an office window there for many, many years after her death.<sup>303</sup>

James W. Tippin, a Black defense attorney who has practiced for almost 50 years, similarly says:

Leona Pouncey Thurman was a giant. She was the first female lawyer of color in Kansas City. She was respected by all without regard to sex or skin color. The major portion of her practice was probate and

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299. Kimberly R. Riley, *Leona Pouncey Thurman: Attorney 1911-1985*, MO. VALLEY SPECIAL COLLECTIONS: BIOGRAPHY (1999), [https://kchistory.org/sites/default/files/MVSC\\_PDFs/Biographies/Thurman,%20Leona%20Pouncey.pdf](https://kchistory.org/sites/default/files/MVSC_PDFs/Biographies/Thurman,%20Leona%20Pouncey.pdf) [<https://perma.cc/H59X-4NZV>].

300. *Id.*

301. *Id.*

302. During John Kurtz's third year at the University of Missouri School of Law, 1975-1976, he decided that he wanted to be "more pro-active on the issue of Black students in the law school." He and classmates formed a group called the Minority Recruitment Committee to: purchase a portrait of Thurgood Marshall for the school; put some type of communication on the subject of Black law students and MU Law School in the mailbox of Dean Willard Eckhardt each and every day of that school year; invite Margaret Bush Wilson, National Chairperson of the NAACP, to come to the school to speak. "She did come and gave a magnificent address to the student body. She was welcomed by Dean Willard Eckhardt who had been on the faculty when Lloyd Gaines was denied admission." E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (July 7, 2020) (on file with author).

303. E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (July 10, 2020) (on file with author).

domestic issues. She mentored many of the young lawyers of my era, both male and female. There may not be any female attorneys of color from that era that missed being touched by Ms. [Thurman]. She reached out to everyone to provide practical experience working for her or giving great advice.<sup>304</sup>

In 1957, Thurman married A. Odell Thurman, an administrator with the Kansas City Public Schools.<sup>305</sup> She was active in the community, serving as a member of the World Young Women's Christian Association, League of Women Voters, and Women's Chamber of Commerce, and on the board of directors of the National Coalition of 100 Black Women, Greater Kansas City Chapter of the American Red Cross, Mid-Continent Council of Girl Scouts of America, and the Carver Neighborhood Center.<sup>306</sup> She also served as president of the Southwest Bar Association and chairman of the women's division of the World Peace Through Law Center.<sup>307</sup> In 1960, she received the C. Francis Stradford Award from the National Bar Association.<sup>308</sup>

Throughout her life, Thurman was an active member of the Republican Party, and in 1969, one of 15 leaders appointed by President Nixon to a panel studying the Department of Defense's organization and management.<sup>309</sup> Acknowledging her contributions to the panel, the Senate Committee noted she was a "gifted female lawyer."<sup>310</sup>

Thurman continued to practice law in the 18th and Vine District until her death on May 1, 1985.<sup>311</sup> Having championed restoration of the area throughout her career, Thurman's name remained on the building that housed her office until it was demolished in 2012 as part of a revitalization of the area.<sup>312</sup>

### *G. Lula Morgan Howard*

Lula Morgan Howard, born in 1907 in Middletown, Ohio, earned a B.A. from Wilberforce University in 1932, and law degree from Lincoln University in 1943.<sup>313</sup> She became the third woman graduate of Lincoln University School of Law, gaining admission to the Missouri bar that same year. She entered private practice with Robert Witherspoon, also Black, and "practiced

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304. Letter from James W. Tippin, Partner, James W. Tippin & Associates, to author (July 13, 2020) (on file with author).

305. Riley, *supra* note 299.

306. *Id.*

307. *Id.*

308. *Id.*

309. *Id.*

310. 115 CONG. REC. PART 23, 31840 (Oct. 28, 1969) (statement of Sen. William Proxmire).

311. Riley, *supra* note 299.

312. *Id.*

313. Longa, *supra* note 266, at 100.

law full-time for two years before being appointed law librarian at her alma mater.<sup>314</sup> Not just the librarian, Howard taught law courses, including legal bibliography, bills and notes, wills, and taxation.<sup>315</sup> She was a member of the faculty, holding ranks of assistant, associate, and full professor of law.<sup>316</sup> In 1946, she became the second Black woman in the U.S. to publish in a bar journal.<sup>317</sup> While serving as a full-time law librarian and professor, Howard maintained a law office.

Howard led the Mound City Bar Association, as Secretary for seven years and Vice President for one, before becoming its first woman president in 1953.<sup>318</sup> Nationally, she was an active member of the National Bar Association and American Association of Law Librarians. In the fall of 1954, the Board of Curators of Lincoln University notified Howard and her colleagues that the law school would be closed following the 1954-1955 school year. Unfortunately, the State of Missouri refused “to pay her the one-year severance promised by the Lincoln University’s Board of Curators.”<sup>319</sup>

After Lincoln University, Howard continued to practice law in St. Louis.<sup>320</sup> She then moved to Sacramento, California, where she spent the last years of her life.<sup>321</sup> In 2009, she died at the age of 101.<sup>322</sup>

#### *H. Black Lawyers in the Judiciary*

The period of 1921-1971 saw a slow growth of Black lawyers in the judiciary. In 1922, Crittenden Clark became the first Black lawyer elected justice of the peace in Missouri.<sup>323</sup> He had been active in Missouri politics for more than 20 years. Before his election, Clark formed the Negro Jefferson Club in St. Louis with C.C. Rankin, W.H. Fields, and James Milton Turner.<sup>324</sup> “The Negro Jefferson Club rallied behind Democrat Rolla Wells and helped him win the mayoral contest in St. Louis in 1901.”<sup>325</sup>

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314. *Id.*

315. *Id.*

316. *Id.*

317. *Id.* at 100–01.

318. *Id.* at 101; see *Lula Howard New Chief of St. Louis Bar*, CHICAGO DEFENDER, Feb. 28, 1953, at 4.

319. Longa, *supra* note 266, at 101–03. Lula Howard’s last recorded salary was \$6150 per year. *Id.* at 101.

320. *Id.* at 103; see *Lula Howard New Chief of St. Louis Bar*, *supra* note 318, at 4.

321. *Obituary: Lula Velma Morgan*, JOURNAL-NEWS (Jan. 23, 2009) <https://www.legacy.com/obituaries/hamilton/obituary.aspx?page=lifestory&pid=123160250> [<https://perma.cc/9BH9-ECYE>].

322. *Id.*

323. SMITH, *supra* note 7, at 332; see also GREEN, ET AL., *supra* note 34, at 148.

324. *Id.* at 111.

325. *Id.* at 111–12.

In 1949, Theodore “Ted” McMillian graduated first in his class at the Saint Louis University School of Law.<sup>326</sup> In 1953, he became an assistant circuit attorney.<sup>327</sup> In a series of firsts, McMillian became Missouri’s first Black state court judge in 1956, first Black judge on the Missouri Court of Appeals in 1972, and first Black judge on the U.S. Court of Appeals for the Eighth Circuit in 1978.<sup>328</sup> His “legacy includes landmark decisions in cases about desegregation, free speech, civil rights, employment discrimination and affirmative action.”<sup>329</sup>

Carl Roman Johnson became Kansas City’s first Black judge upon his election to the Municipal Court in Kansas City in 1955.<sup>330</sup> He served as co-counsel with Charles Hamilton Houston, L. Amasa Knox, and others for Lucile Bluford in *Bluford v. Canada*, the case that established a journalism school at Lincoln University.<sup>331</sup> He served as president of the Kansas City NAACP for 20 years and Grand Polemarch of Kappa Alpha Psi Fraternity.<sup>332</sup> He represented Esther Williams in 1952 in *Kansas City v. Williams*,<sup>333</sup> a case that desegregated the Swope Park swimming pool – with Thurgood Marshall as co-counsel.<sup>334</sup>

Lewis W. Clymer was elected municipal judge in Kansas City in 1963.<sup>335</sup> In 1970, he became the first Black lawyer appointed to the Jackson County

326. Michael A. Wolff, *Ted McMillian: The Happy Coincidence of Timing, Talent, and Persistence*, 43 ST. LOUIS U. L.J. 1297, 1299 (1999).

327. *Id.*

328. *Id.*

329. Teitelman, *supra* note 131.

330. *The Week’s Census*, JET, Mar. 31, 1960, at 51 <https://books.google.com/books?id=tq8DAAAAMBAJ&printsec=frontcover#v=onepage&q&f=false> [<https://perma.cc/TNZ2-3VM4>].

331. Johnson, Carl R., THE KAN. CITY PUB. LIBR., <https://pendergastkc.org/names/johnson-carl-r> [<https://perma.cc/FR5W-YUCR>] (last visited July 14, 2020).

332. *The Week’s Census*, *supra* note 330.

333. 205 F.2d 47 (8th Cir. 1953).

334. Fred Slough, *Pioneers in Civil Rights*, K.C. COUNS., Dec. 1998, at 10. Howard F. Sachs, now a senior U.S. District Judge, “was a clerk for Judge Albert [A.] Ridge who decided the case.” Laura Ziegler, *Swope Park Pool Desegregation Case Important To Kansas City Civil Rights Struggle*, KCUR, (Feb. 25, 2016), <https://www.kcur.org/community/2016-02-25/swope-park-pool-desegregation-case-important-to-kansas-city-civil-rights-struggle> [<https://perma.cc/78SN-EXBQ>].

335. *Res. No. 011201*, COUNCIL OF K.C., MO. (Aug. 23, 2001), <http://cityclerk.kcmo.org/LiveWeb/Documents/Document.aspx?q=R21wEnV5QgQhHirRUM%2FCo5uwRDYPTL4p6b%2FQ%2FBWrnQHH7SJ%2B%2FcVke7J%2F8wUDLQDJXjJ7TtzvvhA%3D> [<https://perma.cc/HH7Y-TNBA>].

Circuit Court.<sup>336</sup> Clymer earned a law degree from Howard University in 1939, returning to St. Louis to practice law after passing the Missouri bar.<sup>337</sup>

Clymer began his career in private practice before serving as a federal government official, assistant prosecuting attorney, assistant attorney general for Missouri, municipal judge, and circuit judge.<sup>338</sup> He was also actively involved in the community, serving on the Board of Directors of The Urban League and the Kansas City Missouri School Board, while maintaining a life membership in the NAACP.<sup>339</sup>

In 1965, Nathan B. “Ben” Young, Jr. became the first Black judge to take the bench in St. Louis’s municipal court.<sup>340</sup> Born in Tuskegee, Alabama in 1894, the son of Nathan B. Young, Sr.<sup>341</sup> – a professor at Tuskegee Institute who helped advance Black education in the early twentieth century – Young, Jr. grew up next door to Booker T. Washington. He earned his B.A. at Florida

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336. *Id.*; *Judge Lewis W. Clymer*, MO. LAWS. MEDIA (Sept. 3, 2001), <https://molawyersmedia.com/2001/09/03/judge-lewis-w-clymer/> [https://perma.cc/KW8F-V2N4].

[Judge Clymer] was the first African-American judge on the Jackson County Circuit Court. Kansas City Lawyer Tom Sweeny, Sr. was a lawyer at the Popham Law Firm when I was there. As I recall the story, Sweeny had been on the Judicial Commission in 1970 when Judge Clymer made the panel. There was a feeling among the Commission members, particularly including liberal Democrat Tom Sweeny, that the Jackson County Circuit Court needed to be integrated. The Commission put Lewis Clymer and African-American lawyer Clifford Spottsville on the panel to send to the governor along with one White lawyer. My understanding is that Tom Sweeny and/or other Commission members talked with that White lawyer and suggested that he should tell the governor that the Commission would like to see one of the other two lawyers appointed. My understanding is that happened. Clifford Spottsville was later appointed to the Kansas City Municipal Court.

E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (July 10, 2020) (on file with author).

337. *Res. No. 011201*, *supra* note 335; *Judge Lewis W. Clymer*, *supra* note 336.

338. *Judge Lewis W. Clymer Award*, JACKSON COUNTY BAR ASS’N,

<https://www.jacksoncountybar.com/awards-scholarships/#:~:text=JUDGE%20LEWIS%20W.,-CLYMER%20AWARD&text=Clymer%20Award%20to%20honor%20Judge,upon%20graduation%20from%20Howard%20University> [https://perma.cc/LQ7R-TQFU] (last visited June 26, 2020).

339. *Id.*

340. Amelia Flood, *Extraordinary Archive of Civil Rights Pioneer and Judge Brings St. Louis History to Life*, ST. LOUIS U. (Feb. 2018), <https://www.slu.edu/news/2018/february/judge-young-archive.php> [https://perma.cc/DMQ8-7ALQ].

341. Nathan B. Young, Sr. was a member of W.E.B. DuBois’s “Talented Tenth” at Tuskegee, later serving as president of Florida A&M College and Lincoln University in Jefferson City. ANTONIO FREDERICK HOLLAND, NATHAN B. YOUNG AND THE STRUGGLE OVER BLACK HIGHER EDUCATION 191 n.41 (2006).



A&M and law degree at Yale.<sup>342</sup> He began practicing in Birmingham, moving to St. Louis after his 1924 marriage to Mamie Young.<sup>343</sup> The couple had one son, Ira M. Young, who became a solo practitioner in probate, real estate, contracts, and litigation in St. Louis.<sup>344</sup>

Judge Young “became a powerful voice for justice and civil rights in the region even in the face of threats from the KKK and the horror of seeing a cross burn on his lawn.”<sup>345</sup> Co-founder of the *St. Louis American*, he was publisher and editorial writer for over 40 years.<sup>346</sup> He was “a prosecutor in the St. Louis City Courts” before taking the bench.<sup>347</sup>

### I. Measured Progress

The efforts of these attorneys, as well as others, began to change the course of both Missouri and the nation.<sup>348</sup> One momentous step for civil rights was the U.S. Supreme Court’s decision in 1938 in *Missouri ex. rel. Gaines v.*

342. *Id.* at 191.

343. Flood, *supra* note 340. In 1937, Young published *Your St. Louis and Mine*, “a history of the local black community.” HOLLAND, *supra* note 341, at 191, 195.

344. *Obituary for Atty. Ira M. Young*, LAYNE MORTUARY, <http://www.laynemortuary.frontrunnerpro.com/book-of-memories/2493061/young-atty-ira/obituary.php> [<https://perma.cc/MAT6-9U5F>]. A former Mound City Bar Association president, Ira M. Young was the first Black appointed by the Supreme Court of Missouri to the Board of Bar Examiners, honored with the Missouri Bar Foundation’s Purcell Professionalism Award, and named African American Citizen of the Year from the St. Louis Gateway Classic Sports Foundation. *Id.*

345. Flood, *supra* note 340; HOLLAND, *supra* note 341, at 195.

346. In 1928, Nathan B. “Ben” Young, Jr. purchased the “then year-old” *St. Louis American* with Nathaniel Sweets, a Lincoln University graduate, at the urging of his father. *Id.* at 203.

347. *Id.* at 195.

348. However, significant underrepresentation of Black lawyers continued into the 1930s, particularly in the South. In 1930, for example, the seventeen southern states had a Black population of 9,494,000, which was 80 percent of the total Black population in the United States. There were a total of 389 Black lawyers in the South serving this population. At the same time, there were 868 Black lawyers in the rest of the nation, serving the other 20 percent of the Black population. By 1940, the number of southern Black lawyers had declined to 289, while the number of Black lawyers in the rest of the nation had dropped to 763. The number of Black lawyers in the South declined by approximately 25 percent, twice the rate of decline in the North. Finkelman, *supra* note 19, at 182. The reasons for this precipitous drop of Black lawyers in the South are varied, including the effects of the Great Depression, dimmer job prospects compared to the North, inadequate Black representation amongst government officials, bar association exclusion, and few opportunities for professional advancement as compared to White lawyers. *Id.* at 182–83. “Because of their small numbers, virtually every Black lawyer in the South was a crusader for social change. In offering legal services to African-Americans, Black lawyers gave a disenfranchised group a modicum of power and protection.” *Id.* at 183.

*Canada*. Without question, discrimination against Blacks seeking legal education was scaled back in 1938 when Charles Hamilton Houston, Sidney Redmond, and Leon A. Ransom prevailed in *Gaines*.<sup>349</sup> Chief Justice Charles Evan Hughes, writing for the Court, directed Missouri to either provide a separate but equal law school for Blacks, or integrate the existing law school.<sup>350</sup> In response, the Missouri legislature appropriated \$70,000 in 1939 to build a “separate but equal” law school for Blacks named Lincoln University School of Law.<sup>351</sup> Before the *Gaines* decision, many Black Missourians had to leave the state to attend law school:

By 1939, the number of Black lawyers in Missouri had grown to fifty-one. However, because the state-supported law schools refused to admit Black students, most of the lawyers were educated outside the state. Like some Southern states, [before *Gaines*,] Missouri paid tuition stipends to many of its Black citizens to attend law school elsewhere.<sup>352</sup>

In the 1940s, the nation’s amble towards equality quickened.<sup>353</sup> World War II highlighted the injustice of segregation in the United States, as Black soldiers served with distinction in an array of combat and non-combat roles:<sup>354</sup> “The world’s greatest democracy fought the world’s greatest racist with a segregated army.”<sup>355</sup>

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349. *Missouri ex rel. Gaines v. Canada*, 305 U.S. 337, 352 (1938) (holding that states with a school for Whites had to provide in-state education to Blacks as well); HAROLD WADE, JR., *BLACK MEN OF AMHERST* 38 (1976).

350. WADE, *supra* note 349, at 38.

351. SMITH, *supra* note 7, at 334; WADE, *supra* note 349, at 39.

352. SMITH, *supra* note 7, at 334.

353. For instance, in Missouri

[i]n 1941, Howard University law graduate David Marshall Grant was appointed assistant circuit attorney for St. Louis but was fired the following year for representing the National Association for the Advancement of Colored People (NAACP) in a protest against a lynching in Sikeston. He served as president of the St. Louis NAACP from 1945 to 1948 and, in 1957, was appointed director of legislative research for the St. Louis board of aldermen. Grant was instrumental in gaining equal pay for Black teachers, establishing quality medical care for Blacks and ending discrimination in hiring practices during World War II.

Teitelman, *supra* note 131.

354. *African Americans in World War II: Fighting for a Double Victory*, THE NAT’L WWII MUSEUM, <https://www.nationalww2museum.org/sites/default/files/2017-07/african-americans.pdf> [<https://perma.cc/LHS3-AUKN>] (last visited July 14, 2020).

355. *Id.* Meanwhile, in 1945 “Oscar S. Ficklin of St. Louis became the first African American in Missouri named as foreman of a court jury.” *Missouri’s African-American Historical Timeline 1920 - 1948*, MO. ST. ARCHIVES,

On June 29, 1947, President Harry S. Truman, a favorite son of Missouri, keynoted the annual NAACP meeting, becoming the first president to address the NAACP,<sup>356</sup> when southern Blacks could be fired for simply joining the NAACP.<sup>357</sup> In a stirring speech, Truman proclaimed:

We must not tolerate such limitations on the freedom of any of our people and on their enjoyment of basic rights which every citizen in a truly democratic society must possess. Every man should have the right to a decent home, the right to an education, the right to adequate medical care, the right to a worthwhile job, the right to an equal share in making the public decisions through the ballot, and the right to a fair trial in a fair court. We must ensure that these rights – on equal terms – are enjoyed by every citizen. To these principles I pledge my full and continued support.<sup>358</sup>

Truman demonstrated his commitment to civil rights by naming the first presidential civil rights commission in American history and delineating the first-ever presidential civil rights legislative program.<sup>359</sup> In 1948, he issued an executive order desegregating the U.S. armed services.<sup>360</sup>

The same year, the U.S. Supreme Court decided *Shelley v. Kraemer*.<sup>361</sup> The Shelleys had purchased residential property subject to a racially restrictive covenant forbidding a sale to non-Whites.<sup>362</sup> Neighbors sued to block the Shelleys from buying their home.<sup>363</sup> Chief Justice Fred M. Vinson held that the judicial enforcement of racially restrictive housing covenants was unconstitutional under the Equal Protection Clause of the Fourteenth Amendment.<sup>364</sup> The national NAACP assisted George Vaughn, the Shelleys' attorney. "Thurgood Marshall and Charles Houston argued companion cases from Detroit and Washington, DC, concurrently."<sup>365</sup>

In 1949, William Henry Hastie was appointed by President Truman to the U.S. Court of Appeals for the Third Circuit, a seat he held until 1971,

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<https://www.sos.mo.gov/mdh/curriculum/africanamerican/timeline/timeline5> [<https://perma.cc/R8A4-LG4K>] (last visited June 26, 2020).

356. Andrew Glass, *Truman addresses NAACP, June 29, 1947*, POLITICO (June 29, 2018, 1:49 AM) <https://www.politico.com/story/2018/06/29/truman-addresses-the-naacp-june-29-1947-667457> [<https://perma.cc/P5JC-B64C>].

357. RICHARD GERGEL, UNEXAMPLED COURAGE: THE BLINDING OF SGT. ISAAC WOODARD AND THE AWAKENING OF PRESIDENT TRUMAN AND JUDGE J. WATIES WARING 228 (2019).

358. Glass, *supra* note 356.

359. *Id.*

360. *Id.* It took more than another decade, however, for many of his initiatives to be enacted into law and/or adopted in practice. *Id.*

361. 334 U.S. 1, 23 (1948).

362. *Id.* at 4–5.

363. *Id.* at 6.

364. *Id.* at 23.

365. ENDERSBY & HORNER, *supra* note 39, at 14.

making Hastie the first Black judge with lifetime tenure.<sup>366</sup> Also in 1949, Theodore McMillian graduated first in his class from Saint Louis University School of Law, one of the first Blacks admitted to the school.<sup>367</sup> Three years later, in 1952, Harold L. Holliday, Sr. became the first Black to graduate from the University of Missouri-Kansas City School of Law.<sup>368</sup> The 1950s and 1960s marked an escalation of progress for civil rights. In 1950, two U.S. Supreme Court cases set the stage to overturn *Plessy*. First, *Sweatt v. Painter* chipped away at “separate but equal.”<sup>369</sup> Plaintiff Heman Marion Sweatt was refused admission to the University of Texas School of Law (UT Law) because the Texas Constitution prohibited integrated education.<sup>370</sup> The Court found the Fourteenth Amendment’s Equal Protection Clause required Sweatt be admitted to UT Law because “separate but equal” law schools could not

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366. ARTHUR M. SCHLESINGER, JR., ROBERT KENNEDY AND HIS TIMES 376 (1978). “From 1937 until 1939, Hastie served as Federal Judge for the United States District Court for the Virgin Islands. This appointment marked the first time that a Black held the position of federal judge: only 74 years after the Emancipation Proclamation and the 154<sup>th</sup> year of the Republic.” WADE, *supra* note 349, at 72–73. A graduate of Amherst College and Harvard Law School, Judge Hastie, in 1962, was on President John F. Kennedy’s shortlist to succeed retiring Justice Charles Evans Whittaker, the first Missouri lawyer to serve on the Supreme Court of the United States and namesake of the United States Courthouse located in Kansas City, Missouri. Note, “*Just One More Vote for Frankfurter*”: *Rethinking the Jurisprudence of Judge William Hastie*, 117 HARV. L. REV. 1639, 1640–41 (2004); *About the Charles Evans Whittaker Courthouse*, U.S. DIST. CTS.: W. DIST. OF MO., [https://www.mow.uscourts.gov/outreach/whittaker\\_courthouse](https://www.mow.uscourts.gov/outreach/whittaker_courthouse) [https://perma.cc/HXX9-UXS9].

367. Teitelman, *supra* note 131 (noting that McMillian is recognized as Missouri’s first Black state court judge, first Black judge on the Missouri Court of Appeals, and first Black judge for the U.S. Eighth Circuit Court of Appeals).

368. Interview with Basil L. North, Jr., Partner, Basil L. North, Jr. & Associates (Oct. 16, 2019); interview with James W. Tippin, Partner, James W. Tippin & Associates (July 19, 2020); *Harold L. Holliday, Sr. Montessori School History*, HAROLD HOLLIDAY MONTESSORI, <https://www.kepublicschools.org/Page/6025> (last visited Nov. 23, 2020).

The story goes that [Harold L. Holliday] was a graduate student at University of Kansas City (UKC) and was pursuing a master’s degree in history. If I recall the story correctly, he began taking classes at the law school and over time earned enough credits to graduate. Although he had never been formally admitted to the law school, he is regarded as the first Black graduate. In the mid to late 50’s I know of others that attended including Gwendolyn Wells who later joined the faculty, James W. Spencer who spent his career as an Assistant Jackson County Prosecuting Attorney and Hartzell J. Whyte who practiced in Kansas City, Kansas.

E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author).

369. 339 U.S. 629, 635–36 (1950).

370. *Id.* at 631.

offer a legal education equivalent to that at UT Law.<sup>371</sup> Likewise, in *McLaurin v. Oklahoma State Regents for Higher Education*, the Court held that once “admitted to a state-supported graduate school, [Black students] must receive the same treatment at the hands of the state as students of other races.”<sup>372</sup>

The doctrine of separate but equal was extinguished in 1954 when the U.S. Supreme Court held in *Brown v. Board of Education of Topeka (Brown I)* that “segregation in public education . . . is a denial of the equal protection of the laws [of the U.S.]”<sup>373</sup> Notably, *Brown I* did not turn on whether segregated learning facilities afforded to Whites and Blacks in public schools were equivalent; instead, the Court ruled that where “physical facilities and other ‘tangible’ factors may [otherwise] be equal,” Black children are nonetheless deprived of equivalent educational opportunities.<sup>374</sup> Unfortunately, *Brown I* did not spell out a definite end to segregated public schools. The U.S. Supreme Court’s lesser-known 1955 decision in *Brown v. Board of Education of Topeka (Brown II)* ordered states to desegregate only “with all deliberate speed.”<sup>375</sup> *Brown II* also placed the “primary responsibility” for the implementation of desegregation policies on the schools themselves.<sup>376</sup>

In Missouri, NAACP Chief Legal Advisor Clyde S. Cahill, Jr. “filed the first lawsuit in Missouri to implement the U.S. Supreme Court’s decision in *Brown v. Board of Education*. This and subsequent desegregation cases heavily impacted ending school segregation in St. Louis and southeastern Missouri.”<sup>377</sup>

Progress, with setbacks, continued: 1955 – Rosa Parks and the Montgomery bus boycott;<sup>378</sup> 1957 – Central High School in Little Rock,

371. *Id.*

372. 339 U.S. 637, 642 (1950).

373. 347 U.S. 483 (1954).

374. *Id.* at 493; see generally CHARLES J. OGLETREE, JR., ALL DELIBERATE SPEED: REFLECTIONS ON THE FIRST HALF-CENTURY OF BROWN V. BOARD OF EDUCATION (2005).

375. 349 U.S. 294, 301 (1955).

376. *Id.* at 299.

377. Teitelman, *supra* note 131.

Clyde S. Cahill, Jr. graduated from Saint Louis University School of Law in 1951 and served from 1958 to 1965 as the Missouri NAACP’s chief legal advisor . . . Cahill was appointed in 1975 as circuit judge for St. Louis city and, in 1980, became the first Black federal trial judge in St. Louis when confirmed to the U.S. District Court for the Eastern District of Missouri.

*Id.*

378. *Rosa Parks*, HISTORY, (Nov. 9, 2009), <https://www.history.com/topics/Black-history/rosa-parks> [<https://perma.cc/EJY8-KT6J>].

Arkansas desegregated;<sup>379</sup> 1963 – the Birmingham campaign;<sup>380</sup> that same year, the Reverend Dr. Martin Luther King, Jr.’s “I Have a Dream Speech” in Washington, D.C.,<sup>381</sup> 1964 – the Civil Rights Act of 1964, the nation’s premier legislation that integrated schools and other public facilities and outlawed employment discrimination.<sup>382</sup> Then in 1967, Thurgood Marshall became the first Black U.S. Supreme Court Justice.<sup>383</sup> The next year, Shirley Chisholm became the first Black woman to serve in the U.S. Congress,<sup>384</sup> and Harold L. “Doc” Holliday, Jr. became the first Black to graduate from the University of Missouri School of Law.<sup>385</sup> The number of Black lawyers began

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379. *Little Rock Nine begin first full day of classes*, HISTORY, (Nov. 24, 2009), <https://www.history.com/this-day-in-history/central-high-school-integrated> [<https://perma.cc/5VND-7WDX>].

380. *Birmingham Church Bombing*, HISTORY, (Jan. 27, 2010), <https://www.history.com/topics/1960s/birmingham-church-bombing> [<https://perma.cc/J6UR-GNR5>].

381. “*I Have a Dream*,” *Address Delivered at the March on Washington for Jobs and Freedom*, THE MARTIN LUTHER KING, JR. RES. & EDUC. INST. AT STANFORD U., (Aug. 28, 1963), <https://kinginstitute.stanford.edu/king-papers/documents/i-have-dream-address-delivered-march-washington-jobs-and-freedom> [<https://perma.cc/U66E-P2KC>].

382. *Civil Rights Act of 1964*, HISTORY (Jan. 4, 2010), <https://www.history.com/topics/Black-history/civil-rights-act> [<https://perma.cc/S8JL-5EH7>].

383. *Justice Thurgood Marshall Profile - Brown v. Board of Education Re-enactment*, U.S. CTS., <https://www.uscourts.gov/educational-resources/educational-activities/justice-thurgood-marshall-profile-brown-v-board> [<https://perma.cc/26W5-CGQB>] (last visited July 15, 2020).

384. Jackson Landers, “*Unbought And Unbossed: When a Black Woman Ran for the White House*,” SMITHSONIAN MAG. (Apr. 25, 2016), <https://www.smithsonianmag.com/smithsonian-institution/unbought-and-unbossed-when-Black-woman-ran-for-the-White-house-180958699/> [<https://perma.cc/6X8X-UT4V>]. She was also the first Black woman “to run for the nomination of a major party for President of the United States.” *Id.*

385. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L., and Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020); e-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (July 18, 2020) (on file with author); *Res. No. 051444*, COUNCIL OF K.C., MO. (Nov. 22, 2005) <http://cityclerk.kcmo.org/LiveWeb/Documents/Document.aspx?q=PpURxwbbYIoL oSrVrLnScRJCWL3nciPxjHBYovFV0GDdvZF9uJTdFeKkrJlvE56b> [<https://perma.cc/V3JJ-QPCK>]. The first Black student was admitted to the University of Missouri in 1950. *Significant Dates in the History of the University of Missouri*, UNIV. ARCHIVES – UNIV. OF MO., <https://muarchives.missouri.edu/sigdates.html> [<https://perma.cc/6X8X-UT4V>] (last visited Nov. 23, 2020).

to rise during this period. In 1950, Black lawyers comprised 0.8% of lawyers in the U.S.<sup>386</sup> The number of Black lawyers grew to 1.16% by 1960.<sup>387</sup>

Desegregation sparked an influx of Blacks into law school and the legal profession in the late 1960s and early 1970s. In 1964, first-year law classes in the United States included only 300 Black students.<sup>388</sup> In 1968, possibly a high-end estimate, there were about 3000 Black lawyers nationwide.<sup>389</sup> Ironically, despite several law schools launching outreach programs in the mid-1960s to recruit Black students, the increasing competitiveness of law school admissions and the resulting stratification of law schools presented an additional barrier to entry for many Blacks.<sup>390</sup> But the creation of the Council of Legal Education Opportunity (CLEO) in 1967 and corresponding outreach and summer programs substantially boosted Black first-year law school enrollment outside of the nation's historically Black law schools.<sup>391</sup> Indeed, “[t]he number of Black first-year law students outside the historically Black schools rose from about 200 in 1964-1965 to perhaps 500 in 1968-1969, 800

386. Littlejohn & Rubinowitz, *supra* note 229, at 418. Notably, “[a]ccording to U.S. Census figures, in 1950 3% of all lawyers and judges were White women, and 0.04% of all lawyers and judges were Black women.” A. Leon Higginbotham, Jr., *A Tribute to Justice Thurgood Marshall*, 105 HARV. L. REV. 55, 59 n.28 (1991).

387. Littlejohn & Rubinowitz, *supra* note 229, at 418.

388. Richard H. Sander, *A Systemic Analysis of Affirmative Action in American Law Schools*, 57 STAN. L. REV. 367, 375 (2004) (noting that “one-third of these [students] were attending the nation’s half-dozen historically Black law schools”).

389. Henry McGee, Jr., *Minority Students in Law School: Black Lawyers and the Struggle for Racial Justice in the American Social Order*, 20 BUFF. L. REV. 423, 424-25 (1971).

390. Sander, *supra* note 388, at 376-77 (noting that “[t]he [Law School Admission Test], introduced in the late 1940s, precipitated the development and adoption of more objective admissions practices”).

391. *Id.* at 378-79.

[O]ne other key to success (both in law school and in my career) was my acceptance into a legal preparation program the summer before starting law school. This program (the Council on Legal Education Opportunity [CLEO]) was a national, six week program which for my region was hosted at the University of Wisconsin School of Law in Madison. In addition to CLEO helping me deal with the rigors of the first year law school experience and providing an annual financial stipend for all three years, I was hired the summer after law school as a teaching assistant at CLEO. That second summer in Madison (surrounded by beautiful lakes and supporting eager “un”Ls) allowed the perfect decompression experience and provided the legal work experience that allowed me to be hired as a Lewis Rice Summer Associate after my second year of law school. My success the Summer of 1985 at Lewis Rice catapulted me into my current position as a Litigation Partner and Chair of our Firm’s Diversity and Inclusion Committee.

E-mail from Ronald A. Norwood, Member, Lewis Rice, to author (July 19, 2020) (on file with author).

in 1969-1970, and 1700 in 1973-1974.”<sup>392</sup> By 1970, Black lawyers comprised 1.29% of the lawyers in the United States.<sup>393</sup>

#### IV. INCREASED OPPORTUNITIES IN THE PROFESSION, 1971-2021

“Something which we think is impossible now is not impossible in another decade.”

– Judge Constance Baker Motley<sup>394</sup>

Over the last 50 years, Black lawyers have benefited from the struggles and sacrifices of previous generations. Missouri’s first generation of Black lawyers exhibited undeterred perseverance that shifted the perception of the Black lawyer from an exception to the exceptional. Each succeeding generation of Black lawyers helped shove open the door to additional civil rights, scoring legal victories in the mid-twentieth century that ultimately defeated “separate but equal.” Because of these achievements, the generation of lawyers that began in 1971, and thereafter, has experienced increased opportunities within the profession.

Across the nation, the close of the twentieth century and beginning of the twenty-first century brought continued progress for Black representation in the legal profession and elsewhere.<sup>395</sup> This development is especially

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392. Sander, *supra* note 388, at 378–79.

393. *Id.* Other estimates for the number of Black lawyers in 1970 are slightly higher. See, e.g., Gail Heriot, *Affirmative Action in American Law Schools*, 17 J. CONTEMP. LEGAL ISSUES 237, 263 n.57 (2008) (noting an increase in the total number of African American attorneys from 4,000 in 1970 to an estimated 44,800 in 2006).

394. TINA L. FREIBURGER & CATHERINE D. MARCUM, *WOMEN IN THE CRIMINAL JUSTICE SYSTEM: TRACKING THE JOURNEY OF FEMALES AND CRIME* 245 (2015).

395. In a series of firsts, Andrew Young became the first Black U.S. ambassador to the United Nations in 1977; David Dinkins became the first Black mayor of New York in 1989; Douglas Wilder of Virginia became the first Black governor in 1989; Colin Powell became the first Black Chairman of the Joint Chiefs of Staff in 1989 and first Black U.S. Secretary of State in 2001; Carol Mosely Braun became the first African American woman elected to the U.S. Senate in 1992; and Condoleezza Rice became the first African American woman to serve as U.S. Secretary of State in 2005. KATHY RUSSELL, MIDGE WILSON & RONALD HALL, *THE COLOR COMPLEX (REVISED): THE POLITICS OF SKIN COLOR IN A NEW MILLENNIUM* 68 (2013). The year 2008 marked the presidential election of an African American lawyer named Barack H. Obama. In January 2009, two Black lawyers were elevated to President of the United States and First Lady of the United States, respectively. Wilkins, *supra* note 6, at 558–59 (“[I]t is important to remember that it was not so long ago that the sight of a Black lawyer was almost as shocking to many Americans as the presence of a Black man in the White House is today.”). Along with the Obamas came U.S. Attorney General Eric Holder and his successor, U.S. Attorney General Loretta Lynch, the very first Blacks to hold the nation’s top law enforcement job.



significant in light of the barriers during this period.<sup>396</sup> While the number of Black lawyers began to stagnate in the late 1970s and early 1980s,<sup>397</sup> by the time President Obama was elected in 2008 more than 40,000 Black lawyers practiced in the United States, “the overwhelming majority of whom matriculated from integrated law schools.”<sup>398</sup> This number grew to about 67,000 by 2019.<sup>399</sup> Today, Blacks comprise 5% of the nation’s 1,352,027 active lawyers.<sup>400</sup>

Similarly impressive are the achievements of Black lawyers in Missouri during the same time period. What follows are some profiles of Black lawyers from Missouri’s sesquicentennial in 1971 to today. Specifically, Part IV examines those in both public and private roles – as judges, professors, and executives – as well as in many of the Missouri law schools, law firms, public entities, and businesses.<sup>401</sup>

### *A. Majority Law Firms in Missouri*

Black attorneys began obtaining employment at Missouri’s large, majority-owned law firms in the mid- to late 1970s. In 1976, Carol E. Jackson joined St. Louis-based Thompson Mitchell (now Thompson Coburn) and Charles A. Shaw joined the St. Louis firm of Lashly & Baer, becoming the first Black lawyers at their firms.<sup>402</sup> In 1978, William T. “Bill” Session was the first Black lawyer hired by a large Kansas City law firm, “now defunct

396. Littlejohn & Rubinowitz, *supra* note 229, at 421–34.

397. *Id.* at 446–47. This stagnation occurred in part due to the rising cost of tuition. *Id.*

398. Wilkins, *supra* note 6, at 561.

399. ABA *Profile of the Legal Profession*, A.B.A. 5, 8–9 (2019), <https://www.americanbar.org/content/dam/aba/images/news/2019/08/ProfileOfProfession-total-hi.pdf> [<https://perma.cc/QM28-ZPT2>]. Additionally, African American representation in the legal profession cannot be understated, especially when “[e]mpirical evidence from the legal and medical fields show that African-American clients are more likely to trust and communicate effectively with African-American service providers.” Shani M. King, *Race, Identity, and Professional Responsibility: Why Legal Services Organizations Need African American Staff Attorneys*, 18 CORNELL J.L. & PUB. POL’Y 1 (2008).

400. 2019 ABA Profile of the Legal Profession; Nicole Black, *ABA 2019 Report: Lawyer Demographics, Earnings, Tech Choices, and More*, <https://www.mycase.com/blog/2019/08/aba-2019-report-lawyer-demographics-earnings-tech-choices-and-more/> [<https://perma.cc/XH2G-8MGM>] (last visited Mar. 25, 2021). “More than 40 million black people live in the United States, making up around 13% of the nation’s population.” Kristen Bialik, *5 Facts About Black Americans*, (Feb. 22, 2018), <https://www.pewresearch.org/fact-tank/2018/02/22/5-facts-about-blacks-in-the-u-s/> [<https://perma.cc/38XE-H6TX>].

401. Regrettably, Part IV cannot chronicle each pioneering Black lawyer during the last 50 years. The author apologizes for the omissions.

402. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

Linde Thomson,”<sup>403</sup> and the first Black, in 1981, to make partner at a majority Kansas City law firm.<sup>404</sup> The seventh Black to graduate from University of Missouri School of Law, Session now leads his own law firm in Kansas City, primarily practicing environmental law, while remaining very active in national, regional, and local legal associations.<sup>405</sup> A frequent speaker at seminars about environmental legal issues, he is a faculty member of regional and national trial advocacy programs.<sup>406</sup>

Larry L. Deskins became one of the first Black attorneys in St. Louis to be hired by a majority law firm when he joined Lewis Rice in 1977.<sup>407</sup> A graduate of Allegheny College and Washington University School of Law, Deskins “became the first African-American partner of any major St. Louis law firm when he was elevated by the firm in 1985.”<sup>408</sup>

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403. E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author). The full name of the firm was Linde Thomson Fairchild Langworthy Kohn & Van Dyke, P.C.

404. Text message from William T. Session, The Session Law Firm, PC, to author (Oct. 3, 2020); interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L., and Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020); interview with John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P. (Oct. 9, 2019); e-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author).

Frankly, I had no interest in large law firms either while in law school or after graduation. I wound up at Linde Thomson at the urging of a state circuit court judge I was clerking for right after law school. His name was William Marsh . . . I do remember many younger black lawyers telling me at the time that I would be sorely disappointed because I would never get a chance to do anything meaningful at such a “big firm.” However, as Judge Marsh so bluntly put it, “how would they know, no [black lawyer] had ever been in such place, so why not go and find out for yourself?”

E-mail from William T. Session, The Session Law Firm, PC, to author (Aug. 7, 2020) (on file with author).

405. *William T. Session, THE SESSION LAW FIRM*, <http://www.session.com/blog/contributors/william-t-session/> [<https://perma.cc/97C5-MVNY>] (last visited Sept. 23, 2020); e-mail from William T. Session, The Session Law Firm, PC, to author (Aug. 7, 2020) (on file with author).

406. *William T. Session, supra* note 405; e-mail from William T. Session, The Session Law Firm, PC, to author (Aug. 7, 2020) (on file with author). E-mail

407. Ron Norwood was the second Black attorney hired by Lewis Rice in 1988 after Norwood’s clerkship with U.S. District Judge Scott O. Wright in Kansas City from 1986 to 1988. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020); e-mail from Ronald A. Norwood, Member, Lewis Rice, to author (July 19, 2020) (on file with author). He thoroughly valued the mentorship that Deskins provided him. Norwood would make partner at Lewis Rice in 1997 and continues to practice at the firm.

408. Chris King, *Legal Pioneer Larry L. Deskins Dies at 68*, ST. LOUIS AM. (May 14, 2020), [http://www.stlamerican.com/news/local\\_news/legal-pioneer-larry-l-deskins-dies-at-68/article\\_2baf83d2-956b-11ea-abb9-0fa74e50e2fe.html](http://www.stlamerican.com/news/local_news/legal-pioneer-larry-l-deskins-dies-at-68/article_2baf83d2-956b-11ea-abb9-0fa74e50e2fe.html)

Mary E. Nelson was likely the first Black woman in St. Louis elevated to partner by a large White law firm when Lashly & Baer, P.C. promoted her in 1992.<sup>409</sup> Nelson was at Lashly from 1987 to 1993 when she became General Counsel for the St. Louis Development Corporation.<sup>410</sup> She is a graduate of Princeton University and the University of Missouri School of Law.<sup>411</sup>

The impact of these “firsts” can be seen at the State’s largest firms today.<sup>412</sup> What follows is a closer inspection of the top nine law firms by gross revenue in Missouri, generally limited to the “firsts” of each firm and the number of Black partners today.<sup>413</sup> Currently, there are about 1140 partners at all nine firms’ Missouri offices combined.<sup>414</sup> Of the 1140, approximately 20 – or less than 2% – are Black. All 20 Black partners work at offices in either Kansas City or St. Louis.

### 1. Bryan Cave Leighton Paisner

Bryan Cave Leighton Paisner ranks first in Missouri in gross revenue with \$869,057,000 (\$621,200 of revenue per lawyer).<sup>415</sup> With 1400 attorneys and 31 offices across North America, Europe, Asia, and the Middle East, Bryan Cave Leighton Paisner was founded on Broadway Street in St. Louis in 1873.<sup>416</sup> In 1973, as Bryan Cave began its second 100 years, it had 52

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[<https://perma.cc/U8CG-VQYJ>]. Deskins’ transactional practice focused on the representation of corporations, limited liability companies, partnerships, and individuals across a broad range of industries including auto supply, food and beverage, gaming, manufacturing, and service companies. *Larry L. Deskins, Member: In Memorium*, LEWIS RICE, <https://www.lewisrice.com/larry-l-deskins/> [<https://perma.cc/4RH4-JV8R>] (last visited July 23, 2020).

409. *Lawyers in the News*, MO. LAWS. WKLY., Mar. 23, 1995 at 3.

410. *Id.*

411. Nicholas Phillips, *Mary E. Nelson-St. Louis Community College*, MO. LAWS. MEDIA, (Apr. 25, 2019), <https://molawyersmedia.com/2019/04/25/mary-e-nelson-st-louis-community-college/> [<https://perma.cc/UTG3-ZSVE>].

412. In 2020, Missouri Lawyers Media ranked Missouri law firms with \$100 million or more in gross revenue. *MOney 2020*, MO. LAWS. MEDIA (2020), at 7. Figures are based on 2019 revenue. *Id.*

413. While there are many metrics for defining or quantifying diversity, this section is limited in scope to identifying the first Black associates and partners at the largest firms in Missouri and compiling Black partners today. It does not examine other diverse partners and associates (both in and out of Missouri), diversity and inclusion efforts, or other potentially significant events related to diversity at these firms. Relatedly, this section does not serve, nor should be taken as serving, as a commentary, analysis, or opinion piece on diversity at large firms in Missouri. Instead, it simply lists certain employment statistics and facts, including the number of black partners today, at Missouri’s largest firms.

414. This is based on the websites of each law firm.

415. *MOney 2020*, *supra* note 412, at 7.

416. *Purposefully structured as a single, fully integrated international team: Overview*, BRYAN CAVE LEIGHTON PAISNER, <https://www.bclplaw.com/en->

White lawyers. In 1978, Bryan Cave opened its first office outside of St. Louis in Washington, D.C.<sup>417</sup> Soon followed offices in Los Angeles, New York, Phoenix, and Kansas City. Today, the firm has Missouri offices in St. Louis, Kansas City and Jefferson City.

Black attorneys began to work at Bryan Cave, St. Louis office, in 1980,<sup>418</sup> when Deborah Bell Yates became the first Black lawyer there.<sup>419</sup> In 1981, St. Louis native Eric Vickers joined the St. Louis office after graduating from the University of Virginia School of Law.<sup>420</sup> Around the same time, Avis E. Buchanan, a 1981 Harvard Law School graduate who clerked for U.S. Circuit Judge Ted McMillian, worked as an associate in the St. Louis office in the early 1980s but spent the vast majority of her career as the director of Washington, D.C.'s Public Defender Service.<sup>421</sup> Donna Wilson, another Black associate, worked in the St. Louis office in the late 1980s and then practiced at other large law firms in Kansas City.<sup>422</sup> Kimberly Norwood, now a professor of law at Washington University, and Vanessa Whiting began as associates at Bryan Cave in 1986.<sup>423</sup> When Norwood joined Bryan Cave,

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US/about/history.html [https://perma.cc/W9R2-JJZ7] (last visited July 23, 2020). In 1939, the firm took on a new client, a “poor Scotsman with just a little ‘bitty’ aviation company” originally McDonnell Aircraft Company, then McDonnell Douglas, and now part of The Boeing Company. *Id.*

417. *Id.*

418. “I was working for the wrong side,” Eric Vickers told a newspaper reporter in 1999 about his time working at a large corporate defense firm. Celeste Bott, *Civil rights attorney and activist Eric Vickers remembered as ‘an enemy of injustice’*, ST. LOUIS POST-DISPATCH (Apr. 13, 2018), [https://www.stltoday.com/news/local/obituaries/civil-rights-attorney-and-activist-eric-vickers-remembered-as-an-enemy-of-injustice/article\\_210a36a0-1967-5bc4-a0ee-bcf4d5030c14.html](https://www.stltoday.com/news/local/obituaries/civil-rights-attorney-and-activist-eric-vickers-remembered-as-an-enemy-of-injustice/article_210a36a0-1967-5bc4-a0ee-bcf4d5030c14.html) [https://perma.cc/SMS5-EHZK].

419. E-mail from Steven Poplawski, Partner, Bryan Cave Leighton Paisner, to author (July 27, 2020) (on file with author). Yates is a graduate of East St. Louis High School, Northwestern, and University of Chicago School of Law. *Id.*

420. Bott, *supra* note 418.

421. Interview with Hon. Lisa White Hardwick, Judge, Mo. Ct. App., W. Dist. (Oct. 15, 2019); see Rob Brunner, *Why DC’s Public Defender Service Is Among the Country’s Best*, WASHINGTONIAN (Mar. 10, 2020), <https://www.washingtonian.com/2020/03/10/avis-buchanan-dc-public-defender-service-among-countrys-best/> [https://perma.cc/6FFV-KYKX]; *Executive Office: Avis E. Buchanan, Director*, THE PUBLIC DEFENDER SERVICE, <https://www.pdsdc.org/about-us/leadership/executive-office> [https://perma.cc/3N9T-VLBK] (last visited July 23, 2020).

422. Interview with Hon. Lisa White Hardwick, Judge, Mo. Ct. App., W. Dist. (Oct. 15, 2019). Donna Wilson has also served of counsel at Dentons, Legal Counsel at the Kauffman Foundation in Kansas City, of counsel at Husch Blackwell in Kansas City, and Division Chief, Real Estate for the City of Atlanta in Georgia; *Donna Wilson Peters*, LINKEDIN, <https://www.linkedin.com/in/donnawilsonpeters> (last visited July 25, 2020).

423. E-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (July 18, 2020) (on file with author). Professor Norwood and Hon. Lisa

there was one senior Black associate, Deborah Yates, while Lisl King Williams and Ted Carter were associates.<sup>424</sup> Additionally, Luther Rollins, after graduating from the University of Texas School of Law, worked as an associate from 1989 to 1994.<sup>425</sup> Gabriel E. “Gabe” Gore served as a partner in the St. Louis office from 2005 to 2010 after working at Williams & Connolly in Washington, D.C., and before being named a partner at Dowd Bennett LLP. Cheryl D.S. Walker, a graduate of Washington University School of Law, worked as an associate and then of counsel at Bryan Cave from 1993 to 2017.<sup>426</sup>

Jerry M. Hunter was the first Black Bryan Cave attorney to make partner, elevated in 1994.<sup>427</sup> He mostly represents management in labor and employment cases.<sup>428</sup> Before entering private practice, he was General Counsel of the National Labor Relations Board in Washington, D.C., from 1989 until 1993 – the first Black lawyer in that position.<sup>429</sup> Between 1986 and 1989, Hunter was Director of the Missouri Department of Labor and Industrial Relations.<sup>430</sup> He served as labor counsel for the Kellwood Company. He also

White Hardwick were summer associates at Bryan Cave in St. Louis in 1984. E-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (Nov. 2, 2020) (on file with author).

424. E-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (July 18, 2020) (on file with author); e-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (Nov. 2, 2020) (on file with author).

425. John M. McGuire, *Bar None Long Excluded from the Mainstream of Their Profession, Black Attorneys Are Making It Big in This Town, Sometimes Very Big*, ST. LOUIS POST-DISPATCH, Mar. 3, 1996. Luther Rollins reported that he found a lack of camaraderie, mentors, and support at Bryan Cave. *Id.*

426. *Walker leaves Bryan Cave to join Chicago firm*, ST. LOUIS POST-DISPATCH (Aug. 18, 2017), [https://www.stltoday.com/business/local/walker-leaves-bryan-cave-to-join-chicago-firm/article\\_20c98438-9956-5e38-a38d-f1f171b80b4a.html](https://www.stltoday.com/business/local/walker-leaves-bryan-cave-to-join-chicago-firm/article_20c98438-9956-5e38-a38d-f1f171b80b4a.html) [<https://perma.cc/N8HG-U8UG>]. Named One of the Most Influential Women by the *Saint Louis Business Journal* and One of the 100 Most Inspiring Saint Louisans by the NAACP, St. Louis branch, Walker currently is Interim President & CEO of the Deaconess Foundation. *Cheryl D.S. Walker, Esq.*, DEACONESS FOUNDATION, <https://deaconess.org/cheryl-walker/> [<https://perma.cc/VX6V-AHP2>] (last visited Mar. 25, 2021).

427. *Jerry M. Hunter, Senior Counsel*, BRYAN CAVE LEIGHTON PAISNER, <https://www.bclplaw.com/en-US/people/jerry-m-hunter.html> [<https://perma.cc/X57P-6CZZ>] (last visited July 23, 2020).

428. *Id.*

429. *General Counsels Since 1935*, NTL. LAB. RELATIONS BD., <https://www.nlr.gov/about-nlr/who-we-are/general-counsel/general-counsels-1935>. General Counsel of the National Labor Relations Board is perhaps the single most important position in labor law. Hunter, a prominent Republican, is credited with securing judicial appointments for several Black applicants. McGuire, *supra* note 425.

430. *Nomination of Jerry M. Hunter To Be General Counsel of the National Labor Relations Board*, THE AM. PRESIDENCY PROJECT, <https://www.presidency.ucsb.edu/documents/nomination-jerry-m-hunter-be-general-counsel-the-national-labor-relations-board> [<https://perma.cc/626M-XFEH>].

served with the U.S. Equal Employment Opportunity Commission (EEOC) in St. Louis as a trial attorney from 1979 to 1980, then as a senior trial attorney from 1980 to 1981.<sup>431</sup> From 1977 to 1979, Hunter “was a field attorney for the National Labor Relations Board in St. Louis.”<sup>432</sup> He is a graduate of University of Arkansas at Pine Bluff and Washington University School of Law.<sup>433</sup>

Reginald L. “Reggie” Harris joined the firm in its St. Louis office in 2019 after serving 17 years as an Assistant United States Attorney in the Eastern District of Missouri.<sup>434</sup> A St. Louis native and University of Iowa Law graduate, Harris focuses on white collar criminal matters.<sup>435</sup> Native Kansas Citian and University of Virginia School of Law graduate Wesley Fields serves as the managing partner of the Kansas City office. He concentrates on “public finance, corporate transactions, and general business matters.”<sup>436</sup>

Today, Hunter is Senior Counsel at the firm.<sup>437</sup> Harris and Fields are the only two Black partners currently practicing at one of the three offices in Missouri. Fields is the only Black partner in the Kansas City office, which comprises 34 partners out of 64 lawyers. Harris is the only Black partner in a St. Louis office comprising 234 attorneys, 90 of which are partners. Blacks make up 0.8% of Bryan Cave Leighton Paisner’s Missouri-based partners.

## 2. Polsinelli

Missouri Lawyers Media ranks Polsinelli as the second-highest-grossing firm with \$580,437,000 (\$683,900 of revenue per lawyer).<sup>438</sup> Polsinelli, an AmLaw 100 firm, has more than 900 attorneys in 21 domestic offices.<sup>439</sup> “In 1972, Jim Polsinelli and colleagues formed the firm to serve business and real estate clients in a small office in the historic Country Club Plaza District in

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431. *Id.*

432. *Nomination of Jerry M. Hunter To Be General Counsel of the National Labor Relations Board*, GEORGE H.W. BUSH PRESIDENTIAL LIBRARY, <https://bush41library.tamu.edu/archives/public-papers/414> [https://perma.cc/E7LD-J3AM].

433. *Jerry M. Hunter, Senior Counsel*, *supra* note 427.

434. *Reginald L. Harris, Partner*, BRYAN CAVE LEIGHTON PAISNER, <https://www.bclplaw.com/en-US/people/reginald-l-harris.html> [https://perma.cc/HKL5-XRZ7] (last visited July 23, 2020).

435. *Id.*

436. *Wesley O. Fields, Office Managing Partner*, BRYAN CAVE LEIGHTON PAISNER, <https://www.bclplaw.com/en-US/people/wesley-o-fields.html> [https://perma.cc/38AK-NV3S] (last visited July 23, 2020).

437. *Jerry M. Hunter, Senior Counsel*, *supra* note 427.

438. *MOney 2020*, *supra* note 412, at 7.

439. *Overview*, POLSINELLI, <https://www.polsinelli.com/ourfirm/overview> [https://perma.cc/Q68B-JDKQ] (last visited July 23, 2020).

Kansas City, Missouri.”<sup>440</sup> Shughart Thomson & Kilroy folded into Polsinelli Shalton Flanigan Suelthaus in 2009.<sup>441</sup>

The first Black lawyer hired at (now) Polsinelli was William “Bill” Session in 1989.<sup>442</sup> In 1995, Mark Bryant, former president of Freedom, Inc. and a former Kansas City Councilman, became the first Black lawyer elevated to shareholder at Polsinelli.<sup>443</sup> In 2005, he joined Sonnenschein Nath & Rosenthal LLP’s (now Dentons) Kansas City office.<sup>444</sup> University of

440. *Id.*

441. Debra Cassens Weiss, *Merger of KC Firms Creates New Member of Top 100: Polsinelli Shughart*, A.B.A.J. (Oct. 17, 2008), [https://www.abajournal.com/news/article/merger\\_of\\_kc\\_firms\\_creates\\_new\\_member\\_of\\_top\\_100\\_polsinelli\\_shughart](https://www.abajournal.com/news/article/merger_of_kc_firms_creates_new_member_of_top_100_polsinelli_shughart) [<https://perma.cc/R8F4-B5E6>].

442. E-mail from William Session, Partner, Session Law Firm, to author (Aug. 6, 2020) (on file with author); e-mail from Anthony L. Springfield, Partner, Polsinelli, to author (Aug. 6, 2020) (on file with author).

Being a partner at Polsinelli meant absolutely nothing to me. Nor did money. The key, I thought, was access to resources that made it possible for me to attract and retain larger and better paying clients. When after a long trial out of town, I returned to the office to learn that I had been elected to partner (without me knowing anything about it and contrary to my understanding of the matter when I first started there), I tendered my resignation that day and left two weeks thereafter to start my own firm. To me being at Polsinelli was simply a business arrangement and not much else. To be sure I did make a few very good friends there including Paul Vardeman, Jim Polsinelli, Mike White and especially Lonnie Shalton. However, I have never regretted leaving despite the stratospheric growth the firm has enjoyed over the years since my departure. I felt I would find much greater satisfaction professionally and otherwise in having my name on the letterhead when I left. I still feel that way.

E-mail from William Session, Partner, Session Law Firm, to author (Aug. 7, 2020) (on file with author).

443. E-mail from Mark Bryant, Partner, Rouse Frets White Goss Gentile Rhodes, P.C., to author (Aug. 6, 2020) (on file with author).

My hire date was January 3, 1994. I was not a Shareholder at the time of hire. Roughly a year later I was asked to attend a reception for attorneys at one of the local restaurants. To my surprise the Managing Shareholder announced my elevation to Shareholder. At the time, Polsinelli White Vardeman & Shalton was on the cutting edge with respect to diversity. I also need to credit E. Frank Ellis and Harold L. Holliday, Jr. I won’t bore you with the details but, thanks to them, I had a “book of business” in Swope Parkway Health Center that was valued and commanded respect.

*Id.* Bryant’s daughter, McClain Bryant Macklin, is a graduate of George Washington University School of Law, and Director Policy and Research at Civic Council of Greater Kansas City. Bryant’s grandson, Denvoir Griffen, is a law student at the University of Kansas. *Id.*

444. *Former KC Council member joins Sonnenschein*, KAN. CITY BUS. J. (FEB. 1, 2005).

Missouri-Kansas City Law Professor Kenneth Ferguson was an associate at Shughart Thomson & Kilroy from 1987 to 1990, practicing bankruptcy and general corporate law.<sup>445</sup> Donna Wilson, a Howard University School of Law graduate, practiced public law, public finance, and real estate development law from 1992 to 2005 at Polsinelli, and was elevated to shareholder during that time.<sup>446</sup> Robert S. Kenney was a shareholder at Polsinelli until 2009 when he departed to serve as Chief of Staff to Missouri Attorney General Chris Koster.<sup>447</sup> Today, Elton F. Dean, III is a shareholder in Polsinelli's St. Louis office. Dean, with a degree in nuclear engineering from Massachusetts Institute of Technology and a J.D. from Washington University, focuses on intellectual property.

The firm has Missouri offices in St. Louis and Kansas City, with four total Black partners in the State. Out of 90 attorneys (47 shareholders), Dean is the only Black shareholder in the St. Louis office.<sup>448</sup> The Kansas City office has three Black shareholders: Dan E. Cranshaw, Quintin L. Jennings, and Anthony L. Springfield.<sup>449</sup> Cranshaw, a litigator, is a graduate of Princeton and University of Kansas School of Law. Jennings, a transactional attorney, earned his B.A. at the University of Massachusetts and both his J.D. and M.B.A. at the University of Missouri. Springfield is a litigator practicing in toxic and mass tort. He earned his undergraduate and law degrees at Washburn University where he was president of the Student Bar Association. There are about 220 lawyers and 116 shareholders in Polsinelli's Kansas City office.<sup>450</sup> Blacks comprise 2.5% of Polsinelli's Missouri-based partners.

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445. *Kenneth D. Ferguson*, UMKC SCH. L., <https://law.umkc.edu/docs/fergusonvitae.pdf> [https://perma.cc/X5PC-GA4S] (Curriculum Vitae of Kenneth D. Ferguson) (last visited July 25, 2020).

446. *Donna Wilson Peters*, *supra* note 422.

447. Chris King, *Missouri AG Koster selects local Black attorney Robert Kenney as new chief of staff*, ST. LOUIS AM., Dec. 10, 2008. Robert Kenney now serves as Vice President, State and Regulatory Affairs at Pacific Gas and Electric Company in California after stepping down as Chair of the Missouri Public Service Commission. *Robert S. Kenney*, PG&E CORP., <http://www.pgecorp.com/corp/about-us/officers/company/robert-kenney.page> [https://perma.cc/M7DD-8QCJ] (last visited July 23, 2020).

448. *Polsinelli-St. Louis*, NALP DIRECTORY OF LEGAL EMPLOYERS, [https://nalpdirectory.com/employer\\_profile?FormID=12061&QuestionTabID=34&SearchCondJSON=%7B%22SearchEmployerName%22%3A%22polsinelli%22%7D](https://nalpdirectory.com/employer_profile?FormID=12061&QuestionTabID=34&SearchCondJSON=%7B%22SearchEmployerName%22%3A%22polsinelli%22%7D) [https://perma.cc/QZY5-FZJB] (last visited on Sept. 23, 2020).

449. *Polsinelli-Kansas City*, NALP DIRECTORY OF LEGAL EMPLOYERS, [https://nalpdirectory.com/employer\\_profile?FormID=12109&QuestionTabID=34&SearchCondJSON=%7B%22SearchEmployerName%22%3A%22polsinelli%22%7D](https://nalpdirectory.com/employer_profile?FormID=12109&QuestionTabID=34&SearchCondJSON=%7B%22SearchEmployerName%22%3A%22polsinelli%22%7D) [https://perma.cc/UH2Y-QJGJ] (last visited on Sept. 23, 2020). Polsinelli provides a professionals search function to locate counsel by criteria such as: name, services, and industries. *Professionals Search*, POLSINELLI, <https://www.polsinelli.com/professionals> (last visited on Jan. 30, 2021).

450. *Id.*



### 3. Husch Blackwell

Husch Blackwell ranks third with gross revenues of \$380,303,000 (\$611,400 of revenue per lawyer). With 700 attorneys and 19 offices, Husch Blackwell is primarily the result of a 2008 merger between Kansas City-based Blackwell Sanders and St. Louis-based Husch & Eppenberger.<sup>451</sup>

In 1983, future Kansas City Mayor Sly James became the first Black attorney hired by Blackwell Sanders – in fact, the first-ever Black employee.<sup>452</sup> His managing partner, Bill Sanders, told him, “If anyone here gives you any trouble about being Black, let me know, and I’ll fire them on the spot.” James replied, “Boss, I’ve been Black a long time . . . and I can handle that in my own way.”<sup>453</sup> James made partner at Blackwell Sanders in 1990, but left the firm in 1993 to form Kenner & James, P.C. with Nancy Kenner (before serving two terms as Mayor of Kansas City).<sup>454</sup> He now co-owns Wickham James Strategies & Solutions, a political consulting firm in Kansas City.<sup>455</sup>

In 1982, Dorothy White-Coleman became the first Black full-time associate at Husch & Eppenberger.<sup>456</sup> Her Saint Louis University School of Law classmate, Reuben A. Shelton, joined a year later.<sup>457</sup> Shelton left after a year for Union Electric Company (now Ameren Corporation).<sup>458</sup> White-Coleman left after seven years to form Peoples, Hale & Coleman.<sup>459</sup>

Both Kathy Surratt-States and Shirley Padmore Mensah were partners at Husch & Eppenberger in the 2000s.<sup>460</sup> Surratt-States, the first Black partner, left the firm in 2003 to become a judge on the United States Bankruptcy Court

451. Julie Kay, *Midwest Merger Puts Combined Firm Among U.S.’ 100 Largest*, LAW.COM (Dec. 26, 2007), <https://www.law.com/almID/900005559270/?slreturn=20200618102935> [https://perma.cc/8JPY-WK7R]. “The firm name was decided by the flip of a coin because [the firm] felt that in a true merger of equals [that] was the most fair way to determine the new name.” Joe Harris, *Coin Flip Decides Law Firm’s New Name*, COURTHOUSE NEWS S. (Jan. 9, 2008), <https://www.courthousenews.com/coin-flip-decides-law-firms-new-name/> [https://perma.cc/HG9L-9ULW].

452. SLY JAMES, A PASSION FOR PURPOSE: BUILDING CITIES FOR OUR CHILDREN 178 (2019).

453. *Id.*

454. *Our Attorneys: Nancy Kenner*, KENNER, NYGARD, DEMAREA, KENNER, LLC, <https://kndklaw.com/our-attorneys/nancy-kenner/> (last visited Sept. 23, 2020). In the 2000s, James engaged in state-wide plaintiff’s personal injury trial work at The Sly James Firm.

455. *Wickham James Strategies & Solutions*, <https://wickhamjames.com/> [https://perma.cc/Q9ZA-2C8M] (last visited Sept. 23, 2020).

456. Interview with Dorothy L. White-Coleman, Partner, White Coleman & Associates (Aug. 5, 2020).

457. *Id.*

458. *Id.*

459. *Id.*

460. Interview with Hon. Kathy Surratt-States, Chief Judge, U.S. Bankr. Ct., E.D. Mo. (July 17, 2020).

for the Eastern District of Missouri.<sup>461</sup> Mensah, the first home-grown partner, left the firm after 17 years to become a United States Magistrate Judge for the Eastern District of Missouri.<sup>462</sup> Between 2002 and 2005, Charles R. Saulsberry served as a partner at Husch Blackwell Sanders LLP.<sup>463</sup>

Maurice A. Watson rose from summer associate to chair, a position he held from 2012 to 2018.<sup>464</sup> Watson became the first Black to serve as chair of a large Missouri law firm. When he became chair, the “number of large U.S. law firms led by an African-American lawyer [could] be counted on one hand.”<sup>465</sup> Watson grew up in Kansas City, graduating from the Barstow School, Harvard College, and Harvard Law School. After law school, he worked for Senator John C. Danforth in Washington for four years before returning to Kansas City. Watson was recognized as “Managing Partner of the Year” during the National Bar Association’s 92nd annual convention in New Orleans in 2018. He served as chair until his retirement in 2018.<sup>466</sup>

Today, the firm has four offices in Missouri: St. Louis, Kansas City, Springfield, and Jefferson City. The St. Louis office, with 186 attorneys and 97 partners, has two Black partners: Anthony G. Grice and Denyse L. Jones — who are also the firm’s only two Black partners in the State. Grice practices labor and employment law, after graduating *summa cum laude* with a B.A.

461. *Id.*

462. Interview with Hon. Shirley A. Padmore Mensah, U.S. Magistrate Judge, E.D. Mo. (July 13, 2020).

463. Charles R. Saulsberry, SAULSBERRY & ASSOCIATES, [http://www.saulsberryassociates.com/admin/index.php?option=com\\_content&view=article&id=5&Itemid=28&showall=1](http://www.saulsberryassociates.com/admin/index.php?option=com_content&view=article&id=5&Itemid=28&showall=1) [https://perma.cc/V3VT-YZEB] (last visited July 23, 2020). Charles Saulsberry, a graduate of Harvard College and Northwestern University School of Law, served as a partner at Winston & Strawn in Chicago before practicing as a partner at three of Missouri’s largest law firms. *Id.*

464. Scott Lauck, *Watson completes rise at Husch Blackwell*, MO. LAWS. WKLY., Apr. 9, 2012, at 1.

On the Friday before Watson’s chairmanship officially began, a few friends — including many members of the Jackson County Bar Association, a Kansas City area organization primarily composed of African-American attorneys — held a reception to celebrate a milestone that was both personal and historic.

“It actually is a pretty big deal, not just in the state of Missouri but nationally,” said Mischa Buford Epps. She and her husband, Willie Epps, Jr., both of Shook, Hardy & Bacon, hosted the event at their Kansas City home.

*Id.*

465. *Id.* There had been just two other African Americans who had chaired their respective law firms when Watson chaired Husch Blackwell: John W. Daniels, Jr. of Quarles & Brady in Milwaukee and Dennis W. Archer of Dickinson Wright in Detroit. *Id.*

466. James Dornbrook, *Husch Chairman Watson: Ready for something new as he prepares to end role*, K.C. BUS. J. (Aug. 22, 2017), <https://www.bizjournals.com/kansascity/news/2017/08/22/husch-blackwellBlackwell-watson-chairman.html>.

and M.B.A. from Florida A&M University,<sup>467</sup> and with a J.D. from Washington University School of Law.<sup>468</sup> Jones, a business litigator, earned her B.S.B.A. in accounting, *cum laude*, from Saint Louis University and her J.D., *cum laude*, from Tulane University School of Law. In addition to passing the CPA examination, she clerked for Judge Duane Benton on the Supreme Court of Missouri after law school. Among the 140 attorneys and 54 partners in the Kansas City office, 16 attorneys and 8 partners in Springfield, and 9 attorneys and 5 partners in Jefferson City, none is Black.<sup>469</sup> Blacks are 1% of Husch Blackwell's Missouri-based partners.

#### 4. Shook, Hardy & Bacon

Founded in 1889, Shook, Hardy & Bacon ranks fourth with gross revenues of \$353,517,000 (\$715,400 of revenue per lawyer). With about 500 lawyers, Shook, Hardy & Bacon welcomed its first Black lawyer in 1986 when Lisa White Hardwick joined the firm.<sup>470</sup> Hardwick was a partner from 1992 until 2000.<sup>471</sup> Concurrently, Hardwick was elected to the Jackson County Legislature from 1993 to 2000. Hardwick was appointed to the Jackson County Circuit Court in 2000 and then to the Missouri Court of Appeals, Western District, where she currently serves.

Mischa Buford Epps is the first Black lawyer to start at Shook as a summer associate and advance to partner.<sup>472</sup> Epps joined Shook as an associate in 1994 and was named partner in 2001.<sup>473</sup> She practiced at the firm just over 20 years before leaving, in 2015, to be a work-at-home mother. In 2020, Epps was selected to be Executive Director of The Missouri Bar.<sup>474</sup>

Stacey A. Campbell was a partner from 2005 to 2006 and left to practice employment law in Denver, Colorado.<sup>475</sup> The author served as a partner from 2006 to 2013, before joining Dowd Bennett LLP in St. Louis as a partner.<sup>476</sup>

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467. *Anthony G. Grice, Partner*, HUSCH BLACKWELL, <https://www.huschBlackwell.com/professionals/anthony-grice> [https://perma.cc/J5AW-X63V] (last visited July 23, 2020).

468. *Id.*

469. Maurice A. Watson is of counsel in Kansas City. Demetrius J. Peterson is senior counsel in Kansas City.

470. Interview with Hon. Lisa White Hardwick, Judge, Mo. Ct. App., W. Dist. (Oct. 15, 2019).

471. *Id.*

472. Interview with Mischa Buford Epps, Executive Director, The Missouri Bar (Oct. 9, 2019).

473. *Id.*

474. *Id.* She is the Bar's fifth executive director and the first African American. *Id.*

475. *SHB's New Partners for 2005*, (Feb. 10, 2005), <https://www.shb.com/news/2005/02/shbs-new-partners-for-2005> [https://perma.cc/5Z3T-MU3D] (last visited Mar. 25, 2021).

476. *Willie Epps, Jr. Joins Dowd Bennett*, DOWD BENNETT, <https://www.dowdbennett.com/news/willie-j-epps-jr-joins-dowd-bennett/> [https://perma.cc/C54S-LKZ8] (last visited Mar. 25, 2021).

Two others have served as Missouri-based Black partners of Shook, Hardy & Bacon: Judge Jon R. Gray, who joined the firm in 2007 after serving as a circuit judge in Jackson County for 20 years,<sup>477</sup> and Leonard Searcy who in 2020 became the first Black partner elected to the firm's Executive Committee.<sup>478</sup> Today, the firm has one office in Missouri, in Kansas City. Out of about 134 partners there, two (or 1.5%) are Black: Gray and Searcy.<sup>479</sup>

## 5. Stinson

Stinson ranks fifth with gross revenues of \$269,073,000 (\$609,700 of revenue per lawyer).<sup>480</sup> In 1980, Stinson, Mag & Fizzell hired its first Black lawyer in Kansas City, Perry Hooks, who practiced there from 1980 until 1984.<sup>481</sup> Francois Henriques was the first Black associate elevated to partner in January 1987 and was with the firm in Kansas City until 1991.<sup>482</sup> From 2000 to 2002, St. Louis-based attorney Charles R. Saulsberry served as a partner at a predecessor firm later acquired by Stinson.<sup>483</sup> Emmanuel Ayuk was a partner in the Kansas City office until 2015 and is now in-house counsel with Archer Daniels Midland Company.<sup>484</sup> Jennifer M. Moyer was the lone Black partner in the Kansas City office from 2018 until she left the firm in

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477. *Judge Jon R. Gray Joins Shook, Hardy & Bacon as Partner*, SHOOK HARDY & BACON, <https://www.shb.com/news/2007/05/judge-jon-r-gray-joins-shook-hardy--bacon-as-part> [<https://perma.cc/KFD3-WEET>] (last visited Mar. 25, 2021).

478. *ALM's Daily Report Notes Searcy's Election to Shook's Executive Committee*, SHOOK, HARDY & BACON, <https://www.shb.com/news/2020/01/alm-reports-on-searcy-ec> [<https://perma.cc/85LT-Z5GL>] (last visited July 23, 2020).

479. *Meet Our Professionals*, SHOOK, HARDY & BACON, <https://www.shb.com/professionals/#?offices=KansasCity&sort=titleSort&page=9> [<https://perma.cc/9TK8-YKYG>] (Leonard Searcy and Hon. Jon R. Gray (ret.); George Ngengwe, listed in Kansas City and in the Seattle office) (last visited July 25, 2020).

480. The Stinson Morrison Hecker name came from the merger of two venerable Kansas City law firms: Stinson, Mag & Fizzell, and Morrison Hecker." E-mail from Keith A. Cutler, Partner, James W. Tippin & Associates, to author (Aug. 26, 2020) (on file with author).

481. E-mail from Ann Jenrette-Thomas, Chief Diversity & Inclusion Officer, Stinson LLP, to author (Aug. 27, 2020) (on file with author); e-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author).

482. E-mail from Ann Jenrette-Thomas, Chief Diversity & Inclusion Officer, Stinson LLP, to author (Aug. 27, 2020) (on file with author).

483. *Charles R. Saulsberry*, SAULSBERRY & ASSOCIATES, [http://www.saulsberryassociates.com/admin/index.php?option=com\\_content&view=article&id=5&Itemid=28&showall=1](http://www.saulsberryassociates.com/admin/index.php?option=com_content&view=article&id=5&Itemid=28&showall=1) [<https://perma.cc/P9GY-86VN>] (last visited July 23, 2020); e-mail from Ann Jenrette-Thomas, Chief Diversity & Inclusion Officer, Stinson LLP, to author (Aug. 27, 2020) (on file with author).

484. *Emmanuel Ayuk*, LINKEDIN, [https://ch.linkedin.com/public-profile/in/emmanuel-ayuk-ba619a40?challengeId=AQGPszhJmVUiRwAAAXdS\\_Lw8\\_ejB2jUpRhIu4SFeoNVdsHvM0oPkc2ymeBMYm3fiNmziowTaN1xlbXtv0DeKlzYkFS\\_hlSORA&submissionId=bc6eccdf-08fe-5e16-537a-3a20dd0cd129](https://ch.linkedin.com/public-profile/in/emmanuel-ayuk-ba619a40?challengeId=AQGPszhJmVUiRwAAAXdS_Lw8_ejB2jUpRhIu4SFeoNVdsHvM0oPkc2ymeBMYm3fiNmziowTaN1xlbXtv0DeKlzYkFS_hlSORA&submissionId=bc6eccdf-08fe-5e16-537a-3a20dd0cd129) (last visited Mar. 25, 2021).

2020. While there, she worked in an office which comprised 136 attorneys and 84 partners.<sup>485</sup>

Today, the firm has Missouri offices in St. Louis, Kansas City, and Jefferson City, with one lone Black partner, Jamaal R. Jordan.<sup>486</sup> Jordan, an intellectual property lawyer, is one of 66 lawyers and 46 partners in the St. Louis office. He is a graduate of Marquette University and the University of Wisconsin School of Law.<sup>487</sup> Stinson's Jefferson City office has five lawyers, three of whom are partners, none of whom is Black.<sup>488</sup> Blacks comprise 0.75% of Stinson's Missouri-based partnership.

## 6. Thompson Coburn

Thompson Coburn ranks sixth with gross revenues of \$209,500,000 (\$628,300 of revenue per lawyer). In 1976, the firm, then Thompson Mitchell, hired its first Black lawyer, Carol Jackson – who later left the firm in 1983 to go in-house at Mallinckrodt, Inc.<sup>489</sup> In 1992, Charles R. Saulsberry laterally transitioned from Chicago's Winston & Strawn LLP to Thompson Coburn, becoming the first Black partner at the firm.<sup>490</sup> He practiced at the firm until 2000 when he joined Blumenfeld, Kaplan & Sandweiss, P.C. as a partner.<sup>491</sup> In 2005, Pamela J. Meanes, a litigator, became the first Black woman named partner and the first Black to start as an associate and make partner.<sup>492</sup> Eric Kendall Banks, a graduate of University of Missouri School of Law, joined Thompson Coburn as a partner in 1999.<sup>493</sup> Banks most

485. *People*, STINSON, <https://www.stinson.com/people> [https://perma.cc/X2LQ-MCLG] (last visited July 23, 2020).

486. Interview with Traci V. Bransford, Partner, Stinson LLP (Dec. 30, 2020).

487. *Jamaal R. Jordan*, STINSON, <https://www.stinson.com/people-JamaalJordan> [https://perma.cc/X9UG-3H3M] (last visited Jan. 23, 2021).

488. *People*, STINSON, <https://www.stinson.com/people?results#form-search-results> [https://perma.cc/22S6-PH57] (last visited Jan. 23, 2021).

489. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

490. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 21, 2020); interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

491. *Charles R. Saulsberry*, SAULSBERRY & ASSOCIATES, [http://www.saulsberryassociates.com/admin/index.php?option=com\\_content&view=article&id=5&Itemid=28&showall=1](http://www.saulsberryassociates.com/admin/index.php?option=com_content&view=article&id=5&Itemid=28&showall=1) [https://perma.cc/RN4J-NLQS] (last visited July 23, 2020). Interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

492. Interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

493. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020). Banks was Class of 1980 and the tenth Black student to graduate from the University of Missouri School of Law. Banks reported that Black students could recite the names of all the Black students who had come before them because they were heroes: (1) Harold L. "Doc" Holliday, Jr., graduated May 1968, a transfer from Howard University School of Law; (2) Lynwood J. "Woody" Evans, graduated

recently had served as City Counselor for the City of St. Louis. Banks left Thompson Coburn in 2006, joined Kutak Rock LLP in Kansas City in 2007, and today is a solo practitioner.<sup>494</sup>

Today, the firm's only foothold in Missouri is the St. Louis office. It houses 233 attorneys and 149 partners – five of whom are Black: Pamela Meanes, Booker T. Shaw, Bob Wallace, Jr., Felicia Williams, and R. Nelson Williams. Meanes is a graduate of Monmouth College and the University of Iowa School of Law,<sup>495</sup> with a master's degree from Clark Atlanta University.<sup>496</sup> She is a past president of the National Bar Association. Shaw, who served for more than 25 years as a judge on both the St. Louis Circuit Court and Missouri Court of Appeals, Eastern District, handles trials and appeals for corporate clients in the pharmaceutical, railroad, and tobacco industries. He is a graduate of Southern Illinois University and Catholic University of America Columbus School of Law. Wallace chairs the firm's Sports Law Group, representing teams and prospective buyers of sports teams, and companies interested in sports marketing.<sup>497</sup> He is the former General Counsel for the St. Louis Rams, leading its operations and business departments during two Super Bowl appearances.<sup>498</sup> Wallace is a graduate of Yale College and Georgetown Law Center. Felicia Williams, a commercial litigator, earned both her degrees at Washington University in St. Louis.<sup>499</sup> Nelson Williams, a graduate of Duke University and Washington University

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August 1969; (3) Michael A. Middleton, graduated December 1970, but claims Class of 1971; (4) Ollie R. Mack, graduated December 1973; (5) David L. Forbes, graduated May 1974; (6) Larry F. Harold, graduated December 1976; (7) William T. Session, graduated December 1977; (8) Irene J. Smith, graduated May 1979, first Black woman to graduate the Law School; (9) Althea M. Harris, graduated December 1979; and (10) Eric Kendall Banks, graduated May 1980. Professor Kimberly Norwood, class of 1985, confirmed this list. E-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (July 18, 2020) (on file with author).

494. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020).

495. *Pamela Meanes, Partner*, THOMPSON COBURN LLP, <https://www.thompsoncoburn.com/people/pamela-meanes> [<https://perma.cc/Z7ST-YLPD>] (last visited July 23, 2020). Interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

496. *Pamela Meanes, Partner*, *supra* note 495; interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

497. *Bob Wallace, Jr., Partner*, THOMPSON COBURN LLP, <https://www.thompsoncoburn.com/people/bob-wallacejr> [<https://perma.cc/52KF-SAR7>] (last visited July 23, 2020); interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

498. *Bob Wallace, Jr., Partner*, *supra* note 497.

499. *Felicia Williams, Partner*, THOMPSON COBURN LLP, <https://www.thompsoncoburn.com/people/felicia-williams> [<https://perma.cc/5YZX-RGJE>] (last visited July 23, 2020); interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

School of Law, focuses on employment law and litigation.<sup>500</sup> Blacks make up 3.3% of Thompson Coburn’s Missouri-based partners.

### 7. Armstrong Teasdale

Armstrong Teasdale, founded in 1901, ranks seventh with gross revenues of \$136,800,000 (\$540,700 of revenue per lawyer). Steven N. Cousins, the first Black lawyer at the firm, was hired in 1980, after graduating from Yale College and the University of Pennsylvania Law School. He founded the firm’s Financial Restructuring, Reorganization, and Bankruptcy practice area, becoming the first associate to lead a practice. He became the first Black partner in 1985.<sup>501</sup> During most of his 38 years with the firm, Cousins served on the firm’s executive committee. Upon leaving,<sup>502</sup> he worked to make sure he would be replaced by a Black person.

Jovita Foster became the second Black to serve on the Armstrong Teasdale executive committee. She left the firm partnership in 2019 to become General Counsel at Drury Hotels, Co. Dione Greene, a litigator, made partner in Armstrong Teasdale’s Kansas City office in 2015,<sup>503</sup> and now runs DCG Law Firm, focusing on plaintiff’s employment law and business litigation.<sup>504</sup> A graduate of the University of Missouri Kansas City and Indiana University School of Law-Bloomington, Greene clerked for Eighth Circuit Judge Duane Benton.<sup>505</sup>

Today, the firm has Missouri offices in St. Louis, Kansas City, and Jefferson City, with two Black partners in the state. Untress “Trez” Quinn, the only Black partner for the St. Louis office comprising 92 partners, focuses

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500. R. Nelson Williams, Partner, THOMPSON COBURN LLP, <https://www.thompsoncoburn.com/people/rnelson-williams> [<https://perma.cc/999L-V7F2>] (last visited July 23, 2020); interview with Pamela J. Meanes, Partner, Thompson Coburn (July 27, 2020).

501. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020).

502. Cousins is now president and CEO of Cousins Allied Strategic Advisors. Chris King, *Steve Cousins to launch new consulting practice, Cousins Allied Strategic Advisors*, ST. LOUIS AM. (Dec. 7, 2018), [http://www.stlamerican.com/news/local\\_news/steve-cousins-to-launch-new-consulting-practice-cousins-allied-strategic/article\\_4b6a4d38-fa62-11e8-8501-53387055c8b6.html](http://www.stlamerican.com/news/local_news/steve-cousins-to-launch-new-consulting-practice-cousins-allied-strategic/article_4b6a4d38-fa62-11e8-8501-53387055c8b6.html).

503. *People on the Move*, KAN. CITY BUS. J. (Jan. 9, 2015), [https://www.bizjournals.com/kansascity/potmsearch/detail/submission/3503991/Dione\\_Greene](https://www.bizjournals.com/kansascity/potmsearch/detail/submission/3503991/Dione_Greene).

504. DCG LAW FIRM, <https://www.dcgreenelaw.com/> [<https://perma.cc/92EJ-PQ88>].

505. E-mail from Hon. Duane Benton, Cir. J., U.S. Ct. of Appeals for the Eighth Cir., to author (July 29, 2020) (on file with author).

on medical malpractice lawsuits.<sup>506</sup> A registered nurse, Quinn is a graduate of National Louis University and Saint Louis University School of Law.<sup>507</sup>

Similarly, Ramona Palmer-Eason is the lone Black partner in the firm's Kansas City office, which houses 25 lawyers, with 14 partners. After 20 years as an in-house counsel for a major international retailer, Palmer-Eason joined Armstrong Teasdale to concentrate on employment-related disputes.<sup>508</sup> She is a graduate of Drake University for both her bachelor's degree and law degree.<sup>509</sup> Since 2004, Palmer-Eason has served on the board of the Brown Foundation for Educational Equity, Excellence, and Research and is a past board chair. She is married to fellow lawyer, Alphonso Eason, an Attorney-Advisor at the U.S. Department of Housing and Urban Development.

Armstrong Teasdale's Jefferson City office comprises four lawyers, two of whom are partners, none of whom is Black.<sup>510</sup> About 1.8% of Armstrong Teasdale's Missouri-based partners are Black.

## 8. Spencer Fane

Spencer Fane ranks eighth with gross revenues of \$130,796,000 (\$519,000 of revenue per lawyer). Michelle Wimes made partner at Spencer Fane in Kansas City in 2004 and practiced there until 2008.<sup>511</sup> Milton Spaulding practiced at the firm in St. Louis from 2002 to 2010 and was elected partner in 2005.<sup>512</sup> Former St. Louis Circuit Judge Michael B. Calvin was a lawyer at Spencer Fane in St. Louis until he died unexpectedly in 2014.<sup>513</sup>

In 1988, Judge Calvin became a circuit judge, and in 1999 he was elected by his colleagues as presiding judge, the first African-

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506. *Untress Quin, Partner*, ARMSTRONG TEASDALE, <https://www.armstrongteasdale.com/untress-quinn/> [<https://perma.cc/BHW9-5FNM>] (last visited July 24, 2020).

507. *Id.*

508. *Ramona Palmer-Eason, Partner*, ARMSTRONG TEASDALE, <https://www.armstrongteasdale.com/ramona-palmer-eason/> [<https://perma.cc/G8YU-LSAE>] (last visited July 24, 2020).

509. *Id.*

510. *People*, ARMSTRONG TEASDALE, <https://www.armstrongteasdale.com/people/?search%5Bkeyword%5D=&search%5Boffice%5D=1363&search%5Bpractice-area%5D=&search%5Bpeople-position%5D=&search%5Bpeople-bar-admission%5D=&search%5Bpeople-language%5D=&search%5Bpeople-school%5D=> (last visited Jan. 23, 2020).

511. E-mail from Patrick J. "Pat" Whalen, Chairman and Managing Partner, Spencer Fane, to author (Aug. 12, 2020) (on file with author).

512. *Id.*; Jo Krummyrich, *People in Business Movers and Shakers in St. Louis Business*, ST. LOUIS POST-DISPATCH, May 13, 2005, at C8.

513. Jennifer S. Mann, *Legal Community Mourns Death of Retired St. Louis Circuit Court Judge Michael Calvin*, ST. LOUIS POST-DISPATCH (Dec. 2, 2014), [https://www.stltoday.com/news/local/crime-and-courts/legal-community-mourns-death-of-retired-st-louis-circuit-court-judge-michael-calvin/article\\_7d3aa6b1-9609-59dc-9ee3-3b6ed5551fe1.html](https://www.stltoday.com/news/local/crime-and-courts/legal-community-mourns-death-of-retired-st-louis-circuit-court-judge-michael-calvin/article_7d3aa6b1-9609-59dc-9ee3-3b6ed5551fe1.html) [<https://perma.cc/5XJH-KH5X>].



American in that position. He retired from the bench in 2008, then worked of counsel to Spencer Fane Britt & Browne, focusing on mediation and arbitration.<sup>514</sup>

Today, Spencer Fane has four offices in Missouri: Kansas City, St. Louis, Springfield, and Jefferson City. Spencer Fane has no Black partners among its 47 attorneys and 28 partners in St. Louis, 81 attorneys and 55 partners in Kansas City, 16 attorneys and 10 partners in Springfield, or its sole attorney and partner in Jefferson City.<sup>515</sup>

## 9. Lathrop GPM

Lathrop GPM ranks ninth with gross revenues of \$127,335,000 (\$613,700 of revenue per lawyer).<sup>516</sup> Angela Bennett was the first Black attorney hired by Kansas City law firm Lathrop & Norquist (now Lathrop GPM). L.J. Buckner, Jr., a Yale Law School graduate, was the first Black lawyer elevated to partner in 2001.<sup>517</sup> Michael A. Williams joined Lathrop & Gage in 1996 as a summer associate.<sup>518</sup> “In 2004, he became the first African-American to serve on the Kansas Bar Association Board of Governors, and he was elected to partnership at Lathrop & Gage effective January 1, 2006.”<sup>519</sup> Today, Williams is a partner at Williams Dirks Dameron LLC. Dan Cranshaw was named partner in 2011 and is now partner at Polsinelli.<sup>520</sup>

Today, Lathrop GPM has three offices in Missouri, including Kansas City, St. Louis, and Jefferson City, with a total of two Black partners out of 71 in the state.<sup>521</sup> Both Black partners, Jehan Kamil Moore and Gizie D. Hirsh, work in Kansas City.<sup>522</sup> Moore became the first Black woman partner at the firm in 2018, focusing on employment litigation and business

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514. *Id.*

515. SPENCERFANE, <https://www.spencerfane.com/attorneys/> [<https://perma.cc/778Q-Z6SC>] (last visited July 24, 2020).

516. “Lathrop GPM was formed in 2020 through the combination of two [over 100 year-old] firms, both with strong Midwestern cores – Lathrop Gage (established in Kansas City in 1873) and Gray Plant Mooty (established in Minneapolis in 1866).” *About, LATHROP GPM*, <https://www.lathrooggpm.com/about.html> [<https://perma.cc/SKJ3-YTHV>] (last visited July 24, 2020).

517. E-mail from Vanessa Vaughn West, Director of Diversity & Inclusion, Lathrop GPM LLP, to author (Aug. 11, 2020) (on file with author).

518. *Id.*

519. 2014 *Faculty-Alumni Awards*, MIZZOU ALUMNI A., <https://www.mizzou.com/s/1002/alumni/19/interior.aspx?sid=1002&gid=1001&pgid=4436> (last visited July 24, 2020).

520. Interview with Jehan Kamil Moore, Partner, Lathrop GPM (July 18, 2020).

521. *About, supra* note 516.

522. Interview with Jehan Kamil Moore, Partner, Lathrop GPM (July 18, 2020).

disputes.<sup>523</sup> Moore earned a Bachelor's of Science degree in Business Administration from the University of Kansas in 2002 and a J.D. from its School of Law in 2005.<sup>524</sup> She began her law career as a law clerk to the Honorable Patrick D. McAnany of the Kansas Court of Appeals.<sup>525</sup> Hirsh practices in business-related immigration law and became a partner in 2020.<sup>526</sup> She is a graduate of Addis Ababa University in Ethiopia and University of Missouri-Kansas City School of Law.<sup>527</sup> Blacks comprise 2.8% of Lathrop GPM's Missouri-based partners.

### *B. Black Law Firms in Missouri*

Next is an overview of Black-owned law firms in Missouri from 1971 to the present. The history of some Black law firms is not well-documented. Compounding the issue, many legal ventures among Black lawyers in the State have been associations, not partnerships. Nonetheless, below is a deeper look at many historically Black law firms in Missouri.<sup>528</sup>

#### 1. James W. Tippin & Associates

In 1989, the law firm James W. Tippin & Associates became the first Black, family-owned firm in Missouri.<sup>529</sup> One of few state-wide recognized minority litigation firms, it represents Fortune 100 companies. James W. Tippin founded the firm in Kansas City in 1976.<sup>530</sup> For the first decade, he

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523. *Jehan Kamil Moore, Partner*, LATHROP GPM, <https://www.lathropgpm.com/Jehan-Moore> [<https://perma.cc/9BZA-Z3K8>] (last visited July 24, 2020).

524. Interview with Jehan Kamil Moore, Partner, Lathrop GPM (July 18, 2020); *see Jehan Kamil Moore, Partner, supra* note 523.

525. Interview with Jehan Kamil Moore, Partner, Lathrop GPM (July 18, 2020); *see Jehan Kamil Moore, Partner, supra* note 523.

526. Interview with Jehan Kamil Moore, Partner, Lathrop GPM (July 18, 2020).

527. *Id.*; *see also Gizie D. Hirsh Partner*, LATHROP GPM, <https://www.lathropgpm.com/Gizie-Hirsh> [<https://perma.cc/C4QS-ERKB>] (last visited July 24, 2020).

528. In an article on Black lawyers in Missouri, it feels necessary to at the very least name Missouri's Black firms known to the author that are not highlighted in this Article. These firms include: Bussey Jordan & Edwards (Charles Bussey, Lloyd Jordan, and Jimmy Edwards); Cahill, White & Hemphill (Clyde Cahill, Ronnie White and Sandra Farragut-Hemphill); The Hale Law Firm LLC; Clayborn & Associates, LLC; Wilson and Smith (Margaret Bush Wilson and Wayman Smith); Gray Payne & Roque (Jon Gray, John Payne, and Kit Roque); Caldwell, Harvey, Hughes & Singleton (Chuck Caldwell, Wayne Harvey, Richard Hughes, and Richard Singleton); and Chapel Law Group, LLC (Rod Chapel). This list is certainly not comprehensive.

529. Interview with James W. Tippin, Partner, James W. Tippin & Associates (July 19, 2020).

530. *Id.* "Through the grace of God a number of events occurred that allowed me to start in 1976: (1) I had a good banking relationship with one banker who was

worked as a solo practitioner on business and tax legal work, especially matters related to the Kansas City Housing Authority.<sup>531</sup> Tippin also engaged in collections work, municipal court matters, and DWIs, and even “ten or twelve divorces.”<sup>532</sup> In 1987, Carmen Moody, a Black graduate of Spelman College and University of Missouri-Kansas City School of Law, joined the firm, eventually becoming a partner.<sup>533</sup> After interning with Tippin during law school, she thought practicing with Tippin would be a great first job. She had a transactional practice here, until 1993 when she relocated to Florida. In 1989, Dana Tippin Cutler – Tippin’s daughter – and her husband, Keith A. Cutler, joined the family law firm and have practiced law together since.

James Tippin, a native Texan, earned his bachelor’s degree from Lincoln University in 1964 and graduated from University of Missouri-Kansas City School of Law. His daughter and son-in-law likewise graduated from University of Missouri-Kansas City School of Law, attending Spelman College and Morehouse College, respectively, as undergraduates. After the Cutlers joined the firm, the firm’s focus shifted to litigation and insurance defense, as well as representing Ford Motor Credit Company. At one time, the firm numbered seven lawyers, both Black and White.<sup>534</sup> Today, Tippin and Keith Cutler primarily handle insurance defense cases and Missouri Public Entity Risk Management (MOPERM) matters. Dana Tippin Cutler concentrates on education law with an emphasis on charter schools.

In recognition of his strong legal mind and advocacy skills, Tippin is the first Black to have received the following awards: The Purcell Award for Professionalism from The Missouri Bar; University of Missouri School of Law Foundation – Pat Kelly Service Award; Dean of the Trial Bar Award from Kansas City Metropolitan Bar Association; University of Missouri-Kansas City School of Law Lifetime Achievement Award; and Kansas City Metropolitan Bar Association’s Congenial Counselor Award. He is recognized as a Super Lawyer of Missouri, and has received the Kansas City Metropolitan Bar Association’s President’s Award for Service and the Jackson County Bar Association’s Judge Lewis Clymer Community Service

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willing to lend me some money, [and] (2) a classmate from law school was appointed to be chair of KC Housing Authority.” *Id.*

531. Tippin’s first client was the Kansas City Housing Authority. Ronald Stites, a White attorney, was already doing work for the city when Tippin began. Tippin and Stites possibly had the first “true joint venture” between an African American and White law firm in Kansas City. Letter from James W. Tippin, Partner, James W. Tippin & Associates, to author (July 13, 2020) (on file with author); see also James W. Tippin, *A Father’s Historical Perspective: The Pillars Beneath My Daughter*, 72 J. MO. B. 238, 239 (2016) (“In 1976, Ronald Stites and I had a ‘true’ joint venture (we split the work evenly) in providing services to the Kansas City Housing Authority.”).

532. Interview with James W. Tippin, Partner, James W. Tippin & Associates (July 19, 2020).

533. *Id.*

534. *Id.*

Award.<sup>535</sup> His daughter has also received numerous awards and honors, including serving as President of The Missouri Bar and winning the University of Missouri-Kansas City School of Law Alumni Achievement Award (2018), “Woman of the Year” Women’s Justice Award (2018), Ronda F. Williams Spirit of Diversity Award – St. Louis Diversity Job Fair (2017), and Mound City Bar Association Legal Services Award (2017).<sup>536</sup>

In 1999, Keith Cutler became the first Black recipient of the Lon Hocker Memorial Trial Award, presented annually by the Missouri Bar Foundation to three skilled, young trial lawyers “who have demonstrated unusual proficiency in the art of trial practice.”<sup>537</sup> He served as an appointed member of the Supreme Court of Missouri Civil Rules Committee from 2002 to 2017.<sup>538</sup>

## 2. Fields & Brown, LLC

Fields & Brown, LLC was founded in Kansas City in 1987 by Taylor Fields and Charles R. Brown.<sup>539</sup> It is one of the oldest minority-owned law firms in the State of Missouri.<sup>540</sup> The firm, which comprises five attorneys, is an active member of the National Association of Minority and Women Owned Law Firms (NAMWOLF), Commercial Law Section of the National Bar Association and Defense Research Institute (DRI). Fields has focused on employment defense and labor relations, serving as labor and employment counsel to the Kansas City Area Transportation Authority for three decades. He also served as litigation counsel for the Kansas City Missouri School District for more than 15 years. A graduate of University of Missouri and University of Missouri-Kansas City School of Law, Fields is a member of the bars of Missouri and Michigan. He was President of the Jackson County Bar Association, holding offices in the National Bar Association and Kansas City Metropolitan Bar Association (KCMBA). The KCMBA awarded Fields a

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535. *The Lincoln Univ. Alumni Assoc. Hall of Fame, 2013 Inductees*, LINCOLN U. Mo., Fall 2013, at 28–29, [https://www.lincolnu.edu/c/document\\_library/get\\_file?uuid=7d6ba3bc-4607-4400-92d6-8b590e146aad&groupId=12221](https://www.lincolnu.edu/c/document_library/get_file?uuid=7d6ba3bc-4607-4400-92d6-8b590e146aad&groupId=12221) [<https://perma.cc/ZCU5-NZZL>].

536. Interview with Dana Tippin Cutler, Partner, James W. Tippin & Associates (June 15, 2020). “When I was first admitted to the bar, bar headquarters was not a place lawyers of color felt welcome. Ortrie Smith as president of MoBar started removing the unwelcomed sign with the effort of Keith [Birkes].” Interview with James W. Tippin, Partner, James W. Tippin & Associates (July 19, 2020).

537. Interview with Keith A. Cutler, Partner, James W. Tippin & Associates (June 13, 2020).

538. *Id.*

539. *Fields & Brown, LLC*, LINKEDIN, <https://www.linkedin.com/company/fields-&-brown-llc/about/> (last visited July 26, 2020).

540. Kara Mayer Robinson, *Small Law Firms, Big Ambitions*, MCAA, <https://www.mcca.com/mcca-article/small-law-firms-big-ambitions/> [<https://perma.cc/9K8J-F5YP>] (last visited July 24, 2020).

Dean of the Trial Bar Award in 2003. The recipient of the National Bar Association's 2010 Cora Walker Legacy Award, he was inducted into the National Bar Association Hall of Fame.

Charles R. Brown began developing his litigation skills in the 1980s as an attorney for the Office of State Public Defender. He was lead counsel in numerous trials, including several capital murder cases. Brown also served as an assistant prosecuting attorney, and as special prosecutor for Jackson County. Brown manages the firm's workers' compensation and insurance defense areas.

Carla Fields Johnson, Fields's daughter, has been a partner in the firm since 1995, focusing on workers' compensation and insurance defense. She is a graduate of Boston College and Texas Southern University Thurgood Marshall School of Law. Another daughter, Denise F. Fields, has practiced at the firm for over a decade. Fields's son, Wesley, is the managing partner of the Kansas City office of Bryan Cave Leighton Paisner.

### 3. Peoples, Hale & Coleman

Peoples, Hale & Coleman was founded in St. Louis in 1988 and disbanded in 1995. The founding members were Veo Peoples, Larry Hale, and Dorothy White-Coleman. The firm primarily handled cases in the areas of litigation and intellectual property. Larry Hale was one of the first Black Assistant United States Attorneys for the Eastern District of Missouri, from 1979 to 1986, before opening his own practice, The Hale Law Firm, in St. Louis from 1995 until his death in 2019. From 1999 to 2000, he concurrently was Assistant Special Counsel for the Waco Investigation, under the direction of former U.S. Senator John Danforth. Hale obtained his law degree from Saint Louis University School of Law.

Veo Peoples graduated from University of Missouri at Rolla in 1970, and Saint Louis University School of Law in 1975. He was a member of the Bar Association of Metropolitan St. Louis (BAMSL) (Chairman-Patent, Trademark and Copyright Section, 1987-1988), Mound City Bar Association, and National Bar Association. Peoples has been admitted since 1975 in Missouri and is registered to practice before the U.S. Patent and Trademark Office. Formerly the Associate General Counsel for Anheuser Busch Companies, Inc. (1978-1984), he served on the Executive Committee of BAMSL (1987-1988); 22nd Judicial Circuit Bar Committee of the Supreme Court of Missouri (1985-1993); Board of Directors of Legal Services of Eastern Missouri (1976-1988); and Board of Directors, Federal Reserve Bank of St. Louis (1994-1999).

Dorothy White-Coleman graduated from Saint Louis University School of Law and then clerked for Judge Floyd Gibson of the U.S. Court of Appeals for the Eighth Circuit.<sup>541</sup> She practiced at Husch Blackwell and as a partner at Peoples, Hale & Coleman, before starting the all-female firm White,

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541. Interview with Dorothy L. White-Coleman, Partner, White Coleman & Associates (Aug. 5, 2020).

Ovletrea & Watson (1995-1999).<sup>542</sup> White, Ovletrea & Watson grew to eight lawyers and three legal assistants and served large companies.<sup>543</sup> Since 1999, she has practiced at White Coleman & Associates.<sup>544</sup>

#### 4. The Hardwick Law Firm, LLC

Hardwick Law Firm, LLC, established by Kansas City native Herbert E. Hardwick in 1991, was originally the Law Offices of Herbert E. Hardwick, P.C. when Hardwick, African American, operated as a sole practitioner focusing on real estate and public finance.<sup>545</sup> Jean Z. Matzeder, a White lawyer, joined the firm in 1996, making partner a year later.<sup>546</sup> The firm first stretched outside Missouri in 2006 when selected to act as underwriter's counsel for the City of Chicago. That successful undertaking allowed expansion into St. Louis, Hartford, New York, Houston, Philadelphia, and Pittsburgh. One of the first minority law firms to be ranked in *The Bond Buyer's* top ten bond counsel in Missouri, since 1995 the firm has been ranked among the top ten bond counsel firms in the State for volume of municipal bonds sold where it has rendered legal opinions.<sup>547</sup> The firm has been ranked among the top 25 bond counsel firms in the Midwest by *The Bond Buyer*.<sup>548</sup> It is a certified Minority Business Enterprise and Disadvantaged Business Enterprise.<sup>549</sup> The firm now has 16 diverse lawyers and four administrative personnel throughout the country.<sup>550</sup>

Hardwick is a graduate of Dartmouth College and University of Missouri School of Law. He has served on the Metro/Kansas City Area Transportation Authority, Planned Industrial Expansion Authority, Lincoln University Board of Curators, and Retirement Board City of Kansas City, Missouri. Chairman of the Merit Bank Board, he is married to the Honorable Lisa White Hardwick, a judge on the Missouri Court of Appeals for the Western District.

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542. *Id.*; see also Dorothy White-Coleman, LINKEDIN, <https://www.linkedin.com/in/dorothy-white-coleman-57b39a42.2>.

543. Interview with Dorothy L. White-Coleman, Partner, White Coleman & Associates (Aug. 5, 2020).

544. *Id.*

545. Interview with Herbert E. Hardwick, Partner, The Hardwick Law Firm, LLC (Aug. 1, 2020); see also *About Us*, HARDWICK ATT'YS AT L., <https://hardwicklaw.com/about-us/> [<https://perma.cc/24TE-M7QR>].

546. Interview with Herbert E. Hardwick, Partner, The Hardwick Law Firm, LLC (Aug. 1, 2020); see also *About Us*, *supra* note 545.

547. Interview with Herbert E. Hardwick, Partner, The Hardwick Law Firm, LLC (Aug. 1, 2020); see also *About Us*, *supra* note 545.

548. Interview with Herbert E. Hardwick, Partner, The Hardwick Law Firm, LLC (Aug. 1, 2020); see also *About Us*, *supra* note 545.

549. Interview with Herbert E. Hardwick, Partner, The Hardwick Law Firm, LLC (Aug. 1, 2020); see also *About Us*, *supra* note 545.

550. Interview with Herbert E. Hardwick, Partner, The Hardwick Law Firm, LLC (Aug. 1, 2020).

### 5. Law Firm of Whitfield, Montgomery, P.C.

Harold Lee Whitfield founded Whitfield, Montgomery, P.C. in the early 1970s.<sup>551</sup> The firm later became Whitfield, Montgomery & Staples, P.C. in 1974.<sup>552</sup> A lifelong St. Louisan born in 1938, Whitfield attended segregated Douglass High School and graduated from integrated Kirkwood High School and Washington University, earning both a B.A. and J.D.. In 1966, he became the Director of Conciliation for the Missouri Commission on Human Rights and worked as the Administrative Assistant to the Regional Director of the U.S. Civil Service Commission from 1970 to 1972. Elected to the Kirkwood City Council in 1972, he ran for mayor in 1976.<sup>553</sup> Whitfield, a wrongful death and personal injury lawyer who before his death was of counsel with the law firm of Donald A. Schlappizzi, P.C., was a fellow of both the American College of Trial Lawyers<sup>554</sup> and International Academy of Trial Lawyers.<sup>555</sup>

### 6. The Holliday Law Firm

Today, the Holliday Law Firm in Kansas City is run by Harold Holliday, III. But the firm has a history of familial attorneys steering the ship, including Harold L. Holliday, Sr., and Harold L. Holliday, Jr. Holliday Sr. was the first Black to graduate from the University of Missouri-Kansas City School of Law.<sup>556</sup> He was also a leader of Freedom, Inc., an influential political organization advocating for civil rights in Kansas City.<sup>557</sup> Notably, Holliday Sr. won a lawsuit against Benton School – later renamed D.A. Holmes School – after it refused to allow Black students to attend.<sup>558</sup> The Harold Holliday Montessori School in Kansas City serves as a reminder of Holliday Sr.'s zealous advocacy for equal rights.<sup>559</sup>

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551. *Harold Lee Whitfield, Obituaries*, WILLIAMS-JAMES MORTUARY, INC., <https://www.williamsjamesmortuaryinc.com/obituary/3909053> [<https://perma.cc/WF4G-96UZ>].

552. *Id.*

553. *Id.*

554. AMERICAN COLLEGE OF TRIAL LAWYERS: ROSTER, BYLAWS, CODES OF PRETRIAL CONDUCT, AND CODES OF TRIAL CONDUCT 182 (2015); Harold Whitfield, ACTL Class of 1998, was the first African American member of the College from Missouri; e-mail from Marcy B. Graham, Partner, Gray, Ritter & Graham, to author (Aug. 2, 2020) (on file with author); e-mail from Brent W. Baldwin, Partner, Baldwin Law Group, to author (Aug. 2, 2020) (on file with author). The author, in 2015, became the second Black inducted.

555. *Harold Lee Whitfield, Obituaries*, *supra* note 551.

556. David Conrads, *Harold Holliday Sr.: Lawyer, Legislator, and Civil Rights Activist*, <https://kchistory.org/islandora/object/kchistory%3A115219/datastream/OBJ/view> [<https://perma.cc/3MZC-5QBV>] (last visited Sept. 23, 2020).

557. *Id.*

558. *Id.*

559. *Harold L. Holliday, Sr. Montessori School History*, *supra* note 368.

After almost 20 years in practice, Holliday Sr. served as a magistrate judge in Kansas City and then as Associate Regional Counsel in the U.S. Department of Housing and Urban Development.<sup>560</sup> He was elected to the Missouri House of Representatives in 1964 and served the State for many years before his retirement.<sup>561</sup> He died in 1985.<sup>562</sup>

Holliday, Jr. was the first Black to graduate from the University of Missouri School of Law and went on to practice law at the Holliday Law Firm for 37 years.<sup>563</sup> He died in 2005.<sup>564</sup> Asked about Holliday Sr. and Holliday Jr., Stefan Hughes, a highly regarded federal prosecutor in Kansas City, stated:

Harold L. Holliday Sr. and Harold L. “Doc” Holliday Jr. were both true legal giants in the Kansas City area. Indeed, “Doc” was brilliant and he had a steel-trap memory and was an amazing orator and a fierce advocate. I once watched Doc deliver a closing argument in a murder case involving strong circumstantial evidence. Doc’s argument was so compelling that I thought the jury might acquit the defendant. However, Jeff Bushur, the lead prosecutor, effectively rebutted Doc’s arguments and the jury convicted that defendant. Even so, I was very impressed with how effectively Doc took such a limited amount of exculpatory evidence and seamlessly cobbled together a plausible defense.<sup>565</sup>

Like his father and grandfather, Holliday III continues his family’s legacy at the Holliday Law Firm and remains active in political and bar organizations on a national and local level.

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560. Conrads, *supra* note 556. Another notable Black associate regional counsel for the U.S. Department of Housing and Urban Development was Eugene Lipscomb, who retired from the post in 2012 after more than forty years. *Resident retires after 40 years with HUD*, SHAWNEE DISPATCH, (Jan. 27, 2012), <http://www.shawneedispatch.com/news/2012/jan/27/resident-retires-after-40-years-hud/> [<https://perma.cc/6CPD-9PYU>] (last visited Sept. 30, 2020). He is well known for his central role in assisting with the U.S. Department of Housing and Urban Development’s defense of the Kansas City, Missouri, desegregation case, *Jenkins v. State of Missouri*, *et al.* *Id.*

561. Conrads, *supra* note 556.

562. *Id.*

563. *Res. No. 051444*, *supra* note 385.

564. *Id.*

565. E-mail from Stefan Hughes, Assistant U.S. Att’y, U.S. Att’y’s Off., to author (July 20, 2020) (on file with author); *see also* *State v. Holliday*, 703 S.W.2d 498 (Mo. App. 1985) (affirming conviction and probation for stealing by deceit); *In re Holliday*, Order of Reprimand, Sept. 9, 2004 (Mo. No. SC85857) (*en banc*) (agreed reprimand based on stipulated facts of specific case).



## 7. North, Colbert, Pendleton &amp; Fields

The preeminent Black law firm in Kansas City in the early 1970s was North, Colbert, Pendleton & Fields.<sup>566</sup> Basil L. North, Jr., with undergraduate and law degrees from the University of Missouri-Kansas City, began as a solo practitioner in 1971.<sup>567</sup> Six months later, he invited Richard Colbert to share his office and hired Edward Pendleton, then a law student, as his law clerk.<sup>568</sup> Once Pendleton graduated from the University of Missouri-Kansas City School of Law, he became an associate.<sup>569</sup> Taylor Fields next joined the firm. In 1974, the office sharing arrangement became a partnership among the four Black men. The firm handled civil and criminal litigation, including municipal court matters. The firm's "first significant institutional client" was the Kansas City Missouri School District.<sup>570</sup> The firm handled all the labor negotiations for management, with North the spokesperson for the District during teacher strikes.<sup>571</sup> The firm hired associates, including Ron Finley, who would later serve on the City Council and in the Jackson County Legislature, and Mildred Watson, who later became a Juvenile Court Commissioner.<sup>572</sup> North has hired 18 Black law clerks and associates during his career.<sup>573</sup>

*C. High Profile Majority-Minority Partnerships*

Many law firms in Missouri have also been created or merged through majority-minority partnerships. For instance, in 1993 Sly James, a partner at Blackwell Sanders, and Nancy Kenner, a White woman lawyer and fellow Blackwell partner, formed Kenner & James, P.C. to represent injury victims.<sup>574</sup> That firm is now Kenner Nygaard DeMarea Kendall, LLC.<sup>575</sup>

In 2007, after retiring from the Supreme Court of Missouri, Judge Ronnie White joined what is now Holloran Schwartz & Gaertner LLP, with five attorneys.<sup>576</sup> In 2008, Charlie Harris joined the Kansas City law firm Seyferth Blumenthal & Harris LLC. In 2010, Michael Williams, of Kansas

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566. E-mail from Hon. Fernando J. Gaitan, Jr., Senior U.S. Dist. J., U.S. Dist. Ct. for the W. Dist. of Mo., to author (Aug. 3, 2020) (on file with author).

567. Interview with Basil L. North, Jr., Partner, Basil L. North, Jr. & Associates (Oct. 16, 2019).

568. *Id.*

569. *Id.*

570. *Id.*

571. *Id.*

572. Interview with Basil L. North, Jr., Partner, Basil L. North, Jr. & Associates (Oct. 16, 2019).

573. *Id.*

574. *Our Attorneys: Nancy Kenner, supra* note 454.

575. *Id.*

576. *Attorneys, HOLLORAN SCHWARTZ & GAERTNER LLP*, <https://holloranlaw.com/attorney/> [<https://perma.cc/P4XF-RWXV>] (last visited July 26, 2020).

City, left Lathrop & Gage to form, along with two White male partners, Eric Dirks and Matt Dameron, (now) William Dirks Dameron. In 2015, Don Prophete, a labor and employment lawyer based in Kansas City, joined Atlanta-based Constangy Brooks & Smith as a named partner from Littler Mendelson P.C. The firm's new name became Constangy, Brooks, Smith & Prophete. Eleven additional lawyers from Littler and other firms made the move with Prophete. Prophete divides his time between New York and Kansas City.<sup>577</sup>

#### D. The Judges

Progress for Black lawyers in Missouri is further evinced by the number of state and federal judgeships since 1971. Below are the judges who share a connection with Missouri.

##### 1. Clarence Thomas

On October 23, 1991, Clarence Thomas became the first Black Missouri lawyer to serve on the Supreme Court of the United States.<sup>578</sup> Nominated by President George H. W. Bush to the seat vacated by Justice Thurgood Marshall, Thomas was confirmed by the U.S. Senate on October 15, 1991.<sup>579</sup> Today, Associate Justice Thomas is the senior member of the Supreme Court.

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577. *Constangy Adds Kansas City Lawyer to Its Nameplate*, LAW.COM (Mar. 3, 2015), <https://advance.lexis.com/document/?pdmfid=1000516&crd=c3196248-f2b6-465a-a2c5-417b2ebaaa3a&pdcontentfullpath=%2Fshared%2Fdocument%2Flegalnews%2Furn%3AcontentItem%3A5TP7-4JG1-JBM3-R3TR-00000-00&pdcontentcomponentid=7599&pdteaserkey=sr4&pditab=allpods&ecomp=gxds&earg=sr4&prid=19a88dad-08ec-4754-88f0-6dcbd6bd7a42>.

578. Linda Greenhouse, *Thomas Sworn in as 106<sup>th</sup> Justice*, N.Y. TIMES, Oct. 24, 1991, at A18.

There was no public announcement of the event until after it had taken place. Chief Justice William H. Rehnquist administered the judicial oath shortly after noon in the Justices' conference room, with only three witnesses in attendance: Virginia L. Thomas, the new Justice's wife, who held the Bible; Senator John C. Danforth of Missouri, Justice Thomas's friend, and Robb M. Jones, the Chief Justice's administrative assistant. Senator Danforth took pictures with a camera borrowed from Justice Thomas . . . Justice Thomas was originally scheduled to be sworn in at the Court last Monday [October 21, 1991]. The ceremony was postponed because of the death last week of Chief Justice Rehnquist's wife, Nan, who was buried Tuesday [October 22, 1991].

*Id.*

579. R.W. Apple, *Senate Confirms Thomas, 52-48, Ending Week of Bitter Battle; 'Time For Healing,' Judge Says*, N.Y. TIMES, Oct. 16, 1991, at A1; *see also African American Judges on the Federal Courts: Thomas, Clarence*, FED. JUD. CTR., <https://www.fjc.gov/history/judges/search/african-american> [<https://perma.cc/H9CT-7L2F>] (last visited July 24, 2020).

Justices Marshall and Thomas are the only Blacks to serve on our nation's highest court.

Thomas was born on June 23, 1948, in Pin Point, Georgia,<sup>580</sup> raised by his grandparents, and educated at Catholic schools in nearby Savannah, Georgia. "From there, he went to the Benedictine Monastery in northwest Missouri, Conception, Mo. He was a seminarian for a year."<sup>581</sup> Thomas graduated from the College of the Holy Cross in 1971 and Yale Law School in 1974. During Thomas's final year of law school, Yale Law School Dean Guido Calabresi recommended Thomas to Missouri Attorney General John C. Danforth, a graduate of Yale Law School and Yale Divinity School. Danforth hired Thomas right after graduation from law school, becoming one of Thomas's mentors:

At the time I was Attorney General our state legislature was solidly Democratic and it had me on a very tight budget. I couldn't afford to pay competitive wages to any lawyer, and I had to rely heavily on young people with little or no experience but who had the ability to do excellent legal work. Recruiting first rate young lawyers from firms and law schools was a very important part of my job. That took me to Yale Law School where I interviewed Clarence Thomas. I have a clear memory of telling him that I offered more work and less pay than anyone else recruiting at Yale Law School.<sup>582</sup>

Thomas accepted and came to Missouri to study for the Missouri bar examination.<sup>583</sup> Thomas spent the summer of 1974 at the home of Margaret Bush Wilson, a leader in the civil rights movement and long-time chair of the NAACP, whom Danforth knew through Wilson's association with the

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580. *Id.*

581. *Hearing Before the Comm. on Lab. and Hum. Res. on Clarence Thomas, of Maryland, to be Chairman of the Equal Employment Opportunity Commission*, 97th Cong. 2 (1982) (statement of John C. Danforth, United States Senator, United States Senate). Three members of the Committee were present: Senators Hatch, Eagleton, and Pell, plus Danforth who introduced Thomas to the Committee.

582. E-mail from John C. Danforth, Senator, U.S. Senate, to author (July 7, 2020) (on file with author). *See also* A. Leon Higginbotham, *An Open Letter to Justice Clarence Thomas from a Federal Judicial Colleague*, 140 U. PA. L. REV. 1005, 1009 (1992).

If you had gone to one of the law schools in your home state, Georgia, you probably would not have met Senator John Danforth who, more than twenty years ago, served with me as a member of the Yale Corporation. Dean Guido Calabresi mentioned you to Senator Danforth, who hired you right after graduation from law school and became one of your primary sponsors.

*Id.*

583. Thomas told a crowd gathered for Law Day 2017 in St. Louis that the Missouri bar remains his only bar license.

Danforth Foundation.<sup>584</sup> In the Attorney General's Office, Thomas primarily represented the state Department of Revenue. According to Danforth, "[Thomas] was an enormously gifted young lawyer, and he was one of the most popular people in our office."<sup>585</sup>

Thomas joined Monsanto as in-house counsel from 1977 to 1979,<sup>586</sup> then rejoined his former boss and mentor who had been elected to the U.S. Senate in 1976.<sup>587</sup> Thomas served as a Legislative Assistant to Senator Danforth from 1979 to 1981. Thomas then served as Assistant Secretary for Civil Rights in the U.S. Department of Education from 1981 to 1982, and later as Chairman of the EEOC from 1982 to 1990.<sup>588</sup>

On October 30, 1989, President Bush nominated Thomas to a seat on the U.S. Court of Appeals for the District of Columbia Circuit. Judge Thomas was confirmed by the U.S. Senate on March 6, 1990.<sup>589</sup> His services on the D.C. Circuit terminated on October 17, 1991, by appointment to the Supreme Court.<sup>590</sup>

Justice Thomas returned to Missouri in May 2017 to speak at a Law Day event organized by the Bar Association of Metropolitan St. Louis.<sup>591</sup> During his remarks, which lasted about twenty minutes, Justice Thomas turned to Senator Danforth and told him, "You are the reason why I'm here."

## 2. Theodore McMillian

Theodore McMillian became Missouri's first Black circuit judge in 1956, the first Black judge on the Missouri Court of Appeals in 1972, and the first Black judge on the U.S. Court of Appeals for the Eighth Circuit in 1978.<sup>592</sup> Born in 1919 in an impoverished area of St. Louis, McMillian was the great-grandson of a slave and the oldest of ten children.<sup>593</sup> Upon discharge

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584. E-mail from John C. Danforth, Senator, U.S. Senate, to author (July 7, 2020) (on file with author).

585. *Id.*

586. *African American Judges on the Federal Courts*, FED. JUD. CENTER, <https://www.fjc.gov/history/judges/search/african-american> [<https://perma.cc/B5RC-23GB>] (last visited July 24, 2020).

587. *Id.*

588. *Id.*

589. *Id.*

590. *Id.*

591. Jim Slater, *Clarence Thomas: Sen. Danforth is 'the Reason Why I'm Here,'* ASSOCIATED PRESS (May 5, 2017), [https://apnews.com/article/6091a9564d4b4a4d98c6145ecda02901#:~:text=LOUIS%20\(AP\)%20%E2%80%94%20Supreme%20Court,he%20owes%20him%20his%20career.&text=During%20the%20speech%20he%20turned,why%20I'm%20here.%E2%80%9D](https://apnews.com/article/6091a9564d4b4a4d98c6145ecda02901#:~:text=LOUIS%20(AP)%20%E2%80%94%20Supreme%20Court,he%20owes%20him%20his%20career.&text=During%20the%20speech%20he%20turned,why%20I'm%20here.%E2%80%9D) [<https://perma.cc/H6WH-3SUS>].

592. Wolff, *supra* note 326, at 1299.

593. *The Honorable Theodore McMillian: Leading the Way*, U.S. CTS. LIBR. 8TH CIR., <https://www.lb8.uscourts.gov:444/pubsandservices/histsociety/McMillian.handout.m>

from World War II military service in 1946 – achieving the rank of First Lieutenant – McMillian graduated first in his class and became the second Black graduate of Saint Louis University School of Law.<sup>594</sup> “Despite his success as a law student, racial discrimination made it difficult for McMillian to find a position with any of the law firms in St. Louis.”<sup>595</sup> This led McMillian and fellow Saint Louis University School of Law graduate Alphonse Lynch to open their own law firm, Lynch & McMillian.<sup>596</sup> Work, however, was slow, so McMillian taught adult education classes and managed the old Aubert Theatre at night to support his family.<sup>597</sup>

In 1952, McMillian ran for office with a reform slate of candidates against an entrenched incumbent, 19th Ward Democratic Committeeman Jordan Chambers.<sup>598</sup> “The ticket included Phil Donnelly for Governor and Ed Dowd, Sr., for St. Louis Circuit Attorney. Chambers and the other incumbents were recognized machine politicians. McMillian’s role was to take votes away from the machine and help the reform ticket, a move that, if it failed, could have been political suicide.”<sup>599</sup> McMillian ended up losing by a large margin, but the reform ticket won. McMillian’s loyalty and efforts were rewarded. “On the recommendation of Bob Dowd, Sr., who had been a classmate of McMillian, newly-elected Ed Dowd (Bob’s brother) hired McMillian as an Assistant Circuit Attorney.”<sup>600</sup>

McMillian was the first Black lawyer hired by Ed Dowd, Sr., in 1953. McMillian took on a heavy workload, obtaining a high conviction rate in felony cases. Promoted to Chief Trial Assistant, he gained a reputation as “a conscientious, hard-working prosecutor who also showed respect for the civil rights of defendants.”<sup>601</sup> He served as a prosecutor until his appointment to the bench as Circuit Judge by Governor Phil M. Donnelly in March 1956.<sup>602</sup>

Edward L. Dowd, Jr., a former United States Attorney and co-founder of Dowd Bennett, remembers the Dowd family’s relationship with Judge McMillian.

My Father, the real Edward L. Dowd, was raised in St. Louis by Major Edward Dowd who taught him that everyone should be treated the same and treated well. When he was elected Circuit Attorney of the

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emorial.revised2018-final.pdf [https://perma.cc/94EM-BM6G] (last visited June 29, 2020).

594. *Id.* Interestingly, “law was not his first choice” and McMillian “had dreamed of studying medicine, but racial quotas at medical schools would have forced him to wait five years to begin.” *Id.*

595. *Id.*

596. *Id.*

597. Karen Tokarz, *Final Tribute to Judge Theodore McMillian: A Man of Law and Justice*, 19 WASH U. J. L. & POL’Y 13, 15 (2005).

598. *Id.*

599. *Id.*

600. *Id.*

601. *Id.*

602. *Id.*

City of St. Louis in 1952, he quickly integrated the office by hiring a recent brilliant graduate of St. Louis University named Ted McMillian who had ranked first in his law school class but was unable to find employment in a law firm in St. Louis. Luckily, my uncle, the Honorable Robert G. Dowd, was a friend and classmate of Ted's and he told the new Circuit Attorney about him. Dad interviewed and hired Ted who became the first Assistant Circuit Attorney. Of course, his career was outstanding in every way and he became a state trial judge, Court of Appeals judge (with Robert Dowd) . . . and 8th Circuit Court of Appeals judge for many years. Everything he did, he was the first African American to do.<sup>603</sup>

As a judge, McMillian authored “landmark decisions in cases about desegregation, free speech, civil rights, employment discrimination and affirmative action.”<sup>604</sup> He died in 2006, leaving behind a legacy as a man of firsts and an advocate of civil rights.<sup>605</sup>

### 3. Clyde S. Cahill, Jr.

Clyde S. Cahill served as the first Black United States District Judge in Missouri. On April 2, 1980, President Jimmy Carter nominated Judge Cahill for the Eastern District of Missouri.<sup>606</sup> He was confirmed by the U.S. Senate on May 21, 1980.<sup>607</sup> After serving as a District Judge for 12 years, Judge Cahill assumed senior status on April 9, 1992, serving in that capacity until his death on August 18, 2004.<sup>608</sup>

Cahill was born in St. Louis, Missouri on April 9, 1923. He served in the Army Air Forces during World War II, earned his B.A. from Saint Louis University in 1949, and received his J.D. from Saint Louis University School

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603. E-mail from Edward L. Dowd, Jr., Partner, Dowd Bennett, to author (July 20, 2020) (on file with author). Dowd Jr. notes that,

Dowd Sr. also hired the Honorable Clyde Cahill, the Honorable George Draper and Curtis Crawford as Assistant Circuit Attorneys and they were all outstanding prosecutors and had tremendous careers. Clyde Cahill was a courageous attorney for the NAACP and became an excellent Federal District Court judge. George Draper became a Federal judge in the District of Columbia. Curtis Crawford became the Chair of the U.S. Parole Commission. All of these legal pioneers only needed a chance to excel.

*Id.*

604. Teitelman, *supra* note 131.

605. *Id.*

606. *African American Judges on the Federal Courts*, FED. JUD. CTR., <https://www.fjc.gov/history/judges/search/african-american> [<https://perma.cc/V9UN-ZDWS>] (last visited July 24, 2020).

607. *Id.*

608. *Id.*

of Law in 1951. From 1951 to 1954, he was in private practice in St. Louis,<sup>609</sup> served as an Assistant Circuit Attorney for the City of St. Louis from 1954 to 1961 and returned to private practice while serving as a Special Assistant Circuit Attorney from 1961 to 1964.<sup>610</sup>

Cahill was the NAACP's Chief Legal Advisor for Missouri from 1958 to 1965.<sup>611</sup> In this role, he "filed the first lawsuit in Missouri to implement the U.S. Supreme Court's decision in *Brown v. Board of Education*. This suit, and subsequent desegregation cases, hastened the end of school segregation in St. Louis and southeastern Missouri."<sup>612</sup> In the mid to late 1960s, Judge Cahill served as a regional attorney for the United States Office of Economic Opportunity in Kansas City, and then as the general manager of the Human Development Corporation in St. Louis.<sup>613</sup> He was the Executive Director and General Counsel for the Legal Aid Society of St. Louis from 1972 to 1975.<sup>614</sup> He departed Legal Aid to become a Circuit Judge on the St. Louis Circuit Court before becoming a federal district judge.

According to Dowd, Jr., Judge Cahill was a man of "character and competence," a "fighter of poverty and discrimination," a "promoter of fairness," and someone who "opened the door to Black law clerks."<sup>615</sup>

Both Judges McMillian and Cahill told me that when they were prosecuting Whites and Blacks under Edward L. Dowd, Sr. that there were a number of restaurants in St. Louis where they could not go for lunch. I was totally shocked because I had not realized that St. Louis restaurant owners were that racist in the 1950s. I really should not have been surprised when you consider what would be happening in states like Alabama even 10 years later.<sup>616</sup>

#### 4. Ronnie L. White

In 1995, Judge Ronnie L. White became the first Black judge to serve on the Supreme Court of Missouri. In 2003, he became the first Black to serve as Chief Justice of the Supreme Court of Missouri.<sup>617</sup> Before the Supreme Court, he spent about a year on the Missouri Court of Appeals, Eastern District, following Governor Mel Carnahan's appointment.<sup>618</sup> After Judge

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609. *Id.*

610. *Id.*

611. Teitelman, *supra* note 131.

612. *Id.*

613. *African American Judges on the Federal Courts*, *supra* note 606.

614. Cahill, Clyde S., Jr., FED. JUD. CENTER, <https://www.fjc.gov/node/1378711> [<https://perma.cc/6ZU3-V2LN>] (last visited June 29, 2020).

615. E-mail from Edward L. Dowd, Jr., Partner, Dowd Bennett, to author (July 20, 2020) (on file with author).

616. *Id.*

617. Hannah Siegel, *Judge Ronnie L. White*, MO. CTS. (2017), <https://www.courts.mo.gov/page.jsp?id=120180>.

618. *Id.*

White's 2007 retirement from the Supreme Court of Missouri and a brief stint in private practice in St. Louis, he was confirmed as a District Judge on the United States District Court for the Eastern District of Missouri after his nomination by President Obama in 2014.<sup>619</sup>

A native of St. Louis, White graduated from University of Missouri-Kansas City School of Law and passed the Missouri bar in 1983.<sup>620</sup> "White served as a trial attorney for the public defender's office, in both the city of St. Louis and St. Louis County;" spent about six years in private practice; and served in the Missouri House of Representatives.<sup>621</sup> "While in office, he served as the chairman of the House Judiciary and Ethics Committee and the Civil and Criminal Justice Committee."<sup>622</sup> Notably, "Judge White has received several awards and honors throughout his judicial career from various organizations . . . [and] has also been a member of numerous associations and led multiple commissions."<sup>623</sup>

### 5. Fernando J. Gaitan, Jr.

In 1991, Fernando J. Gaitan, Jr. received his commission as a District Judge on the United States District Court for the Western District of Missouri.<sup>624</sup> He became the first Black judge in the Western District of

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619. *Id.* White's first nomination to federal district court by President Bill Clinton in 1997 was successfully blocked by the U.S. Senate, in part due to Senator John Ashcroft's opposition. Michael Grunwald, *Missouri Senate Race is Heating Up Early*, WASH. POST (Oct. 23, 1999), <http://www.washingtonpost.com/wp-srv/politics/campaigns/keyraces2000/stories/ashcroft102399.htm> [<https://perma.cc/68FP-CV73>].

620. Siegel, *supra* note 617.

621. *Id.*

622. *Id.*

623. *Id.*

624. *Senior Judge Fernando J. Gaitan, Jr.*, U.S. CTS. W. DIST. MO., <https://www.mow.uscourts.gov/judges/gaitan> [<https://perma.cc/CW6Y-4PQ4>] (last visited June 29, 2020). U.S. Senator John C. Danforth fondly recalls the federal judicial process:

During my time in the Senate when there were Republican presidents, I had the responsibility of recommending nominees for the U.S. District Court in both the Eastern and Western Districts of Missouri. I took this responsibility very seriously, knowing that those I recommended would affect many lives and would likely be on the bench long after I left the Senate. I created a system in which a panel of practicing lawyers and law school deans sent me three names for every vacancy from which I selected one to send to the president. As you can imagine, whenever a vacancy occurred, many lawyers were interested. Among the judges I sent to the president were Fernando Gaitan in the Western District and Carol Jackson in the Eastern District. I had no political connection with either and relied entirely on assessments of their ability.

E-mail from John C. Danforth, Senator, U.S. Senate, to author (July 7, 2020)



Missouri.<sup>625</sup> In 2014, Judge Gaitan assumed senior status, after having been Chief Judge, another first, from 2007 to 2014.<sup>626</sup>

Born in 1948 in Kansas City, Kansas, Gaitan earned a B.A. from Pittsburg State University in 1970 and a J.D. from University of Missouri-Kansas City School of Law in 1974.<sup>627</sup> Graduating from law school, Gaitan served as an attorney for Southwestern Bell Telephone Company from 1974 to 1980,<sup>628</sup> as a Circuit Judge on the Jackson County Circuit Court from 1980 to 1986, and as the first Black judge on the Missouri Court of Appeals, Western District, from 1986 to 1991.<sup>629</sup>

According to Congressman Emanuel Cleaver, U.S. Representative for Missouri's 5th District and long-time friend of Judge Gaitan, "when a person grows up as did Judge Gaitan, it is easy to understand his commitment to justice for everyone with an almost religious obsession to administer it equally."<sup>630</sup>

Throughout his career, Judge Gaitan "has served various organizations, sat on a multitude of boards, and earned [numerous honors and] awards for his service to the community."<sup>631</sup> He is proud of his long-time participation in Just The Beginning Foundation, a not-for-profit organization of judges and lawyers "dedicated to developing educational programs to inspire and foster careers in the law among students of color and from other underrepresented groups, from middle school through law school."<sup>632</sup>

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(on file with author).

625. Grace Colato & Ben Stueve, *Hon. Fernando J. Gaitan, Jr.*, FED. LAW. (2020), [https://www.fedbar.org/wp-content/uploads/2020/03/TFL\\_Jan-Feb2020-Hon.Gaitan.pdf](https://www.fedbar.org/wp-content/uploads/2020/03/TFL_Jan-Feb2020-Hon.Gaitan.pdf) [<https://perma.cc/5Y2C-XWB6>]; James W. Tippin, *A Father's Historical Perspective: The Pillars Beneath My Daughter*, 72 J. MO. B. 238 (2016).

626. *Senior Judge Fernando J. Gaitan, Jr.*, *supra* note 624.

627. *Id.*

628. *Id.* Judge Gaitan was perhaps the first Black to be in-house counsel for a major Kansas City-based company. E-mail from Hon. Fernando J. Gaitan, Jr., Senior U.S. District Judge, U.S. District Court for the Western District of Missouri, to author (Aug. 3, 2020) (on file with author).

629. *Senior Judge Fernando J. Gaitan, Jr.*, *supra* note 624.

630. Colato & Stueve, *supra* note 625.

631. *Id.*

632. *Our History*, JUST THE BEGINNING, <https://jtb.org/history/> [<https://perma.cc/F563-WMVC>] (last visited Oct. 21, 2020). "Through this organization, I was able to spend time with the likes of Judges Constance Baker Motley, Nathaniel Jones, James Parson, Damon Keith, A. Leon Higginbotham, Jr., and many others who started out as civil rights activist." E-mail from Hon. Fernando J. Gaitan, Jr., Senior U.S. District Judge, U.S. District Court for the Western District of Missouri, to author (Aug. 3, 2020) (on file with author).

## 6. Michael B. Calvin

Born in Nashville in 1951 and raised in St. Louis by his father, a pediatric psychiatrist, and mother, a special education teacher, Michael B. Calvin graduated from Beaumont High School, Monmouth College, and Saint Louis University School of Law.<sup>633</sup> Calvin began his legal career working with Frankie Muse Freeman, a Black civil rights attorney and the first woman to be appointed to the United States Commission on Civil Rights. According to Freeman, Calvin “was very efficient . . . [they] worked well together, and [she] was especially proud when he became a judge.”<sup>634</sup> Calvin spent three years in private practice before becoming an Associate Circuit Judge in the City of St. Louis in 1979 at age 28. He became a Circuit Judge in 1988, Presiding Judge from 1999 to 2000, and retired in 2008. “Judge Calvin’s cases ranged from murders that carried the death penalty to multi-million-dollar liability cases.”<sup>635</sup> After retiring from the bench, Judge Calvin worked of counsel to Spencer Fane Britt & Browne, focusing on mediation and arbitration.<sup>636</sup> He died in 2014 at age 63.

## 7. Charles A. Shaw

Charles A. Shaw lived a lifetime of public service, including service on both the state and federal benches.<sup>637</sup> A product of the Ville neighborhood in St. Louis, Shaw earned his J.D. at Catholic University in Washington, D.C. He began his legal career at the National Labor Relations Board before joining the St. Louis firm of Lashly & Baer.<sup>638</sup> After four years in private practice, Shaw worked as an Assistant United States Attorney for the Eastern District of Missouri from 1980 to 1987.<sup>639</sup> He then became a state court judge in 1987 and spent the rest of his career in public service.

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633. Gloria S. Ross, *Michael B. Calvin: Judge Had The Gift Of Persuasion; A Reputation For Fairness*, ST. LOUIS PUBLIC RADIO, (Dec. 2, 2014, 11:33 AM), <https://news.stlpublicradio.org/government-politics-issues/2014-12-02/michael-b-calvin-judge-had-the-gift-of-persuasion-a-reputation-for-fairness> [<https://perma.cc/L7E6-A3WW>].

634. *Id.*

635. *Id.*

636. *Id.*

637. Interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

638. Robert Patrick, *Charles A. Shaw, longtime federal judge in St. Louis, dies at 75*, ST. LOUIS POST-DISPATCH (Apr. 14, 2020), [https://www.stltoday.com/news/local/crime-and-courts/charles-a-shaw-longtime-federal-judge-in-st-louis-dies-at-75/article\\_ee4bfcab-d82c-5792-9e29-1e67f02e80fe.html](https://www.stltoday.com/news/local/crime-and-courts/charles-a-shaw-longtime-federal-judge-in-st-louis-dies-at-75/article_ee4bfcab-d82c-5792-9e29-1e67f02e80fe.html) [<https://perma.cc/MEM6-EAMP>].

639. *Id.*

Respected by both sides of the aisle, Shaw was appointed to the state bench by Governor John Ashcroft, a Republican, in 1987.<sup>640</sup> Four years later, when he was recommended by Congressman William “Bill” Clay, a Democrat, President Bill Clinton appointed him to the United States District Court for the Eastern District of Missouri.<sup>641</sup> His nomination was supported by Senators John Danforth and Christopher Bond, both Republicans.<sup>642</sup>

During his 27 years on the bench, Judge Shaw was known for tackling difficult issues.<sup>643</sup> He was outraged by mandatory minimums requiring harsher sentences for crack cocaine than powder cocaine and disturbed by a system that returned young men to the streets where they would often reoffend.<sup>644</sup> Judge Shaw passed away in 2020.<sup>645</sup>

### 8. Booker T. Shaw

A St. Louis native, Booker T. Shaw said his brother, the Honorable Charles A. Shaw, is his legal hero, and he never would have gone to law school without his encouragement.<sup>646</sup> Now a partner at Thompson Coburn, Judge Shaw served on the Missouri Court of Appeals, Eastern District, for seven years, including one year as Chief Judge.<sup>647</sup> “While on the appellate bench, he participated in more than 1000 cases and authored 141 appellate opinions,” including as a Special Judge of the Supreme Court of Missouri.<sup>648</sup> As a Circuit Judge in the City of St. Louis, from 1983 until 2002, Judge Shaw presided over more than 500 trials.<sup>649</sup> Before his judgeships, Shaw worked at

640. *Id.*; interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

641. Patrick, *supra* note 638; interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

642. Patrick, *supra* note 638; interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

643. Patrick, *supra* note 638.

644. *Id.*; interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

645. Patrick, *supra* note 638; interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

646. Interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020); *Booker T. Shaw*, MO. LAWS. MEDIA (Oct. 6, 2015), <https://molawyersmedia.com/2015/10/06/booker-t-shaw/> [https://perma.cc/2YDY-DJJK].

647. Interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

648. *Booker Shaw*, THOMPSON COBURN LLP, <https://www.thompsoncoburn.com/people/booker-shaw> [https://perma.cc/UY6C-9KAT] (last visited Oct. 22, 2020).

649. Alvin A. Reid, *Booker Shaw’s new chapter of justice takes him from appellate bench to Thompson Coburn*, ST. LOUIS AM. (Feb. 12, 2009), [http://www.stlamerican.com/news/local\\_news/booker-shaw-s-new-chapter-of-justice-takes-him-from/article\\_6e08a4d8-48e0-5f80-ab1a-c3710d8fce83.html](http://www.stlamerican.com/news/local_news/booker-shaw-s-new-chapter-of-justice-takes-him-from/article_6e08a4d8-48e0-5f80-ab1a-c3710d8fce83.html); see also THOMPSON COBURN LLP, *supra* note 648.

the U.S. Department of Justice, the Federal Trade Commission, and the St. Louis Circuit Attorney's Office, "where he prosecuted over fifty jury trials." Shaw earned a B.A. from Southern Illinois University-Carbondale in 1973 and J.D. from Catholic University of America in 1976.<sup>650</sup>

### 9. Evelyn Marie Baker

In 1983, Judge Evelyn Marie Baker became Missouri's first Black woman circuit court judge.<sup>651</sup> She "was the third woman, and the second Black, to be a judge in Saint Louis."<sup>652</sup> A 1973 graduate of Saint Louis University School of Law, Baker's career included work with the National Labor Relations Board, the St. Louis City Circuit Attorney's Office, and the U.S. Attorney's Office.<sup>653</sup> Judge Baker retired in 2008 but recently made national headlines for calling for reevaluation of the case of Bobby Bostic.<sup>654</sup> In 1997, she sentenced Bostic to 241 years in prison with a mandatory parole hearing in 2201 "for his role in two armed robberies he committed when he was just 16 years old."<sup>655</sup> Although Bostic killed no one, he was effectively, albeit not technically, handed a life sentence without the possibility of parole.<sup>656</sup> Judge Baker, however, has fervently advocated for Bostic after the 2010 U.S. Supreme Court decision of *Graham v. Florida*, a case in which the Court found that a non-homicidal conviction leading to a life sentence without parole for a juvenile violates the Eight Amendment.<sup>657</sup> In a 2018 interview

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650. Reid, *supra* note 649; interview with Hon. Booker T. Shaw (ret.), Partner, Thompson Coburn (Aug. 1, 2020).

651. JESSIE CARNEY SMITH, *BLACK FIRSTS: 4,000 GROUND-BREAKING AND PIONEERING HISTORICAL EVENTS* 253 (2d ed. 2003). Baker was appointed to the 22nd Circuit under a 1983 Missouri Plan Appointment. *Report of the Missouri Task Force on Gender and Justice*, 58 MO. L. REV. 485, 682 (1993).

652. SMITH, *supra* note 651, at 252.

653. Karen Tokarz, *Women Judges and Merit Selection Under the Missouri Plan*, 64 WASH. U.L.Q. 903, 925 (1986); St. Louis U. Sch. L., *Women of the Seventies*, SAINT LOUIS BRIEF, Fall 2004, at 19, [https://issuu.com/slulaw/docs/volume\\_6\\_issue\\_1](https://issuu.com/slulaw/docs/volume_6_issue_1) [<https://perma.cc/EJ42-XXLW>].

654. Danny Wicentowski, *St. Louis Judge Who Sentenced Teen to 241 Years Now Asks for His Freedom*, RIVERFRONT TIMES (Feb. 12, 2018, 12:32 PM), <https://www.riverfronttimes.com/newsblog/2018/02/12/st-louis-judge-who-sentenced-teen-to-241-years-now-wants-to-free-him>; see Evelyn Baker, *I sentenced a teen to die in prison. I regret it.*, THE WASH. POST (Feb. 13, 2018 1:31 PM), [https://www.washingtonpost.com/opinions/i-sentenced-a-teen-to-die-in-prison-i-regret-it/2018/02/13/20e731ba-103a-11e8-8ea1-c1d91fcc3fe\\_story.html](https://www.washingtonpost.com/opinions/i-sentenced-a-teen-to-die-in-prison-i-regret-it/2018/02/13/20e731ba-103a-11e8-8ea1-c1d91fcc3fe_story.html) [<https://perma.cc/D9VG-BGUY>]. Baker noted, "I am now retired, and I deeply regret what I did. Scientists have discovered so much about brain development in the more than 20 years since I sentenced Bostic . . . Kids his age are unable to assess risks and consequences like an adult would." *Id.*

655. Baker, *supra* note 654.

656. *Id.*

657. *Graham v. Florida*, 560 U.S. 48, 74–75 (2010) (holding that children convicted of nonhomicide offenses cannot be sentenced to life without parole and

with NPR, she called for the Supreme Court to overrule her decision, positively referencing “a series of articles about Bobby” discussing his reform while in the Department of Corrections, noting “that’s not the little kid I sentenced.”<sup>658</sup>

### 10. Carol Jackson

In 1992, Carol E. Jackson became the first Black woman U.S. District Judge in the Eastern District of Missouri.<sup>659</sup> She later became the first Black Chief Judge for U.S. District Court for the Eastern District of Missouri, serving in that role from 2002 to 2009.<sup>660</sup> Judge Jackson also holds the distinction of being the first Black U.S. Magistrate Judge in the Eastern District of Missouri.<sup>661</sup> Jackson completed her education at Wellesley College and the University of Michigan Law School.<sup>662</sup> Before the bench, she practiced law with Thompson Mitchell and Mallinckrodt, Inc.<sup>663</sup> “Judge Jackson was . . . a trailblazer for the Court’s treatment-court programs. In 2008, she helped found the Court’s intensive drug treatment program for

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must have a “realistic” and “meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation”). In prison, Bostic “obtained his G.E.D. and a paralegal diploma, took a victim advocate course, and completed a course in non-profit management and grantsmanship. He’s written four non-fiction books and 8 books of poetry.” Mike Lear, *Judge who sentenced man to 241 years meets with lawmakers seeking his clemency*, MO. TIMES (May 3, 2019), <https://themissouritimes.com/judge-who-sentenced-man-to-241-years-meets-with-lawmakers-seeking-his-clemency/> [<https://perma.cc/QG9C-8C8R>].

658. *She Sentenced A Teen To 241 Years In Prison. Now She Wants Her Decision Overturned*, NPR (Feb. 17, 2018), <https://www.npr.org/2018/02/17/586575834/she-sentenced-a-teen-to-241-years-in-prison-now-she-wants-her-decision-overturne> [<https://perma.cc/66FL-ZPX9>].

659. *Retirement of United States District Judge Carol E. Jackson*, U.S. DIST. CT. E. DIST. MO. (Aug. 16, 2017), <https://www.moed.uscourts.gov/news/2017/retirement-united-states-district-judge-carol-e-jackson> [<https://perma.cc/M4S3-4TJX>]. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020). The first Black U.S. Magistrate Judge in the Western District of Missouri was the author (2017-present).

660. *Retirement of United States District Judge Carol E. Jackson*, *supra* note 659. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

661. *Retirement of United States District Judge Carol E. Jackson*, *supra* note 659. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

662. *Retirement of United States District Judge Carol E. Jackson*, *supra* note 659. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

663. *Retirement of United States District Judge Carol E. Jackson*, *supra* note 659. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

offenders under supervision, presiding over the program until 2014.”<sup>664</sup> Chief Judge Rodney W. Sippel, reflecting on Jackson’s retirement, remarked, “Judge Jackson has been a model of civility, professionalism, and service to all of us on this Court, and her tenure as Chief Judge set a tone of collegiality within the Court that we still strive to meet today.”<sup>665</sup>

## 11. Jon R. Gray

Jon R. Gray assumed judicial office in 1987 as a Circuit Judge on the Jackson County Circuit Court in Kansas City.<sup>666</sup> Judge Gray retired from the bench after 20 years of service in 2007, joining Shook, Hardy & Bacon, LLP as a partner in its Kansas City office.<sup>667</sup> Born in 1951 in Little Rock, Arkansas, Gray completed his education at Grinnell College in 1973 and the University of Missouri-Kansas City School of Law in 1976.<sup>668</sup> Before his judgeship, Gray served as an Assistant Jackson County Counselor, solo practitioner, principal and partner in the law firm of Gray Payne & Roque, member of the Kansas City Human Relations Commission, Chair of the

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664. *Retirement of United States District Judge Carol E. Jackson, supra* note 659. Interview with Hon. Carol E. Jackson (ret.), former United States District Judge, Eastern District of Missouri (Sept. 27, 2020).

665. *Retirement of United States District Judge Carol E. Jackson, supra* note 659.

666. *Diverse Paths of Leadership and Innovation: Jon Gray ‘73*, GRINNELL COLL. (Jan. 11, 2018), <https://www.grinnell.edu/news/diverse-paths-leadership-and-innovation-jon-gray-73> [<https://perma.cc/8CLH-YUDM>]. Interview with Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon (Sept. 26, 2020).

667. *The Honorable Jon R. Gray*, THE HISTORYMAKERS (Nov. 6, 2019), <https://www.thehistorymakers.org/biography/honorable-jon-r-gray> [<https://perma.cc/C7JF-T699>]. Interview with Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon (Sept. 26, 2020).

668. *The Honorable Jon R. Gray, supra* note 667. Interview with Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon (Sept. 26, 2020).

The class that entered with me was the largest class of Black students ever admitted to UMKC School of Law and I believe that there has never been a class of our size since then. I will attempt to name all of the students, all of the Black students that entered with me: Clinton Adams; Leonard Hughes, III; Lourdes Coleman; Edward Newsome Carol Coe; Mary Shepherd; Ron Finley; Elaine French; Bruce Lemmie; Johnny Nixon and me. By the time we graduated, two of that number had left the law school but we gained two who had started earlier and graduated with us. Those additional two were Sammie Jean Edwards and Kit Carson Roque, Jr.

E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author). Leonard Hughes, III, like Michael Calvin, was elected magistrate in 1978. Magistrates became Associate Circuit Judges by operation of law on January 1, 1979. E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (Sept. 29, 2020) (on file with author).

Liquor Control Board of Review of Kansas City, and Democratic Attorney for the Board of Election Commissioners of Kansas City.<sup>669</sup>

Gray also served on the board of several organizations, including the Spofford Home for Children, the Kansas City Neighborhood Alliance, the Urban League of Greater Kansas City, and many more.<sup>670</sup> The recipient of multiple awards and honors, Gray, “[a]s a trusted adviser . . . has served on numerous committees and task forces aimed at the improvement of the law and has advocated for equal treatment under law for all persons.”<sup>671</sup> Legal Aid of Western Missouri recognized Judge Gray with the 2004 Honorable H. Michael Coburn Community Service Award.<sup>672</sup> The Missouri Bar Foundation honored him with the 2014 Spurgeon Smithson Award recognizing “significant contributions to the administration of justice.”<sup>673</sup> The National Bar Association Judicial Council presented him the Raymond Pace Alexander Award in 2018.<sup>674</sup> He also won the *Missouri Lawyers Weekly*’s Icon Award in 2018.<sup>675</sup> A life member of the University of Missouri-Kansas City Alumni Association and the NAACP, Gray also is involved deeply in church and ecumenical affairs, once serving “an eight-year term as a member of the Judicial Council of the United Methodist Church, during which time he sat as a member of the Church’s final arbiter of Church Law.”<sup>676</sup>

## 12. Sandra Farragut-Hemphill

In 1991, Judge Sandra Farragut-Hemphill became the first Black judge on the St. Louis County Circuit Court, first serving as an Associate Circuit Judge.<sup>677</sup> After 23 years at the associate level, Governor Jay Nixon elevated

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669. *Diverse Paths of Leadership and Innovation: Jon Gray ‘73*, *supra* note 666. The Assistant Jackson County Counsel helps “with the administration of the duties of the County Counselor’s Office, including all aspects of direct legal counsel, mental health, assessment litigation, claims litigation, legislative counsel and delinquent tax enforcement.” *County Counselor*, JACKSON CNTY, MO., <https://jacksongov.org/373/County-Counselor> [<https://perma.cc/7HBG-LAL8>] (last visited Sept. 23, 2020).

670. *Diverse Paths of Leadership and Innovation: Jon Gray ‘73*, *supra* note 666.

671. *Id.*

672. Interview with Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon (Sept. 26, 2020).

673. E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author).

674. Interview with Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon (Sept. 26, 2020).

675. *Id.*

676. *Diverse Paths of Leadership and Innovation: Jon Gray ‘73*, *supra* note 666. Interview with Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon (Sept. 26, 2020).

677. Stephanie Maniscalco, *Sandra Farragut-Hemphill Circuit Judge*, *St. Louis County, Mo. Laws. Media* (June 1, 2018),

her to Circuit Judge in 2014.<sup>678</sup> Hemphill is a graduate of Spelman College and the University of Florida School of Law.<sup>679</sup> From 1979 to 1981, she worked at the Jacksonville Legal Aid Society.<sup>680</sup> In 1982, Hemphill moved from Jacksonville to St. Louis, gained admission to the Missouri bar, and worked at Bell, Harris, Kirksey & Thomas.<sup>681</sup> She was a staff attorney at Legal Services of Eastern Missouri from 1983 through 1986, then an Assistant County Counselor for St. Louis County from 1986 until 1988.<sup>682</sup> From 1988 until her appointment to the bench, she was a partner in the law firm Cahill, White & Hemphill.<sup>683</sup> Judge Hemphill has taught as an adjunct professor of law at the law schools of both Saint Louis University and Washington University.<sup>684</sup> She “was an active member of the Missouri judiciary and served on various state and local court committees. In 1998, she was elected the first Black president of the Missouri Association of Probate and Associate Circuit Judges.”<sup>685</sup>

#### 14. Kit Carson Roque, Jr.

Kit Carson Roque, Jr. was appointed to the Kansas City Municipal Division, 16th Judicial Circuit, in March 1992.<sup>686</sup> He previously practiced law in the firm of Payne & Roque.<sup>687</sup> A Black graduate of the University of Missouri-Kansas City School of Law, Roque left a “legacy of community activism and dedication to civil rights and child advocacy issues [that] led to the posthumous creation in 1998 of an annual scholarship in his name.”<sup>688</sup> Indeed, the Jackson County Bar Association’s Judge Kit Carson Roque, Jr.

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<https://molawyersmedia.com/2018/06/01/sandra-farragut-hemphill-circuit-judge-st-louis-county/> [<https://perma.cc/NR8U-6JVM>].

678. *Id.*

679. *Id.*

680. *Sandra Farragut-Hemphill, YOUR MO. JUDGES*, <http://www.yourmissourijudges.org/judges/sandra-farragut-hemphill/> [<https://perma.cc/WB7C-MNEH>] (last visited Oct. 24, 2020).

681. *Id.* The named partners of Bell, Harris, Kirksey & Thomas, an African American law firm, were James Bell, Allen Harris, Charles Kirksey, and Henry Thomas. E-mail from Pamela J. Meanes, Partner, Thompson Coburn, to author (Aug. 18, 2020) (on file with author).

682. *Sandra Farragut-Hemphill, supra* note 680.

683. E-mail from Pamela J. Meanes, Partner, Thompson Coburn, to author (Aug. 18, 2020) (on file with author). The named partners of the firm were Clyde Cahill, Ronnie White, and Sandra Farragut-Hemphill. Cahill practiced criminal law, Hemphill civil law, and White a mixture of criminal and civil. *Id.*

684. Maniscalco, *supra* note 677.

685. *Id.*

686. *Res. No. 920309, COUNCIL OF K.C., MO.,* (Mar. 26, 1992), <http://cityclerk.kcmo.org/LiveWeb/Documents/Document.aspx?q=mG%2BWzRX%2F%2FTiarmUzDbEUI%2FdfQquojk31xorqm4fOeeA8OOeaLhhSzLzcXk32zbS3RT71Q4eZS5x%2FxICW1pMQ4Q%3D%3D> [<https://perma.cc/XGH2-25TD>].

687. Arlynn Leiber Presser, *Broken Dreams*, A.B.A.J., May 1991, at 60, 64.

688. Teitelman, *supra* note 131.



Scholarship serves to honor a “dedicated civil rights leader, community activist, and child advocate.”<sup>689</sup>

### 15. Clifford M. Spottsville

In 1961, Clifford M. Spottsville became the first Black appointed an Assistant United States Attorney in the Western District of Missouri.<sup>690</sup> Six years later, he became an Assistant Jackson County Prosecutor and the first Black assigned First Assistant in that office.<sup>691</sup> In 1970, he was selected as a judge for the Kansas City Municipal Court.<sup>692</sup> He served as a Municipal Judge until 1977 but continued to practice law and serve the community.<sup>693</sup> Raised in Ottawa, Kansas, he graduated from the University of Kansas and Howard University School of Law.<sup>694</sup> Judge Spottsville died a tragic and untimely death on December 1, 1993.<sup>695</sup>

### 16. Mildred L. Watson

In 1984, Commissioner Mildred L. Watson, an African American, was appointed as the first woman commissioner of the juvenile division of the Jackson County Circuit Court.<sup>696</sup> With that appointment, she became the first Black woman judicial officer in Jackson County and also the first woman of

689. *Scholarship Award Recipients*, JACKSON COUNTY BAR ASSOCIATION, <https://www.jacksoncountybar.com/scholarship-award-recipients/> [<https://perma.cc/ZC4T-G65S>]; 2L *Brionna Pratt Selected for JCBA Judge Kit Carson Roque, Jr. Scholarship*, U. Mo. Sch. L. (Nov. 6, 2019), <https://law.missouri.edu/news/2l-brionna-pratt-selected-for-jcba-judge-kit-carson-roque-jr-scholarship/> [<https://perma.cc/LE48-MTGH>].

690. Interview with John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P. (Oct. 9, 2019); Letter from James W. Tippin, Partner, James W. Tippin & Assocs., to author (July 13, 2020) (on file with author); *Monument to Freedom, Justice & Courage 2018 Honorees*, JACKSON COUNTY, MO - OFFICIAL SITE, <https://www.jacksongov.org/1068/Monument-Honorees> [<https://perma.cc/4B6F-LDBE>] (last visited July 8, 2020).

691. *Monument to Freedom, Justice & Courage 2018 Honorees*, *supra* note 690.

692. Interview with Hon. Lisa White Hardwick, Judge, Mo. Ct. App., W. Dist. (Oct. 15, 2019).

693. Interview with John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P. (Oct. 9, 2019); *Res. No. 931449*, COUNCIL OF K.C., MO., (Dec. 1, 1993), <http://cityclerk.kcmo.org/LiveWeb/Documents/Document.aspx?q=Sp0pmAt12ycjlamuwsNFJbSi4Wn4NuVsb0sBDOvW%2bEy42%2fJGphHbtpFm%2bZILeWiHXZKJPVQlmoZSiPkZCQLhjuw%3d%3d> [<https://perma.cc/RR3U-SVUG>].

694. *Id.*

695. *Id.*

696. E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (Aug. 2, 2020) (on file with author).

any race to hold a judicial position in Jackson County.<sup>697</sup> Previously, she devoted 13 years to the University of Kansas as an assistant professor and later as an associate professor of social work from 1963 to 1976.<sup>698</sup> She earned a B.S. in 1942 and M.A. in 1954 from Lincoln University and a J.D. from the University of Missouri-Kansas City in 1974.<sup>699</sup> She died in 2005.<sup>700</sup>

### 17. Deborah A. Neal

Deborah A. Neal became the first African American woman on the Kansas City bench when appointed as judge on Municipal Court in 1996.<sup>701</sup> She completed her education at Ohio State University and the University of Missouri-Kansas City School of Law.<sup>702</sup> On November 3, 2004, she resigned as Municipal Judge.<sup>703</sup> During Judge Neal's time on the bench, she was involved in a fraud scheme that included lawyers in cases where she was presiding.<sup>704</sup> In 2005, a federal judge sentenced her to 28-months' imprisonment after she pleaded guilty to mail fraud.<sup>705</sup> After prison, Judge

697. *Id.* In October 1984, Edith Messina, a White female, became the first woman on the Jackson County Circuit Court and the first woman in Jackson County to have the title of judge. E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (Aug. 11, 2020) (on file with author).

698. E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (July 10, 2020) (on file with author).

699. E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., and Sean D. O'Brien, Professor, University of Missouri-Kansas City School of Law, to author (Aug. 12, 2020) (on file with author).

700. E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (July 10, 2020) (on file with author); '*MOTHER OF YOUTH COURT*' DIES, KAN. CITY. PUB. LIBR. (July 4, 2005), <https://kchistory.org/islandora/object/kchistory%3A69797> [<https://perma.cc/94EP-NWLE>].

701. Associated Press, *Recovering Gambler, Former Judge Named to Oversight Panel for Problem Gambling*, THE COLUMBIA MISSOURIAN (Dec. 9, 2008), [https://www.columbiamissourian.com/news/state\\_news/recovering-gambler-former-judge-named-to-oversight-panel-for-problem-gambling/article\\_3e333190-2e3d-553e-a9fd-cc4bdc7cbaec.html](https://www.columbiamissourian.com/news/state_news/recovering-gambler-former-judge-named-to-oversight-panel-for-problem-gambling/article_3e333190-2e3d-553e-a9fd-cc4bdc7cbaec.html) [<https://perma.cc/3FMZ-4ULL>].

702. *Id.*

703. *Former KC Judge Gets 28 Months for Fraud*, KAN. CITY BUS. J. (Sep. 30, 2005), <https://www.bizjournals.com/kansascity/stories/2005/09/26/daily53.html> [<https://perma.cc/BU7Z-FYN8>].

704. *Id.*

705. *Id.* Neal "admitted to receiving more than \$28,000 in loans from lawyers and a bonding company involved in cases over which she presided. Neal solicited about \$30,000 in such loans, received about \$28,000 in loans and repaid less than \$10,000." *Id.* U.S. District Judge Howard Sachs sentenced Neal to a prison term of 28 months, thereby exceeding the federal guideline range of 18 months "to send a message that the court won't tolerate such behavior from a judge." *Id.* Neal was disbarred by the Supreme Court of Missouri in March 2006. *Neal, Deborah A. – Disbarment*, SUP. CT. MO. EN BANC (Mar. 8, 2006), <https://www.courts.mo.gov/page.jsp?id=33161>.

Neal was named a voting member to the Missouri Alliance to Curb Problem Gambling, a Missouri oversight panel for troublesome gambling.<sup>706</sup>

### 18. Nannette A. Baker

Nannette A. Baker is a U.S. Magistrate Judge, and former Chief Magistrate Judge, for the United States District Court for the Eastern District of Missouri.<sup>707</sup> Appointed to the federal court in 2011, she previously was a judge on the Missouri Court of Appeals and named the first Black woman Chief Judge of that court in 2008.<sup>708</sup> In 1999, she became a Circuit Judge for the City of St. Louis.<sup>709</sup>

Born in Tuscaloosa, Alabama, Baker completed her education at the University of Tennessee, Knoxville and Saint Louis University School of Law, serving as a law clerk for a Memphis federal judge after graduation.<sup>710</sup> She then worked as a defense lawyer in St. Louis with Lashly & Baer and later with Schlichter Bogard & Denton, “where she represented railroad workers who had suffered on-the-job injuries.”<sup>711</sup> Judge Baker is the recipient of numerous accolades and is an active member of her community, having served as board member of many community organizations.<sup>712</sup> She “authored several articles in the St. Louis Lawyer magazine focusing on affirmative action as well as on the hiring and retention of minority attorneys [at] major area law firms.”<sup>713</sup> Judge Baker, while serving as editor of *The Judges’ Journal*, contributed to publications focusing on mental health courts and bail reform.<sup>714</sup>

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706. Associated Press, *supra* note 701. Alliance chairman Michael Winter noted a “void on the board of those who were in recovery.” *Id.*

707. *Nannette A. Baker*, U.S. DIST. CT. E. DIST. MO., <https://www.moed.uscourts.gov/judge/nannette-baker> [https://perma.cc/6VW6-E5TR] (last visited July 6, 2020). Judge Baker also presides over the Janis C. Good Mental Health Court. *Nannette Baker*, A.B.A., <https://connect.americanbar.org/network/members/profile?UserKey=886f67d8-57ce-4114-8e00-2533bb8cb731> [https://perma.cc/KUU3-V6SQ] (last visited July 6, 2020).

708. *Nannette A. Baker ('78): 2016 Alumni Professional Achievement Award Winner*, U. TENN., KNOXVILLE, [https://alumni.utk.edu/s/1341/alumni/interior\\_alumni.aspx?sid=1341&gid=2&pgid=8416](https://alumni.utk.edu/s/1341/alumni/interior_alumni.aspx?sid=1341&gid=2&pgid=8416) [https://perma.cc/CRB9-RTVM] (last visited July 6, 2020).

709. *Id.*

710. *Id.* (noting that after graduating from “UT’s College of Communication and Information in 1978 [Baker] spent more than a decade as a television news reporter, anchor, and talk show host in Knoxville, Memphis, and St. Louis”).

711. *Id.*

712. *See Nannette A Baker*, A.B.A., <https://connect.americanbar.org/network/members/profile?UserKey=886f67d8-57ce-4114-8e00-2533bb8cb731> [https://perma.cc/L9JJ-RYMW] (last visited July 6, 2020).

713. *Id.*

714. *Id.*

## 19. Lisa White Hardwick

Judge Lisa White Hardwick became a Circuit Judge in Jackson County in January 2000.<sup>715</sup> In 2001, she was appointed to the Missouri Court of Appeals for the Western District of Missouri, serving as Chief Judge from 2010 to 2012.<sup>716</sup> She was the first Black woman to sit on any district of the Missouri Court of Appeals.<sup>717</sup>

Hardwick earned a journalism degree at the University of Missouri and a law degree from Harvard Law School.<sup>718</sup> After law school, she entered private practice with Akin Gump in Washington, D.C., working with civil rights icon Vernon Jordan. She returned home about a year later, joining the law firm of Shook, Hardy & Bacon and serving as a partner in the firm from 1992 to 1999.<sup>719</sup> As discussed, Hardwick was the first Black lawyer ever hired by Shook, Hardy & Bacon.

From 1993 to 2000, while a partner at Shook, she was elected to the Jackson County Legislature.<sup>720</sup> Hardwick has been a finalist for two vacancies on the Supreme Court of Missouri. Asked in 2017 why she wanted to be appointed, she replied that “It’s the nature of the work I love – it’s the decision-making piece of it [and] it’s my understanding that the constitutional role of the court is to apply the law not about making the law.”<sup>721</sup> The recipient of several awards and honors, Hardwick has led a distinguished career, marked by contributions to several civic and charitable organizations.<sup>722</sup> She is married to fellow lawyer, Herb Hardwick, founder of the Hardwick Law Firm.

## 20. Thomas H. Newton

Thomas H. Newton has dedicated his career to government service.<sup>723</sup> A graduate of Howard University – both undergraduate and law school –

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<sup>715.</sup> *Judge Lisa White Hardwick*, Mo. CTS., <https://www.courts.mo.gov/page.jsp?id=503> (last visited July 6, 2020).

<sup>716.</sup> *Id.*

<sup>717.</sup> Teitelman, *supra* note 131.

<sup>718.</sup> *Judge Lisa White Hardwick*, *supra* note 715.

<sup>719.</sup> *Id.*

<sup>720.</sup> *Id.*

<sup>721.</sup> Bob Watson, *3 nominated for high court*, NEWS TRIBUNE (Mar. 1, 2017), <https://www.newstribune.com/news/local/story/2017/mar/02/3-nominated-high-court/663772/> [<https://perma.cc/MHY6-F4QF>].

<sup>722.</sup> *Judge Lisa White Hardwick*, *supra* note 715. Judge Hardwick has received the Judge Lewis Clymer Award for Outstanding Service to the Legal Profession, Jackson County Bar Association (2016); Appellate Judicial Excellence Award, Chief Justice of the Supreme Court of Missouri (2016); Judge of the Year, Association of Women Lawyers (2016); and Hon. Joseph Stevens, Jr. Aspire to Excellence Award, Kansas City Metropolitan Bar Association (2017). *Id.*

<sup>723.</sup> *Judge Thomas H. Newton*, Mo. CTS., <https://www.courts.mo.gov/page.jsp?id=511> (last visited July 16, 2020).

Newton began his legal career as an Assistant Prosecuting Attorney in the Jackson County Prosecutor's Office.<sup>724</sup> After three years there, Judge Newton joined the United States Attorney's Office in 1987.<sup>725</sup> In 1993, Governor Mel Carnahan appointed him a Circuit Judge on the Jackson County Circuit Court.<sup>726</sup> Judge Newton spent six years on the circuit court before being elevated by Governor Carnahan to the Missouri Court of Appeals, Western District.<sup>727</sup> Judge Newton served as Chief Judge from 2008 to 2010. He and Judge Nannette A. Baker, then Chief Judge for the Missouri Court of Appeals, Eastern District, made history in 2008 when these two African Americans simultaneously served as chief judges for two of the three districts of the Missouri Court of Appeals.<sup>728</sup>

### 21. Henry Edward Autrey

In 2002, Judge Henry Edward Autrey joined the U.S. District Court for the Eastern District of Missouri.<sup>729</sup> Judge Autrey previously served as a circuit judge on the St. Louis Circuit Court from 1997 to 2002 and as an associate circuit judge from 1986 to 1997.<sup>730</sup> Autrey obtained his undergraduate and law degrees from Saint Louis University in 1974 and 1977.<sup>731</sup> He next served as an Assistant Circuit Attorney in St. Louis from 1977 to 1984, and First Assistant Circuit Attorney from 1984 to 1986.<sup>732</sup> Asked about his background and experiences, Autrey reflected:

I was born in Mobile, Alabama, where my parents were working at a shipyard and struggling to make ends meet. Seeking more job opportunities and a better life, they moved us north to St. Louis, Missouri when I was a baby. The most important thing for my parents was ensuring that I would have access to a quality education. My dad had to leave school in first grade to join his father as a temporary worker throughout the south and my mom left school in her senior year to help take care of her 11 siblings in rural Mississippi.

I do not think I knew how poor we were when I was a child because my parents worked so hard to provide a positive outlook for me. When

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<sup>724</sup> *Id.*

<sup>725</sup> *Id.*

<sup>726</sup> *Id.*

<sup>727</sup> *Id.*

<sup>728</sup> *Missouri Court of Appeals Makes History with Two Black Chief Judges*, MO. CTS. (July 1, 2008), <https://www.courts.mo.gov/page.jsp?id=89955>.

<sup>729</sup> *Henry Autrey*, BALLOTPEDIA, [https://ballotpedia.org/Henry\\_Autrey](https://ballotpedia.org/Henry_Autrey) [<https://perma.cc/V829-CY63>] (last visited July 6, 2020).

<sup>730</sup> *Autrey, Henry Edward*, FED. JUD. CTR., <https://www.fjc.gov/history/judges/autrey-henry-edward> [<https://perma.cc/2LAM-QY26>] (last visited July 6, 2020).

<sup>731</sup> *Id.*

<sup>732</sup> *Id.* (noting that Autrey served as a first assistant circuit attorney from 1984 to 1986).

we could afford to travel back down south (often for a relative's funeral), my eyes were opened to racism, bigotry, hate, and the disparate treatment of minorities in our country. It is those real and sometimes surreal images and words that led me to become a lawyer and a judge. It was always important to me to play a role in making our world better for everybody.

The fact that I am here as a federal judge is a testament to the great significance of diversity in our judicial system. Because of my parents' perseverance and vigilance, I was able to secure the necessary tools to help break down perceived barriers. It is imperative that the face of our courts reflects a mirror image of those looking in and seeking protection of their rights and a just resolution of their disputes.<sup>733</sup>

## 22. Kathy A. Surratt-States

Kathy Surratt-States, now Chief Judge for the United States Bankruptcy Court for the Eastern District of Missouri,<sup>734</sup> became the first Black bankruptcy judge within the Eighth Circuit when appointed in 2003<sup>735</sup> – one of only eight Black bankruptcy judges in the country at the time.<sup>736</sup> Surratt-States completed her education at Oklahoma City University and Washington University School of Law.<sup>737</sup> After law school, she served as a law clerk for U.S. Bankruptcy Judge James J. Barta.<sup>738</sup> Surratt-States practiced in St. Louis at the commercial-litigation firm Campbell & Coyne P.C. until 1998, when she joined Ziercher & Hocker P.C., a mid-sized firm also in St. Louis.<sup>739</sup> She became a partner there in 2000.<sup>740</sup> In 2001, after a merger, Surratt-States “joined the insolvency practice group at Husch [Blackwell], where she focused on corporate clients in bankruptcy and insolvency related matters.”<sup>741</sup>

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733. PRACTICAL LAW LITIGATION, VIEW FROM THE BENCH: US DISTRICT JUDGE HENRY E. AUTRY OF THE EASTERN DISTRICT OF MISSOURI (West Apr. 1, 2020).

734. Interview with Hon. Kathy Surratt-States, Chief Judge, U.S. Bankr. Ct., E.D. Mo. (July 17, 2020).

735. J Jermaine Watson, *Judicial Profile: Hon. Kathy A. Surratt-States*, FED. BAR ASSOC., <https://www.fedbar.org/wp-content/uploads/2019/10/Surratt-StatesAug2010-pdf-3.pdf> [<https://perma.cc/V4MF-R65C>] (last visited July 8, 2020); interview with Hon. Kathy Surratt-States, Chief Judge, U.S. Bankr. Ct., E.D. Mo. (July 17, 2020).

736. Interview with Hon. Kathy Surratt-States, Chief Judge, U.S. Bankr. Ct., E.D. Mo. (July 17, 2020).

737. Watson, *supra* note 735.

738. *Id.*

739. *Id.*

740. Interview with Hon. Kathy Surratt-States, Chief Judge, U.S. Bankr. Ct., E.D. Mo. (July 17, 2020).

741. Watson, *supra* note 735.

Surratt-States's commitment to the St. Louis community has resulted in several major appointments across the region.<sup>742</sup>

### 23. George W. Draper, III

In 2011, George W. Draper, III became Missouri's second Black to serve on the Supreme Court of Missouri, later presiding as Chief Justice for two years.<sup>743</sup> From 2000 to 2006, Judge Draper was a judge on the Missouri Court of Appeals,<sup>744</sup> becoming the first Black Chief Judge there in 2005.<sup>745</sup> Judge Draper is one of two judges in modern history to serve at all levels of Missouri's judiciary, having served also as an associate circuit judge and circuit judge.<sup>746</sup>

Draper's parents came to Missouri in 1949 so Draper's father could teach at Lincoln University's Law School.<sup>747</sup> Later, his father served as chief of the Criminal Division in the Missouri Attorney General's Office in the 1950s,<sup>748</sup> and then as a federal judge in Washington, D.C. Draper completed his education at Morehouse College and Howard University School of Law.<sup>749</sup> Draper served as a law clerk under Judge Shellie Bowers, District of Columbia Superior Court, from 1981 to 1982, and in the Office of Circuit Attorney for the City of St. Louis from 1984 to 1994.<sup>750</sup> Draper's wife, the Honorable Judy P. Draper (ret.), previously served as an Associate Circuit Judge in St. Louis County from 2004 to 2018.<sup>751</sup> The Drapers' daughter, Chelsea W. Draper, serves as Deputy Chief of Staff to the St. Louis County Prosecuting Attorney,

<sup>742</sup>. *See id.*

<sup>743</sup>. Chris King, *Judge George Draper Is Newest Chief Justice Of Missouri*, ST. LOUIS PUB. RADIO (July 1, 2019), <https://news.stlpublicradio.org/post/judge-george-draper-newest-chief-justice-missouri#stream/0> [<https://perma.cc/9ZYE-6SHK>].

<sup>744</sup>. *Chief Justice George W. Draper, III*, MO. CTS., <https://www.courts.mo.gov/page.jsp?id=50536> (last visited July 8, 2020).

<sup>745</sup>. King, *supra* note 743; *Chief Justice George W. Draper, III*, *supra* note 744.

<sup>746</sup>. *Id.*; e-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (Sept. 29, 2020) (on file with author).

<sup>747</sup>. Ashley Byrd, *Chief Justice of the Missouri Supreme Court notes his own historic tenure, court's bicentennial*, MISSOURINET, <https://www.missourinet.com/2020/01/22/chief-justice-of-the-missouri-supreme-court-notes-his-own-historical-tenure-courts-bicentennial-audio-and-text/> [<https://perma.cc/Q498-KFWD>] (last visited July 24, 2020).

<sup>748</sup>. *Id.* Attorney General Tom Eagleton named "George Draper the state's first [B]lack assistant attorney general." JOSHUA M. GLASSER, EIGHTEEN-DAY RUNNING MATE: MCGOVERN, EAGLETON, AND A CAMPAIGN IN CRISIS 60 (2012).

<sup>749</sup>. *Chief Justice George W. Draper, III*, *supra* note 744.

<sup>750</sup>. *Id.* Draper was promoted to team leader in 1990 and first assistant in 1993. King, *supra* note 743.

<sup>751</sup>. *Judy P. Draper*, BALLOTPEDIA, [https://ballotpedia.org/Judy\\_P.\\_Draper](https://ballotpedia.org/Judy_P._Draper) [<https://perma.cc/Z8BC-FAKU>] (last visited July 8, 2020) (noting Judy Draper served as an associate circuit judge for the 21st Circuit Court in Missouri from 2004 to 2018).

previously practicing as an Assistant Attorney General for the State of Missouri. She is a 2009 graduate of Amherst College and 2012 graduate of Washington University School of Law.

#### 24. Jimmie M. Edwards

Jimmie M. Edwards became a circuit judge in the City of St. Louis in 1992.<sup>752</sup> In 2017, he left the bench when St. Louis Mayor Lyda Krewson appointed him Director of Public Safety.<sup>753</sup> In 2021, he joined Lashly & Baer, P.C. Edwards received undergraduate and Juris Doctor degrees from Saint Louis University in 1978 and 1981, respectively.<sup>754</sup> After law school, Edwards worked in private practice, as corporate counsel for Sabreliner Corporation, and as a litigation attorney for Southwestern Bell Telephone Company.<sup>755</sup> A man of humble roots, “Edwards grew up in the infamous Pruitt-Igoe housing complex in north St. Louis,” just blocks from the school he founded in 2009 called the Innovative Concept Academy.<sup>756</sup> A dedicated member of his community through several organizations, Judge Edwards is the recipient of numerous awards and honors, including one of only six people in the country in 2011 honored as a “Hero Among Us” by *People* magazine.<sup>757</sup>

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752. Interview with Judge Jimmie M. Edwards, Director of Public Safety, City of St. Louis (Sept. 26, 2020); *Jimmie Edwards*, BALLOTPEdia, [https://ballotpedia.org/Jimmie\\_Edwards](https://ballotpedia.org/Jimmie_Edwards) [<https://perma.cc/GWZ2-QXWJ>] (last visited July 8, 2020).

753. Interview with Judge Jimmie M. Edwards, Director of Public Safety, City of St. Louis (Sept. 26, 2020); *Jimmie Edwards*, *supra* note 752. “The city’s public safety director oversees more than 3,500 employees and an operating budget of \$340 million. The Public Safety Department is the largest city department and includes the police and fire departments.” Kim Bell & Lisa Brown, *St. Louis mayor picks longtime judge Jimmie Edwards to lead Public Safety Department*, ST. LOUIS POST-DISPATCH (Oct. 14, 2017), [https://www.stltoday.com/news/local/crime-and-courts/st-louis-mayor-picks-longtime-judge-jimmie-edwards-to-lead-public-safety-department/article\\_57719fe4-8037-562b-ade9-1687c4393dfe.html](https://www.stltoday.com/news/local/crime-and-courts/st-louis-mayor-picks-longtime-judge-jimmie-edwards-to-lead-public-safety-department/article_57719fe4-8037-562b-ade9-1687c4393dfe.html) [<https://perma.cc/87LZ-7Y8Y>].

754. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 21, 2020); Laura Geiser, *Judge Jimmie Edwards*, A. JESUIT COLLS. & UNIVS., <https://www.ajcunet.edu/jimmie-edwards/> [<https://perma.cc/J4GK-3A92>] (last visited July 8, 2020); interview with Judge Jimmie M. Edwards, Director of Public Safety, City of St. Louis (Sept. 26, 2020).

755. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 21, 2020); interview with Judge Jimmie M. Edwards, Director of Public Safety, City of St. Louis (Sept. 26, 2020).

756. Geiser, *supra* note 754. “Judge Jimmie Edwards is the founder of the Innovative Concept Academy (ICA), a groundbreaking school in St. Louis, Mo., that acts as a last resort for unruly teens.” *Id.* Having opened in 2009, “[t]he academy serves as a ‘school of last resort’ for at-risk youth and has received a number of national accolades.” Teitelman, *supra* note 131.

757. Geiser, *supra* note 754; interview with Judge Jimmie M. Edwards, Director of Public Safety, City of St. Louis (Sept. 26, 2020).



In 2013, Chief Justice John G. Roberts of the Supreme Court of the United States presented Judge Edwards with the William H. Rehnquist Award for founding the Innovative Concept Academy, a school dedicated to changing the lives of juveniles in the justice system.<sup>758</sup>

## 25. Shirley A. Padmore Mensah

Shirley Padmore Mensah, Chief Magistrate Judge for the U.S. District Court for the Eastern District of Missouri, joined the bench in 2012.<sup>759</sup> A graduate of the University of Pennsylvania and Washington University School of Law, her passion for the law runs deep.<sup>760</sup> “She escaped Liberia with her family when she was 10, and in 1988, she became a naturalized United States citizen.”<sup>761</sup> “Her father, who had been a lawyer and entrepreneur in Liberia, taught her about the role that law plays in society and told her that due to her inquisitiveness she’d make a good lawyer.”<sup>762</sup> During law school, under the minority clerkship program, Mensah joined the St. Louis firm of Husch & Eppenberger (now Husch Blackwell).<sup>763</sup> Mensah worked there for 17 years, making partner, overseeing recruitment efforts, and litigating “in many areas, including construction, general business, and product liability.”<sup>764</sup> Mensah also was an adjunct professor of trial practice and procedure at Washington University School of Law.<sup>765</sup>

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758. *Judge Jimmie Edwards selected as 2013 William H. Rehnquist Award recipient*, ST. LOUIS AM. (Aug. 6, 2013), [http://www.stlamerican.com/news/local\\_news/judge-jimmie-edwards-selected-as-2013-william-h-rehnquist-award-recipient/article\\_aa871b48-feb4-11e2-ae43-0019bb2963f4.html](http://www.stlamerican.com/news/local_news/judge-jimmie-edwards-selected-as-2013-william-h-rehnquist-award-recipient/article_aa871b48-feb4-11e2-ae43-0019bb2963f4.html).

759. *Shirley Padmore Mensah*, U.S. DIST. CT. E. DIST. MO., <https://www.moed.uscourts.gov/judge/shirley-padmore-mensah> [] (last visited July 8, 2020); Rosalind Early, *An Appreciation of the Rule of Law*, WASH. UNIV. ST. LOUIS (July 6, 2018), <https://source.wustl.edu/2018/07/an-appreciation-of-the-rule-of-law/> [<https://perma.cc/BE84-NC64>].

760. Early, *supra* note 759.

761. Teitelman, *supra* note 131. Mensah reflected on the “lawlessness” that gripped Liberia in 1980 as a result of the military coup, resulting in the arrest and subsequent death of her maternal grandfather. Mensah’s uncle, a former government employee, also went missing, while her father was arrested but released after a few days. Early, *supra* note 759.

762. Early, *supra* note 759.

763. *Id.*

764. *Id.*

765. Robert Patrick, *New magistrate judge is chosen*, ST. LOUIS POST-DISPATCH (June 7, 2012), [https://www.stltoday.com/news/local/metro/new-magistrate-judge-is-chosen/article\\_0a98f7ac-b03e-11e1-bf25-001a4bcf6878.html](https://www.stltoday.com/news/local/metro/new-magistrate-judge-is-chosen/article_0a98f7ac-b03e-11e1-bf25-001a4bcf6878.html) [<https://perma.cc/9C3V-3N9X>].

## 26. Jalilah Otto

Jalilah Otto was appointed as a Jackson County Circuit Judge in 2017 by Governor Eric Greitens, after serving as an Associate Circuit Judge from 2014 to 2017.<sup>766</sup> Before judgeships, she was a Chief Trial Assistant for the Jackson County Prosecutor's Office, as well as a Special Assistant United States Attorney. Otto began her legal career in 2002 as a law clerk to Judge Lisa White Hardwick of the Missouri Court of Appeals.<sup>767</sup> In 2005, Otto became an Assistant Prosecuting Attorney in Jackson County, receiving the Louis Lombardo Award for Prosecutor of the Year in 2009.<sup>768</sup> As a Special Assistant United States Attorney, she prosecuted large-scale narcotic and gang cases. In 2013, she rejoined the Jackson County Prosecutor's Office as a Chief Trial Assistant, while maintaining her role with the U.S. Attorney.

A past president of the Jackson County Bar Association, Otto has been Chair of the Criminal Law Committee of the Kansas City Metropolitan Bar Association, and Vice-Chair of the Public Service Committee of the Association of Women Lawyers. A native Kansas Citian, she earned a law degree from the University of Missouri School of Law, and a Bachelor of Arts Degree in communication and political science from Tulane University. She is married to Jon Otto, an associate at Bryan Cave Leighton Paisner.

## 27. The Hughes Family

The Hughes family produced two judges: Leonard S. Hughes, Jr. and Leonard S. Hughes, III. Hughes, Jr. served as a Jackson County Magistrate Judge and Kansas City Municipal Judge.<sup>769</sup> He is “the first African-American to integrate a White law firm,<sup>770</sup> [the] first African-American appointed to the Election Board, and he and his son [Leonard S. Hughes, III] were the first

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766. *Judge Jalilah Otto Biography*, 16<sup>TH</sup> CIR. CT. JACKSON COUNTY, MO., <https://www.16thcircuit.org/biography15-judge-jalilah-otto> [<https://perma.cc/FQ6G-9JPC>] (last visited July 24, 2020).

767. Interview with Hon. Lisa White Hardwick, Judge, Mo. Ct. App., W. Dist. (Oct. 15, 2019).

768. James Dornbrook, *Greitens appoints second Jackson County judge in two months*, KAN. CITY BUS. J. (Oct. 20, 2017), <https://www.bizjournals.com/kansascity/news/2017/10/20/jackson-county-circuit-court-judge-jalilah-otto.html> [<https://perma.cc/4TWR-JMYQ>].

769. Steve Penn, *For Hughes the Prosecutor, Job Fulfillment is What Counts*, KAN. CITY STAR (Sep. 1, 2009), <https://www.pressreader.com/usa/the-kansas-city-star-sunday/20090901/281621006363976> [<https://perma.cc/CXQ9-7Z6W>] (noting that Hughes, Jr. passed away in 1993 due to a car accident).

770. “Leonard Hughes, Jr., the father, one of Freedom Inc.’s founders, was the first Afro American Jackson County [Assistant Prosecuting Attorneys]. Later he shared downtown offices with [Lawrence Gepford, the former Jackson County Prosecutor]. Another first for being downtown and in an interracial office. This was in the early or mid-60s.” Letter from James W. Tippin, Partner, James W. Tippin & Associates, to author (July 13, 2020) (on file with author); *Monument to Freedom, Justice & Courage 2018 Honorees*, *supra* note 690.

African-American father and son judges in Missouri.”<sup>771</sup> Hughes, Jr. also served as an Assistant Jackson County Prosecutor, as did one of his other sons, Stefan Hughes,<sup>772</sup> now an Assistant United States Attorney for the Western District of Missouri. Hughes Jr.’s son, Hughes III served as a judge of the Kansas City Municipal Division, 16th Judicial Circuit.<sup>773</sup> Hughes III previously was a Jackson County Associate Circuit Judge, the youngest person ever to hold that post.<sup>774</sup>

The Hughes family has long been involved in politics. Mamie Hughes, wife of Hughes Jr., previously headed the Black Economic Union, was elected as a charter member of the Jackson County Legislature in 1972, and, in 1978, was one of the 12 initial members of the Central Exchange, a powerful business networking organization for Kansas City women.<sup>775</sup> In 2004, Leonard S. Hughes, IV, of Kansas City, was elected to the Missouri House of Representatives when he was only 25.<sup>776</sup>

## 28. Brian C. Wimes

In 2012, nominated by President Barack Obama, Brian C. Wimes became a U.S. District Judge for the United States District Court for the

771. *Monument to Freedom, Justice & Courage 2018 Honorees*, *supra* note 690.

772. Penn, *supra* note 769 (noting that Stefan Hughes worked as an assistant Jackson County prosecutor for 18 years).

773. Res. No. 950619, COUNCIL OF KAN. CITY, MO., [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwj26Hw\\_77qAhXTWc0KHxDKAHYQFjAEegQIAhAB&url=http%3A%2F%2Fcityclerk.kcmo.org%2FLiveWeb%2FDocuments%2FViewRevisionPDF.aspx%3Fq%3DA%252B04Alvu8TqTn1ygBmfo0EsDDqcUjGH%252FFqdRRFLRjnEmv3zQfhvzLeDZHbCJYeZY5Yywuz8K5JaT9AVVbOOuCi3clXGxc2NZ%252BywtD1DHpqHI9IchlBWwIQ%253D%253D&usg=AOvVaw3J\\_QV2rZi64hPgj5vgKz6-](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwj26Hw_77qAhXTWc0KHxDKAHYQFjAEegQIAhAB&url=http%3A%2F%2Fcityclerk.kcmo.org%2FLiveWeb%2FDocuments%2FViewRevisionPDF.aspx%3Fq%3DA%252B04Alvu8TqTn1ygBmfo0EsDDqcUjGH%252FFqdRRFLRjnEmv3zQfhvzLeDZHbCJYeZY5Yywuz8K5JaT9AVVbOOuCi3clXGxc2NZ%252BywtD1DHpqHI9IchlBWwIQ%253D%253D&usg=AOvVaw3J_QV2rZi64hPgj5vgKz6-) [https://perma.cc/3PBG-W3P5] (last visited July 8, 2020). Hughes, III “was the youngest judge ever elected in Jackson County, Missouri. *Hughes, IV, Leonard “Jonas”, OUR CAMPAIGNS* (Mar. 27, 2018), <https://www.ourcampaigns.com/CandidateDetail.html?CandidateID=73459> [https://perma.cc/5VHB-RDY8].

774. Penn, *supra* note 769. In 2016, the Supreme Court of Missouri issued an indefinite order suspending Hughes, III’s authorization to practice law within Missouri. *Hughes, Leonard S., III – Suspension*, SUP. CT. MO. EN BANC (July 12, 2016), <https://www.courts.mo.gov/page.jsp?id=105073>. Judge Leonard S. Hughes, III was suspended pursuant to Rule 5.23(a), which relates to the procedure where a lawyer is declared incapacitated or disabled or alleged to be incapacitated or disabled. *Id.*

775. Penn, *supra* note 769. E-mail from Stefan Hughes, Assistant U.S. Att’y, U.S. Att’y’s Off., to author (Jan. 28, 2021) (on file with author)

776. *Hughes, IV, Leonard “Jonas”, supra* note 773.

Western and Eastern Districts of Missouri.<sup>777</sup> Judge Wimes was a Circuit Judge in Jackson County from 2007 to 2012.<sup>778</sup>

Originally from Kansas City, Wimes attended Longview Community College (now Metropolitan Community College), University of Kansas, and Texas Southern University, Thurgood Marshall School of Law.<sup>779</sup> From 1994 to 1995, Wimes served as an Attorney Advisor for the Litigation Branch of the Federal Bureau of Prisons.<sup>780</sup> Wimes worked as an assistant prosecutor in Jackson County from 1995 to 2001, then as a Drug Court Commissioner for the Sixteenth Judicial Circuit from 2001 to 2007.<sup>781</sup> Long committed to his community, Judge Wimes “is a former member of the board of directors for Hope House Domestic Violence Shelter, and the Mental Health Association of the Heartland. He also was involved as a Big Brother for four years with Big Brothers/Big Sisters of Greater Kansas City.”<sup>782</sup> Judge Wimes is married to fellow lawyer, Michelle P. Wimes, the Chief Equity & Inclusion Officer for Children’s Mercy.<sup>783</sup>

## 29. Lajuana Counts

Judge Lajuana M. Counts has served as a Magistrate Judge for the United States District Court for the Western District of Missouri since 2018.<sup>784</sup> She is the first Black woman to serve as a judge in the Western District, and was the first Black woman to serve as an Assistant United States Attorney in the Western District.

Counts completed her education at the University of Missouri and University of Missouri-Kansas City School of Law,<sup>785</sup> then clerked for the Honorable Fernando J. Gaitan, Jr. on the Missouri Court of Appeals, Western District.<sup>786</sup> Counts served in various capacities as an Assistant United States Attorney for nearly 30 years, including Appellate Coordinator and Appellate

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777. *Wimes, Brian Curtis*, FED. JUD. CENTER, <https://www.fjc.gov/history/judges/wimes-brian-curtis> [https://perma.cc/X26Y-FTHR] (last visited July 9, 2020).

778. *Id.*

779. *Id.*

780. *Id.*

781. *Id.*

782. *Brian C Wimes*, YOUR MO. JUDGES, <http://www.yourmissourijudges.org/judges/wimes/> [https://perma.cc/2QKL-5X8A] (last visited July 9, 2020).

783. *Children’s Mercy Names Michelle Wimes Chief Equity & Inclusion Officer*, CHILD. MERCY KAN. CITY (Aug. 5, 2020), <https://news.childrensmercy.org/childrens-mercy-names-michelle-wimes—chief-equity—inclusion-officer/>.

784. *Magistrate Judge Lajuana M. Counts*, U.S. CTS. W. DIST. MO., <https://www.mow.uscourts.gov/judges/counts> [https://perma.cc/8A29-F5CL] (last visited July 9, 2020).

785. *Id.*

786. Colato & Stueve, *supra* note 625.

Unit Chief.<sup>787</sup> She handled a variety of white collar and narcotics cases, presenting over 400 cases to the Eighth Circuit.<sup>788</sup> Counts has been an active member and has had leadership roles in several community organizations, including the National Bar Association, the Association for Women Lawyers of Greater Kansas City, the UMKC Women's Council, and the Lawyers Encouraging Academic Performance.<sup>789</sup> She was also Jackson County Bar Association President.<sup>790</sup>

### 30. Noelle Collins

Noelle Collins joined the federal bench as a U.S. Magistrate Judge for the Eastern District of Missouri in 2013, following nearly a decade as a prosecutor.<sup>791</sup> A graduate of Northwestern University Medill School of Journalism, Collins worked for three years as a journalist before graduating from the University of Illinois College of Law in 2001.<sup>792</sup> After a brief stint with what is now Stinson LLP in St. Louis, Collins joined the U.S. Attorney's Office in St. Louis in 2004.<sup>793</sup> Serving as a Special Assistant U.S. Attorney and later as an Assistant U.S. Attorney, Collins specialized in human trafficking cases.<sup>794</sup> Judge Collins is married to fellow attorney, Phillip Boyd, Assistant Superintendent of Human Resource Services for the Ferguson-Florissant School District.<sup>795</sup>

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787. *Lajuana M Counts*, BLOOMBERG, <https://www.bloomberg.com/profile/person/20772551> [https://perma.cc/KHA8-7L37] (last visited July 9, 2020); *Magistrate Judge Lajuana M. Counts*, *supra* note 784.

788. *Speakers' Bios*, U. KAN., [https://kupmc.ku.edu/events/inspiringwomen/2015\\_bios](https://kupmc.ku.edu/events/inspiringwomen/2015_bios) [https://perma.cc/3683-FZ46] (last visited July 9, 2020).

789. *Awards*, UMKC SCH. L., <https://law.umkc.edu/alumni-and-giving/awards.html> [https://perma.cc/76X8-ZVCS] (last visited July 9, 2020).

790. Interview with Judge Lajuana M. Counts on September 24, 2020.

791. Nancy Cambria, *Assistant U.S. Attorney Noelle Collins to be a federal judge*, ST. LOUIS POST-DISPATCH (July 13, 2013), [https://www.stltoday.com/news/local/crime-and-courts/assistant-u-s-attorney-noelle-collins-to-be-a-federal/article\\_e4b18467-002a-51ec-a1b3-b2c0b3555c82.html](https://www.stltoday.com/news/local/crime-and-courts/assistant-u-s-attorney-noelle-collins-to-be-a-federal/article_e4b18467-002a-51ec-a1b3-b2c0b3555c82.html) [https://perma.cc/K39E-HXKP].

792. *Id.*

793. *Id.*

794. *Id.*

795. *District Leadership*, FERGUSON-FLORISSANT SCH. D., <https://www.fergflor.org/domain/74> [https://perma.cc/KLB4-37CU] (last visited Oct. 23, 2020).<sup>4</sup>

## 31. Ardie Bland

Judge Ardie A. Bland, a Kansas City Municipal Court Judge,<sup>796</sup> was appointed in 2008, and served as Presiding Judge in 2012.<sup>797</sup> He is credited with founding the Kansas City Municipal Veterans Treatment Court in 2009.<sup>798</sup> Judge Bland also presides over the Mental Health Court.<sup>799</sup> He is a graduate of Drake University School of Law.<sup>800</sup>

## 32. Kenneth R. Garrett

Governor Jay Nixon appointed Kenneth “Kenny” R. Garrett, III, a Jackson County Circuit Judge in 2013,<sup>801</sup> after previously appointing him as an Associate Circuit Judge in 2010.<sup>802</sup> Garrett earned a B.A. degree in political science, M.A. degree in public administration, and J.D. degree from the University of Missouri-Kansas City.<sup>803</sup> Garrett then served as an Assistant Prosecuting Attorney for Jackson County and as an Assistant Attorney General for the State of Missouri.<sup>804</sup> In 2019, Judge Garrett, with KCMBA, organized a Judicial Portrait Ceremony to celebrate the distinguished service of Judge Gaitan, Judge Newton, Judge Hardwick, and Judge Wimes at the Jackson County Circuit Court.<sup>805</sup> Judge Garrett is married to fellow lawyer, Ashley N. Garrett, who serves as Deputy County Counselor in the Jackson County Counselor’s Office.<sup>806</sup>

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796. *Our Judges*, CITY OF KAN. CITY, MO., <https://www.kcmo.gov/city-hall/departments/municipal-court/about-municipal-court/judges> [https://perma.cc/HST4-9EBE] (last visited July 9, 2020). “The Municipal Court processes 200,000 cases annually.” *The Veterans’ Treatment Court*, JACKSON CTY. L. LIB. (Nov. 13, 2019), [http://jcll.org/wp-content/uploads/Veterans-Treatment-Court\\_111319.pdf](http://jcll.org/wp-content/uploads/Veterans-Treatment-Court_111319.pdf) [https://perma.cc/Q454-CA7U].

797. *The Veterans’ Treatment Court*, JACKSON COUNTY L. LIB. (Nov. 13, 2019), [http://jcll.org/wp-content/uploads/Veterans-Treatment-Court\\_111319.pdf](http://jcll.org/wp-content/uploads/Veterans-Treatment-Court_111319.pdf) [https://perma.cc/Q3GA-E2ZW].

798. *Id.*

799. *Id.*

800. *Id.*

801. *Judge Kenneth R. Garrett III Biography*, 16TH CIR. CT. JACKSON COUNTY, MO., <https://www.16thcircuit.org/biography-division-2> [https://perma.cc/FA6X-7D5B] (last visited July 9, 2020).

802. *Id.*

803. *Id.*

804. *Id.*

805. The event was held on September 12, 2019, at 3:00 PM at KCMBA Event Center. Kans. City Metropolitan B. Ass’n, FACEBOOK (Aug. 8, 2019), <https://www.facebook.com/KansasCityMetropolitanBarAssociation/photos/kcmba-members-please-join-us-for-a-judicial-portrait-ceremony-to-celebrate-hon-f/2661813157163664/> [https://perma.cc/RQT4-DZND].

806. Scott Andera, *WJA 2020: Ashley N. Garrett, Jackson County Counselor’s Office*, MO. LAWS. MEDIA (Aug. 25, 2020), <https://molawyersmedia.com/2020/08/25/wja-2020-ashley-n-garrett/>

### 33. Daniel Thomas Tillman

Daniel T. Tillman, a St. Louis Circuit Judge, was appointed to the bench by Governor Warren Hearnes in 1970.<sup>807</sup> He was raised in North Carolina, never planning to live in St. Louis. He graduated from North Carolina A&T University<sup>808</sup> and Georgetown University Law Center in 1954, in only the second class to accept Blacks.<sup>809</sup> After graduation, he returned to North Carolina, studied for the bar exam, and passed.

When he showed up before the justice of the peace to be sworn in, he said the judge looked him in the eye and said: “What can I do for you, boy?” That’s when Judge Tillman decided he didn’t want to be part of the legal system in North Carolina. A friend suggested St. Louis. He moved here, with no job, place to live or friends. He stayed at the old YMCA for African-Americans on Pine Street and took a job teaching at a business school. On the side, he prepared taxes.<sup>810</sup>

Judge Tillman – an imposing figure at six feet, four inches tall, weighing 250 pounds – was also imposing on the bench. He “once sent a man to prison for 150 years for beating to death a 2-year-old boy he was trying to potty-train.”<sup>811</sup> Judge Tillman served as “a mentor to a countless number of young attorneys, inviting them to chambers to discuss the law and being responsible.”<sup>812</sup> He died in July 2014, at the age of 86.

### 34. Angela Turner Quigless

Angela Turner Quigless has served as a judge on the Missouri Court of Appeals for the Eastern District since 2012, including as Chief Judge in 2014

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[<https://perma.cc/SSM8-VHT3>]. “In her five years with the Jackson County Counselor’s office, Garrett has tried three civil jury trials as first chair, tried several as second chair, successfully handled numerous litigation cases as primary attorney, and more en route to a promotion to deputy county counselor.” *Id.*

807. E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author).

808. *Obituary for Judge Daniel T. Tillman*, LAYNE MORTUARY, <http://laynemortuary.frontrunnerpro.com/book-of-memories/1915289/Tillman-Judge-Daniel/obituary.php> [<https://perma.cc/56SU-6AZZ>] (last visited Oct. 24, 2020).

809. Michael Sorkin, *Judge Dan’ dies; once sentenced a man to 150 years for beating boy to death*, ST. LOUIS POST-DISPATCH (July 27, 2014), [https://www.stltoday.com/news/local/obituaries/judge-dan-dies-once-sentenced-a-man-to-150-years-for-beating-boy-to-death/article\\_875d4da7-25d5-5966-b084-bff5317ac51d.html](https://www.stltoday.com/news/local/obituaries/judge-dan-dies-once-sentenced-a-man-to-150-years-for-beating-boy-to-death/article_875d4da7-25d5-5966-b084-bff5317ac51d.html) [<https://perma.cc/CAV4-4FPN>].

810. *Id.*

811. *Id.*

812. Interview with Wayne C. Harvey, Attorney at Law, Wayne C. Harvey & Associates, LLC (Aug. 2, 2020).

and 2015.<sup>813</sup> In 1995, she was appointed an Associate Circuit Judge for the St. Louis Circuit Court, followed by her appointment as Circuit Judge in 2003. She is a graduate of the University of Missouri and Saint Louis University School of Law.

All but two Black law students in her class entered after attending the “Summer Institute Program.” Intentional or not, “there was a stigma attached to those who entered that way,” and only three of the Black students graduated in her class.<sup>814</sup> When she entered law school in 1981, Freeman Bosley, Jr., Reuben Shelton, and Jimmie Edwards were third-year students. There were a few others but “those stand out as they continued to make a difference in the Black community.”<sup>815</sup>

With huge student debt, needing a job, Turner joined the Missouri Department of Revenue as a trial de novo attorney because it allowed her to appear in court.<sup>816</sup> She accepted a job with the Missouri Public Service Commission “because it was more money,”<sup>817</sup> but did not have many opportunities to litigate. She then began crafting a road map for her journey to the bench.<sup>818</sup> Quigless served as an Assistant U.S. Attorney for the Eastern District of Missouri, an Assistant City Counselor, and an Assistant Circuit Attorney for the City of St. Louis.

When I took the bench in 1995 Judge Evelyn Baker was the only Black female Circuit Court Judge in both the City and County of St. Louis. Judge Sandra Hemphill was the first Black female in St. Louis County and she was appointed Associate Circuit Judge. That was viewed as the starting place for Black female judges and it was difficult to be elevated from Associate to Circuit. I am told I was the first Black female to be elevated from Associate Circuit to Circuit Court Judge in 2003.<sup>819</sup>

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813. *Angela Turner Quigless elected chief judge of Mo Court of Appeals*, ST. LOUIS AM. (July 10, 2014), [http://www.stlamerican.com/business/people\\_on\\_the\\_move/angela-turner-quigless-elected-chief-judge-of-mo-court-of-appeals/article\\_09f1d5aa-06ed-11e4-8bbf-001a4bcf887a.html](http://www.stlamerican.com/business/people_on_the_move/angela-turner-quigless-elected-chief-judge-of-mo-court-of-appeals/article_09f1d5aa-06ed-11e4-8bbf-001a4bcf887a.html) [https://perma.cc/HN5S-BD43].

814. E-mail from Hon. Angela Turner Quigless, Judge, Mo. Ct. App., E. Dist., to author (July 6, 2020) (on file with author).

815. *Id.*

816. *Id.*

817. *Id.*

818. *Id.*

819. *Id.*



## 35. David Lee Vincent, III

David Lee Vincent, III became the first Black appointed a Circuit Judge on the St. Louis County Circuit Court in 1997.<sup>820</sup> He received a degree in electrical engineering from Tennessee State University and his law degree from the University of Wisconsin-Madison.<sup>821</sup> Before appointment to the bench, he was in private practice and served as an Assistant Circuit Attorney from 1988 to 1993.<sup>822</sup> He served on the Board of Governors of The Missouri Bar from 2008 to 2010, and is active with BAMSL's high school mock trial competition (for Normandy and Marquette high schools) and Mound City Bar Association.<sup>823</sup>

## 36. Mary Ellen Young

Born in Lynchburg, Virginia in 1951, Mary Ellen Young graduated from Central Missouri State University and University of Missouri-Kansas City School of Law.<sup>824</sup> She was elected Circuit Judge for Cass and Johnson counties, on the 17th Circuit Court, in 1994, serving one six-year term in an area three percent Black.<sup>825</sup> Before the bench, Young was “with the Department of Defense in Germany” and practiced as an Assistant Public Defender in Missouri.<sup>826</sup> A member of Johnson County, Jackson County, and Cass County bar associations, Judge Young previously served on the Holden School Board and Survival House Abuse Center Board.<sup>827</sup>

## 37. Anne-Marie Clarke

Anne-Marie Clarke, a retired St. Louis Family Court Commissioner, was “the first African American member of The Missouri Bar Board of Governors, first African American woman to serve on the City of St. Louis Board of Police Commissioners, and first woman president of the commission.”<sup>828</sup> She

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820. *St. Louis County Courts Division 9*, STL CTY. CTS., <http://stlcountycourts.com/judges.php?var=9> [<https://perma.cc/7L3Q-MC94>] (last visited Oct. 24, 2020).

821. *Id.*

822. *David Lee Vincent, III*, YOUR MO. JUDGES, <http://www.yourmissourijudges.org/judges/vincent/> [<https://perma.cc/F2EV-ZVUN>] (last visited Oct. 24, 2020).

823. *Id.*

824. MO. SEC'Y ST., OFFICIAL MANUAL OF THE STATE OF MISSOURI 1999 – 2000 233 (photo. reprinted 2009) (2000).

825. U.S. Dep't of Commerce, *1990 Census of Population: Social and Economic Characteristics – Missouri*, at 19 (Cass County), 23 (Johnson County) (1993) (1990 CP-2-27).

826. MO. SEC'Y ST., OFFICIAL MANUAL OF THE STATE OF MISSOURI 1999 – 2000 233 (photo. reprinted 2009) (2000).

827. *Id.*

828. Alan Scher Zagier, *Anne-Marie Clarke – Family Court Commissioner*,

earned an undergraduate degree at Northwest Missouri – now Truman – State University in 1970 and a law degree at Saint Louis University School of Law in 1973. A second-generation Black lawyer<sup>829</sup> and former Mound City Bar Association president, Clarke, in 1984, wrote a groundbreaking article for the *St. Louis Bar Journal* entitled “The History of the Black Bar.”<sup>830</sup> In 2017, at the annual meeting of the National Bar Association, she was installed as the forty-seventh Chair of the Judicial Council. Judge Jon R. Gray, previously discussed, administered the oath.<sup>831</sup>

### 38. Nicole Colbert-Botchway

Nicole Colbert-Botchway is an Associate Circuit Judge for the City of St. Louis.<sup>832</sup> She was an Administrative Hearing Commissioner when appointed to the bench by Missouri Governor Jay Nixon in 2015.<sup>833</sup> After private practice and working as an Assistant Circuit Attorney for the City of St. Louis, she served as an Assistant Attorney General and Unit Leader for the State of Missouri.<sup>834</sup> Judge Colbert-Botchway has held many bar and community leadership roles, including her current service on The Missouri Bar Board of Governors. She earned her B.A. and J.D. at Saint Louis University, and her M.B.A. at University of Missouri-St. Louis.<sup>835</sup>

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*22nd Judicial Circuit (retired)*, MO. LAWS. MEDIA (June 4, 2019), <https://molawyersmedia.com/2019/06/04/anne-marie-clarke-family-court-commissioner-%E2%80%A822nd-judicial-circuit-retired/> [https://perma.cc/85NV-6G3X].

829. Hon. Anne-Marie Clarke’s late father, Thomas P. Clarke, was a managing attorney at Legal Services and graduated from Lincoln University School of Law with Margaret Bush Wilson and Joseph McDuffie, among others. Anne-Marie Clarke, *Application (Revised April 2008)* 22ND CIR. JUD. COMM’N (Sept. 25, 2014), <https://www.courts.mo.gov/file/22nd%20circuit%20-%20Grady%20vacancy%20-%20Anne-Marie%20Clarke%20application.pdf>.

830. Clarke, *supra* note 16, at 20.

831. *ANNE-MARIE CLARKE INSTALLED AS CHAIR OF THE JUDICIAL COUNCIL OF THE NATIONAL BAR ASSOCIATION*, ST. LOUIS CIR. CT. (Sept. 11, 2017), [http://stlcitycircuitcourt.com/News\\_Blog/?p=213](http://stlcitycircuitcourt.com/News_Blog/?p=213) [https://perma.cc/JXJ5-N8LP].

832. Dana Rieck, *Nicole Colbert-Botchway, Associate Circuit Judge, St. Louis*, MO. LAWS. MEDIA, Aug. 15, 2019, <https://molawyersmedia.com/2019/08/15/nicole-colbert-botchway-associate-circuit-judge-st-louis/> [https://perma.cc/CLU9-BR3Y].

833. *Judge Nicole-Colbert Botchway*, 22ND CIR. CT. ST. LOUIS, MO., <http://www.stlcitycircuitcourt.com/index2.html?XMLFile=xml/judges/Colbert-Botchway.xml> (last visited Oct. 24, 2020) [https://perma.cc/W46E-WBFA]; Rieck, *supra* note 832.

834. *Judge Nicole-Colbert Botchway*, *supra* note 833.

835. Rieck, *supra* note 832.

## 39. Gloria Clark Reno

On October 10, 2018, Judge Gloria Clark Reno was unanimously elected by her peers as Presiding Judge of the St. Louis County Circuit Court, becoming the first Black “to lead the 21<sup>st</sup> Judicial Circuit since it was established in 1815.”<sup>836</sup> A graduate of the University of Missouri-St. Louis and Saint Louis University School of Law, she served as a Municipal Judge for the City of Northwoods from 1994 to 2002, and was appointed an Associate Circuit Judge for St. Louis County by Governor Bob Holden in 2002.<sup>837</sup> Governor Jay Nixon appointed her a St. Louis County Circuit Judge in 2009. In January 2019, Judge Reno and Judge Robin Ransom, Presiding Judge for the City of St. Louis, made history as Black women who simultaneously led “two of the busiest courthouses in Missouri.”<sup>838</sup>

## 40. Robin Ransom

A graduate of Rutgers University and University of Missouri School of Law, Judge Robin Ransom was appointed Family Court Commissioner in 2002, Circuit Judge by Governor Matt Blunt in 2008, and to the Missouri Court of Appeals, Eastern District, by Governor Mike Parson in 2019.<sup>839</sup> Judge Ransom was elevated to the Supreme Court of Missouri just before the publication of this Article. She began her legal career as an attorney in the St. Louis County Public Defender’s Office (1992-1995) and St. Louis County Prosecuting Attorney’s Office (1995-1996).<sup>840</sup> From 1996 to 2002, Ransom was a Staff Attorney for the St. Louis County Family Court. Judge Ransom reports that she enjoys the appellate court, finding it “very serene and peaceful,” which agrees with her temperament.<sup>841</sup> She says that she appreciates the luxury to be able to “read and research all day long pretty much

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836. *Judge Gloria Clark Reno elected Presiding Judge of St. Louis County 21st Judicial Circuit*, <https://wp.stlcountycourts.com/2018/10/judge-gloria-clark-reno-elected-presiding-judge-of-st-louis-county-21st-judicial-circuit/> [https://perma.cc/L85F-F4QV].

837. *Id.*

838. Rachel Lippmann of St. Louis Public Radio, *Making history: African-American women to head two of the state’s largest courts*, ST. LOUIS AM. (Dec. 31, 2018), <http://news.stlpublicradio.org/post/making-history-african-american-women-head-two-states-largest-courts> [https://perma.cc/LD48-LT4X].

839. 12 *Judge Robin Ransom*, MO. CTS., <https://www.courts.mo.gov/page.jsp?id=56104> (last visited Oct. 25, 2020); Rachel Lippmann, *supra* note 838.

840. 12 *Judge Robin Ransom*, *supra* note 839.

841. David Baugher, *Robin Ransom- Missouri Court of Appeals Eastern District*, MO. LAWS. MEDIA, Apr. 25, 2019, <https://molawyersmedia.com/2019/04/25/robin-ransom-missouri-court-of-appeals-eastern-district/> [https://perma.cc/E7TJ-6FNL].

without interruption and really get a handle on so many different areas” that she would “never have touched being a circuit judge.”<sup>842</sup>

#### 41. Corey A. Carter

In 2015, Judge Corey A. Carter was appointed as Municipal Judge for the Kansas City Municipal Court,<sup>843</sup> where he now serves as Presiding Judge.<sup>844</sup> He also presides over the Truancy Court.<sup>845</sup> Before the bench, Carter served as an Assistant Clay County Prosecuting Attorney for over eight years.<sup>846</sup>

#### 42. Martina Peterson

Martina Peterson has been a Municipal Judge for the Kansas City Municipal Court<sup>847</sup> since 2018.<sup>848</sup> Before her appointment, Judge Peterson served as Family Court Commissioner on the Jackson County Circuit Court from 2009 to 2018.<sup>849</sup> She also served as an Assistant Public Defender in Jackson County for 13 years and worked with the Kansas City Youth Court.<sup>850</sup> Peterson received a Bachelor of Business Administration, Masters of Business Administration, and Juris Doctor from the University of Missouri-Kansas City.<sup>851</sup>

#### 43. James M. Reed, II

Judge James M. Reed, II was a Municipal Judge for the Kansas City Municipal Court from 1986 to 2007.<sup>852</sup>

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842. *Id.*

843. *Our Judges, supra* note 796; Lynn Horsley, *KC Council appoints Corey Carter as new municipal judge*, THE KAN. CITY STAR, <https://www.kansascity.com/news/politics-government/article17232380.html> (last visited Oct. 25, 2020).

844. *Our Judges, supra* note 796.

845. *Id.*

846. Horsley, *supra* note 843.

847. *Our Judges, supra* note 796.

848. *Peterson named new KC muni judge*, MO. LAWS. MEDIA, (Jan. 19, 2018), <https://molawyersmedia.com/2018/01/19/peterson-named-new-kc-muni-judge/#:~:text=Peterson%20named%20new%20KC%20muni%20judge.%20The%20Kansas,unanimously%20approved%20the%20appointment%20at%20its%20meeting%20Thursday> [<https://perma.cc/9AZT-BFTY>].

849. *Id.*

850. *Id.*

851. *UMKC Law Alumni Appointed to Courts*, UMKC SCH. L., <https://law.umkc.edu/news/2018/august/umkc-law-alumni-appointed-to-courts.html> [<https://perma.cc/4PBG-8GED>] (last visited Sept. 30, 2020).

852. Resolution No. 070066, <http://cityclerk.kcmo.org/LiveWeb/Documents/Document.aspx?q=QTdcgJUE67Frh>

## 44. Iris J. Goliday Ferguson

In 1993, Iris J. Goliday Ferguson was appointed by Governor Mel Carnahan as an Associate Circuit Judge for the City of St. Louis Circuit Court,<sup>853</sup> where she served until 2006.<sup>854</sup> Before that, she was a Municipal Judge for the Kinloch and Pagedale municipal courts, , and a Provisional Judge in St. Louis City, Pine Lawn, and Wellston.<sup>855</sup> Before the bench, she practiced family law for over 15 years and served as a consultant for the St. Louis Agency on Training and Employment, a legislative aide to a Missouri state senator, and an estate planner.<sup>856</sup> Ferguson earned a Bachelor of Science degree in sociology from Lincoln University in 1966,<sup>857</sup> and a dual M.A. degree in urban planning and J.D. degree at St. Louis University in 1978.<sup>858</sup> She is a member of Delta Sigma Theta Sorority, Inc. and the board of directors for the St. Louis Transitional Hope House, the Missouri Association of Probate and Associate Circuit Judges, Hopewell Baptist Church, NBA/ECHO Emergency Children's Home, and the Girls Scout Council of Greater St. Louis.<sup>859</sup> She has also served on the Lincoln University of Missouri Board of Curators.<sup>860</sup>

## 45. Brenda Stith Loftin

Brenda Stith Loftin served as an Associate Circuit Judge on the St. Louis County Circuit Court from 1995 until her retirement in 2013.<sup>861</sup> She received a B.A. from the University of Missouri-St. Louis and J.D. from Saint Louis University.<sup>862</sup> Judge Loftin served as president of the National Association of

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8lmBKxdoxzZhkyGWyolnymLS%2F5WF6ev%2FkjHy%2Fo0DoHLMWx%2FrDyJbzhnaFnvt4SvXlk%2FXbzbag%3D%3D (last visited Sept. 30, 2020).

853. *Hon. Iris J. Goliday Ferguson*, [https://www.lincolnu.edu/c/document\\_library/get\\_file?uuid=526c7191-3623-4545-8fd9-6ff1e0b21e37&groupId=140392&filename=Iris%20Goliday%20Ferguson%20Bio.pdf](https://www.lincolnu.edu/c/document_library/get_file?uuid=526c7191-3623-4545-8fd9-6ff1e0b21e37&groupId=140392&filename=Iris%20Goliday%20Ferguson%20Bio.pdf) [https://perma.cc/NWC8-26FM].

854. *Id.*

855. *Id.*

856. *Id.*

857. *Id.*

858. *Id.*

859. *Id.*

860. *Id.*

861. *Brenda Stith Loftin, YOUR MO. JUDGES*, <https://www.yourmissourijudges.org/judges/loftin/> [https://perma.cc/ZA7P-JFRW] (last visited Sept. 30, 2020); *21st circuit commission seeks applicants to fill Loftin associate circuit judge vacancy in St. Louis County, Mo. CTS.*, (Oct. 28, 2018) <https://www.courts.mo.gov/page.jsp?id=67097>.

862. *Brenda Stith Loftin, supra* note 861.

Women Judges from 2006 to 2007.<sup>863</sup> She also served on various Missouri Supreme Court committees.<sup>864</sup>

#### 46. Gregory B. Gillis

Gregory B. Gillis served as an Associate Circuit Judge on the Jackson County Circuit Court from 2001 until his retirement in 2019.<sup>865</sup> Judge Gillis had served as Commissioner of the Jackson County Drug Court from 1999 to 2001.<sup>866</sup> Before the bench, he was an Assistant Prosecuting Attorney in Jackson County from 1987 through 1999, where he was Chief Warrant Officer, Drug Unit Warrant Officer, and Trial Team Leader.<sup>867</sup> He earned a B.A. and J.D. from the University of Missouri.<sup>868</sup> Judge Gillis served on the board of directors of the Missouri Association of Probate and Associate Circuit Judges for ten years.<sup>869</sup>

#### 47. Kevin D. Harrell

Kevin D. Harrell has been a Circuit Judge on the Jackson County Circuit Court since 2012.<sup>870</sup> He had been the Chief Deputy Prosecuting Attorney for Jackson County.<sup>871</sup> A Kansas City native, Harrell obtained a B.A. in administration of justice in 1993 and J.D. in 1998 from the University of Missouri-Kansas City.<sup>872</sup> Appointed by the Supreme Court of Missouri, Harrell was a member of the Regional Disciplinary Committee.<sup>873</sup>

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863. *Id.*

864. *Id.*

865. *Jackson County judge to retire at year's end*, MO. LAWS. MEDIA, <https://molawyersmedia.com/2019/11/22/jackson-county-judge-to-retire-at-years-end/> [<https://perma.cc/S8TW-HX5S>] (Nov. 22, 2019).

866. *Id.*

867. *Id.*

868. *Gregory B Gillis, Associate Circuit Judge*, YOUR MISSOURI JUDGES, <https://www.yourmissourijudges.org/judges/gregory-gillis/> [<https://perma.cc/7HE8-9J3E>] (last visited Sept. 30, 2020).

869. *Jackson County judge to retire at year's end*, *supra* note 865.

870. *Judge Kevin D. Harrell Biography*, 16TH CIR. CT. JACKSON COUNTY, MO., <https://www.16thcircuit.org/biography-judge-kevin-d-harrell#:~:text=Judge%20Harrell%20is%20a%20Kansas%20City%20native.%20He,Academy%2C%20an%20academic%20boarding%20school%2C%20in%20Pottstow n%2C%20Pennsylvania> [<https://perma.cc/JHL8-N2HF>] (last visited Sept. 30, 2020).

871. *Kevin D Harrell, 16<sup>th</sup> Circuit Court (Jackson County)*, YOUR MISSOURI JUDGES, <http://www.yourmissourijudges.org/judges/kevin-harrell-2020/> [<https://perma.cc/UKD2-YLM6>] (last visited Sept. 30, 2020).

872. *Judge Kevin D. Harrell Biography*, *supra* note 870.

873. *Id.*

## 48. Mark A. Styles, Jr.

Mark A. Styles, Jr. has been a Circuit Judge on the Jackson County Circuit Court<sup>874</sup> since 2016.<sup>875</sup> He was a Deputy Probate Commissioner from 2014 to 2016.<sup>876</sup> Before the bench, Styles practiced law with the Hardwick Law Firm, focusing on decedents' estates, guardianships, and conservatorships.<sup>877</sup> He also handled conservatorship and decedents' estates for the Public Administrator's Office of Jackson County.<sup>878</sup> Styles earned a B.S. in finance from the University of Missouri in 2001 and J.D. from the Thurgood Marshall School of Law at Texas Southern University.<sup>879</sup>

## 49. David C. Mason

David C. Mason was appointed Circuit Judge on the City of St. Louis Circuit Court in August 1991.<sup>880</sup> Mason earned his B.A. at Austin Peay State University and J.D. at Washington University.<sup>881</sup> He served as an Assistant Attorney General, General Counsel to the Missouri Department of Corrections, and a trial lawyer in private practice.<sup>882</sup> Judge Mason is an honorary member of the Order of the Coif and the American Board of Trial Advocates.<sup>883</sup> He has "been a teacher of Trial Advocacy for the National Institute for Trial Advocacy, the Yeshiva University Benjamin Cardozo School of Law, and several bar associations."<sup>884</sup> Judge Mason has taught as an adjunct professor at Washington University since 1989<sup>885</sup> and coaches the Washington University School of Law trial advocacy teams.<sup>886</sup>

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874. *Judge Mark A. Styles Biography*, 16<sup>TH</sup> CIR. CT. JACKSON COUNTY, MO., <https://www.16thcircuit.org/biography-judge-mark-a-styles> [https://perma.cc/MM5E-M5L6] (last visited Sept. 30, 2020).

875. *Id.*

876. *Id.*

877. *Id.*

878. *Id.*

879. *Id.*

880. *Judge David Mason*, 22<sup>ND</sup> JUD. CIR. CT. OF MO., <http://www.stlcitycircuitcourt.com/index2.html?XMLFile=xml/judges/Mason.xml> [https://perma.cc/3DYT-5V48] (last visited Sept. 28, 2020).

881. *David C. Mason*, YOUR MO. JUDGES, <http://www.yourmissourijudges.org/judges/david-c-mason/> [https://perma.cc/69ZG-7AX7] (last visited Sept. 28, 2020).

882. Ashley McKnight-Taylor, *Stetson presents Lifetime Achievement Award for Excellence in Teaching Advocacy to Judge David C. Mason*, STETSON UNIV. (Aug. 22, 2019), <https://www.stetson.edu/law/news/index.php/2018/08/22/stetson-presents-lifetime-achievement-award-excellence-teaching-advocacy-judge-david-c-mason/> [https://perma.cc/89ES-RXE7].

883. *Id.*

884. *David C. Mason*, *supra* note 881.

885. *Id.*

886. *Honorable David C. Mason 1999 Distinguished Alumni*, WASH. UNIV. LAW, <http://arch.law.wustl.edu/m/content.aspx?id=161> (last visited Sept. 28, 2020).

## 46. Annette Llewellyn

Annette Llewellyn was appointed Circuit Judge for the City of St. Louis Circuit Court by Governor Eric Greitens on January 12, 2019.<sup>887</sup> Llewellyn graduated with a degree in accounting from City University of New York.<sup>888</sup> She earned her J.D. from University of Iowa and then worked as a public defender<sup>889</sup> before serving as an Assistant Circuit Attorney in St. Louis.<sup>890</sup>

## 47. Craig K. Higgins

Born and raised in St. Louis, Judge Craig K. Higgins was appointed as an Associate Circuit Judge for the City of St. Louis by Governor Mike Parson in 2019.<sup>891</sup> He earned a B.A. in journalism from the University of Missouri, M.A. in mass communications from Drake University, and J.D. from Drake University School of Law.<sup>892</sup> In 1991, he served as a law clerk to the Honorable David D. Noce,<sup>893</sup> then Chief Magistrate Judge for the U.S. District Court for the Eastern District of Missouri.<sup>894</sup> Higgins joined the City of St. Louis's Law Department in 1996 where he was an Associate City Counselor until his judicial appointment.<sup>895</sup>

## 48. Paula P. Bryant

Paula P. Bryant was appointed Circuit Judge for the City of St. Louis by Governor Jay Nixon in 2016.<sup>896</sup> She previously served as an Associate Circuit

887. *Judge Annette Llewellyn*, 22ND JUD. CIR. CT. OF MO., <http://www.stlcitycircuitcourt.com/index2.html?XMLFile=xml/judges/llewellyn.xml> [https://perma.cc/7ZP5-XPZK] (last visited Sept. 28, 2020).

888. *Id.*

889. *Id.*

890. *Annette Llewellyn appointed Circuit Court Judge for the 22nd Judicial Circuit*, ST. LOUIS AM. (Feb. 2, 2018), [http://www.stlameric.com/business/people\\_on\\_the\\_move/annette-llewellyn-appointed-circuit-court-judge-for-the-22nd-judicial-circuit/article\\_d6d6738a-06d7-11e8-ace1-1737b4bb669f.html](http://www.stlameric.com/business/people_on_the_move/annette-llewellyn-appointed-circuit-court-judge-for-the-22nd-judicial-circuit/article_d6d6738a-06d7-11e8-ace1-1737b4bb669f.html).

891. Staff Report, *Craig Higgins named associate circuit judge in St. Louis*, MO. LAWYERS MEDIA (July 22, 2019), <https://molawyersmedia.com/2019/07/22/craig-higgins-named-associate-circuit-judge-in-st-louis/> [https://perma.cc/7AT5-FNHE].

892. *Judge Craig K. Higgins*, 22ND JUD. CIR. CT. OF MO., <http://www.stlcitycircuitcourt.com/index2.html?XMLFile=xml/judges/Higgins.xml> [https://perma.cc/D2TV-KXRY] (last visited Sept. 28, 2020).

893. *Id.*

894. *Judge David D. Noce, J.D.*, SAINT LOUIS UNIV. SCH. OF LAW, <https://www.slu.edu/law/faculty/adjunct/david-noce.php> [https://perma.cc/3XCB-GLVQ] (last visited Sept. 28, 2020).

895. *Judge Craig K. Higgins*, *supra* note 892.

896. Staff Reports, *Paula Perkins Bryant is appointed to open bench seat in St. Louis circuit*, ST. LOUIS POST DISPATCH (June 10, 2016),



Judge, presiding over family, criminal trial, minor civil, and general trial matters.<sup>897</sup> Before the bench, Bryant was a public defender, a Staff Attorney for City of St. Louis Circuit Court, and a private practice attorney.<sup>898</sup> In 2004, she was honored with the Outstanding Trial Attorney award.<sup>899</sup> Judge Bryant, an adjunct professor at Webster University,<sup>900</sup> earned a B.S. from University of Missouri-St. Louis and J.D. from Saint Louis University School of Law.<sup>901</sup>

#### 49. Harold F. Fullwood

Harold F. Fullwood was born December 12, 1920,<sup>902</sup> served as a Staff Sergeant in the U.S. Army,<sup>903</sup> received his undergraduate degree from Wilberforce University, and then graduated from Lincoln University School of Law in 1951.<sup>904</sup> In 1961, Fullwood began as an Assistant U.S. Attorney in St. Louis.<sup>905</sup> Judge Fullwood initially served as Police Judge from 1973 to 1978, then as a Magistrate Judge from 1978 to 1979,<sup>906</sup> capping his career as an Associate Circuit Judge for the City of St. Louis Circuit Court.<sup>907</sup> Judge Fullwood passed away on January 11, 1992, and is interred at Jefferson Barracks National Cemetery in St. Louis, Missouri.<sup>908</sup>

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[https://www.stltoday.com/news/local/crime-and-courts/paula-perkins-bryant-is-appointed-to-open-bench-seat-in/article\\_b38213ad-c151-5a29-aeb7-d65067e27509.html](https://www.stltoday.com/news/local/crime-and-courts/paula-perkins-bryant-is-appointed-to-open-bench-seat-in/article_b38213ad-c151-5a29-aeb7-d65067e27509.html) [<https://perma.cc/EPC4-YA5N>].

897. *Paula P. Bryant*, YOUR MO. JUDGES, <http://www.yourmissourijudges.org/judges/paula-p-bryant/> [<https://perma.cc/3HAC-LM6K>] (last visited Sept. 28, 2020).

898. *Judge Paula P. Bryant*, 22<sup>ND</sup> JUD. CIR. CT. OF MO., <http://www.stlcitycircuitcourt.com/index2.html?XMLFile=xml/judges/Bryant.xml> [<https://perma.cc/B5EA-69S4>] (last visited Sept. 28, 2020).

899. *Id.*

900. *Id.*

901. *Paula P. Bryant*, *supra* note 897.

902. *Jefferson Barracks National Cemetery*, INTERMENT.NET, [http://www.interment.net/data/us/mo/stlouis/jeffbarr/f/jeffbarr\\_f12.htm](http://www.interment.net/data/us/mo/stlouis/jeffbarr/f/jeffbarr_f12.htm) [<https://perma.cc/GU7D-RCNE>] (last visited Sept. 28, 2020).

903. *Id.*

904. Lincoln University, *Fullwood, Twigg Admitted To Bar*, THE LINCOLN CLARION (May 9, 1951), <https://digital.shsmo.org/digital/collection/LUClarion/id/1552> [<https://perma.cc/KL48-4TFW>].

905. MISSOURI SECRETARY OF STATE, OFFICIAL MANUAL OF THE STATE OF MISSOURI 1963-1964 289 (Thelma P. Goodwin ed., 1964) <https://cdm16795.contentdm.oclc.org/digital/collection/bluebook/id/35609> [<https://perma.cc/JLQ9-DQJ8>].

906. Kathryn Rogers, *Peach To Move To Oust Judge In Criminal Cases*, ST. LOUIS POST DISPATCH, June 8, 1982, at 1.

907. MISSOURI SECRETARY OF STATE, *supra* note 905, at 264.

908. *Jefferson Barracks National Cemetery*, *supra* note 902.

## 50. Michael Noble

Judge Michael Noble was appointed as a Circuit Judge for the City of St. Louis Circuit Court in 2015.<sup>909</sup> In 2019, he received the Judicial Excellence Award – Circuit.<sup>910</sup> He previously worked as a patent lawyer, an Assistant Public Defender, Associate Circuit Judge, and Drug Court Commissioner.<sup>911</sup> Noble graduated from the United States Military Academy at West Point in 1988 and earned his J.D. from Saint Louis University in 2004.<sup>912</sup>

## 51. Calea Stovall-Reid

Calea Stovall-Reid was appointed as a Circuit Judge for the City of St. Louis by Governor Mike Parson in 2019,<sup>913</sup> after serving as an Associate Circuit Judge.<sup>914</sup> Asked what inspired her to public service or the justice system, Judge Stovall-Reid shared, “Public service has always been an important aspect of [her] life, [she] enjoy[s] being a change agent for others.”<sup>915</sup> A graduate of Howard University in Washington D.C. and Washington University School of Law, Stovall-Reid worked as an Assistant Public Defender with the Missouri State Public Defender’s Office in the City of St. Louis, an Assistant Circuit Attorney for the Circuit Attorney’s Office for the City of St. Louis, and a litigation associate with a private firm.<sup>916</sup> Judge Stovall-Reid is an adjunct professor at St. Louis Community College and a volunteer truancy court judge.<sup>917</sup>

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909. *Judge Michael Noble honored for Judicial Excellence*, ST. LOUIS AM., (Sept. 25, 2019), [http://www.stlamerican.com/news/local\\_news/judge-michael-noble-honored-for-judicial-excellence/article\\_c8c52d4a-dfb1-11e9-8067-b3954ba6a076.html](http://www.stlamerican.com/news/local_news/judge-michael-noble-honored-for-judicial-excellence/article_c8c52d4a-dfb1-11e9-8067-b3954ba6a076.html).

910. *Id.*

911. *Michael W Noble, YOUR MO. JUDGES*, <http://www.yourmissourijudges.org/judges/noble/> [https://perma.cc/G2T5-96B2] (last visited Sept. 28, 2020).

912. *Id.*

913. *Governor Parson Appoints Calea Stovall-Reid as Circuit Judge for the 22nd Judicial Circuit*, MISSOURI GOVERNOR MICHAEL L. PARSON, (April 12, 2019) <https://governor.mo.gov/press-releases/archive/governor-parson-appoints-calea-stovall-reid-circuit-judge-22nd-judicial> [https://perma.cc/NLS9-AMLH].

914. *Id.*

915. Rachel Webb, *Calea Stovall-Reid*, MISSOURI LAWYERS MEDIA (April 26, 2017), <https://molawyersmedia.com/2017/04/26/calea-stovall-reid/> [https://perma.cc/2E3J-LABC].

916. *Calea Stovall-Reid, YOUR MO. JUDGES*, <http://www.yourmissourijudges.org/judges/calea-stovall-reid/> [https://perma.cc/99AA-K3WK] (last visited on Sept. 28, 2020).

917. *Id.*

## 52. Rochelle M. Woodiest

Rochelle M. Woodiest was appointed a City of St. Louis Adult, Family, and Juvenile Treatment Court Commissioner in 2013.<sup>918</sup> A graduate of Iowa State University in 1996 and Saint Louis University School of Law in 1999, she began as an Assistant Circuit Attorney in the City of St. Louis in 2001.<sup>919</sup> While in the Circuit Attorney's Office, Woodiest was a trial attorney, the Director of Drug Court Prosecution for the Adult Drug Court, and on the trial team in the property crimes unit.<sup>920</sup> She is a member of the Mound City Bar Association, the recipient of the St. Louis City Drug Court's Janet Reno Award (2009), and an honoree for *St. Louis Business Journal's* Forty Under Forty (2012).<sup>921</sup>

## 53. Michael T. Jamison

Judge Michael T. Jamison retired in 2019 after 22 years as a state court judge.<sup>922</sup> He first served as an Associate Circuit Judge for St. Louis County from 1997 to 2005 before being appointed a Circuit Judge by Governor Matt Blunt in 2005. A graduate of Washington University in St. Louis and St. Louis University of School of Law, Jamison has been an active member of The Missouri Bar, Bar Association of Metropolitan St. Louis, National Bar Association, Mound City Bar Association, and Missouri Circuit Judge's Association.<sup>923</sup>

## 54. Renée Hardin-Tammons

A graduate of the University of Missouri-St. Louis and the University of Missouri School of Law, Judge Renée D. Hardin-Tammons was appointed Associate Circuit Judge for the St. Louis County Circuit Court in 2017 by Governor Eric Greitens and Circuit Judge two years later by Governor Mike

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918. *Commissioner Rochelle M. Woodiest*, 22ND JUD. CIR. CT. OF MO., <http://www.stlcitycircuitcourt.com/index2.html?XMLFile=xml/judges/Woodiest.xml> [https://perma.cc/SVW7-5FLL] (last visited Sept. 27, 2020).

919. *Meet Our 2020 Board Nominees: Rochelle Woodiest, Secretary*, MO. ASS'N OF TREATMENT CT. PROFESSIONALS, <https://motreatmentcourts.org/our-board/> [https://perma.cc/E4GD-NERL] (last visited Sept. 27, 2020); *Rochelle Woodiest*, LINKEDIN, <https://www.linkedin.com/in/rochelle-woodiest-4b39b537/> (last visited Sept. 27, 2020).

920. *Meet Our 2020 Board Nominees: Rochelle Woodiest, Secretary*, *supra* note 919.

921. *Id.*

922. Staff Report, *Jamison, Reno to retire from St. Louis County Bench*, MO. LAWYERS MEDIA (Oct. 28, 2019), <https://molawyersmedia.com/2019/10/28/jamison-reno-to-retire-from-st-louis-county-bench/> [https://perma.cc/WL37-ZUPY].

923. *Michael T. Jamison*, YOUR MO. JUDGES, <http://www.yourmissourijudges.org/judges/michael-jamison/> [https://perma.cc/296N-ALKR] (last visited Sept. 28, 2020).

Parson.<sup>924</sup> Previously, she worked in private practice, served as a public defender and assistant county counselor, and served as a municipal or provisional judge in various municipal courts in the St. Louis metropolitan area for over 17 years.<sup>925</sup> She is a member of The Missouri Bar, Bar Association of Metropolitan St. Louis, Mound City Bar Association, St. Louis County Bar, and Women Lawyers Association, and serves on various state and local legal committees.<sup>926</sup> Notably, Judge Hardin-Tammons served as President of the Missouri Municipal and Associate Circuit Judges Association from 2018 to 2019 – the first Black woman to hold that position.<sup>927</sup> She also created the protocol for virtual court proceedings adopted by many municipal courts in the St. Louis metropolitan area, enabling them to continue effectively serving their citizens during the COVID-19 pandemic.<sup>928</sup>

### 55. Edward Pendleton

A graduate of Lincoln University in Jefferson City and the University of Missouri-Kansas City School of Law, Edward Pendleton served as a Jackson County Juvenile Court Commissioner from 1979 to 1984.<sup>929</sup> Before his appointment, Pendleton worked in private practice at North, Colbert, Pendleton & Fields, then the preeminent Black law firm in Kansas City.<sup>930</sup> After his judicial service, he returned to private practice as a solo practitioner.<sup>931</sup> He served on the Missouri Supreme Court's Advisory Committee for three years in 1980s.<sup>932</sup>

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924. *Id.*

925. *Renee D. Hardin-Tammons*, YOUR MO. JUDGES, <http://www.yourmissourijudges.org/judges/renee-hardin-tammons/> [<https://perma.cc/J8C3-B2P5>] (last visited Sept. 28, 2020).

926. *Id.*

927. Telephone Interview with Renée Hardin-Tammons, Circuit Judge, in St. Louis, Mo. (Oct. 2, 2020).

928. Rachel Lippman, *As Pandemic Shutdowns Drag On, St. Louis-Area Municipal Courts Go Virtual*, ST. LOUIS PUB. RADIO (Sept. 16, 2020, 5:08 AM), <https://news.stlpublicradio.org/government-politics-issues/2020-09-16/as-pandemic-shutdowns-drag-on-st-louis-area-municipal-courts-go-virtual> [<https://perma.cc/ML3N-GXH7>].

929. *Lawyer Picked for Post on County Juvenile Court*, KANSAS CITY TIMES, Mar. 23, 1979.

930. E-mail from Hon. Fernando J. Gaitan, Jr., Senior U.S. District Judge, U.S. District Court for the Western District of Missouri, to author (Aug. 3, 2020) (on file with author).

931. *In re: Edward L. Pendleton*, SC83775, [https://www.courts.mo.gov/SUP/index.nsf/0/bd15335931fbb82686256b350078d1e7/\\$FILE/SC83775%20Chief%20Disciplinary%20Counsel's%20brief.PDF](https://www.courts.mo.gov/SUP/index.nsf/0/bd15335931fbb82686256b350078d1e7/$FILE/SC83775%20Chief%20Disciplinary%20Counsel's%20brief.PDF) [].

932. *Id.*

## 56. John F. Payne

Born in 1945 in Covington, Kentucky, John F. Payne graduated from the University of Tulsa and the University of Missouri-Kansas City School of Law.<sup>933</sup> He engaged in the general practice of law in Kansas City before forming a partnership for over 12 years.<sup>934</sup> In 1990, he was appointed a Commissioner on the Jackson County Circuit Court, serving for nearly 18 years.<sup>935</sup> Interestingly, Payne was ordained in 1992, becoming the pastor at Temple of Faith in 2003.<sup>936</sup> He served as a member of the Board of Niles Home for Children, and, in 2009, was named the Outstanding Family Advocate by the Cornerstones of Care.<sup>937</sup> He passed away in 2018.<sup>938</sup>

## 57. Kea S. Bird-Riley

Kea S. Bird-Riley was appointed Associate Circuit Judge for Jackson County in 2020 by Governor Mike Parson.<sup>939</sup> From 2018 to 2020, she served as a Family Court Commissioner for the Jackson County Circuit Court.<sup>940</sup> She received a B.S. from Mississippi College and J.D. from the University of Missouri-Kansas City School of Law.<sup>941</sup> Before judicial service, she practiced as a family law attorney in Kansas City, served as a mediator in family law matters, and presented at various Guardian ad Litem seminars.<sup>942</sup> Judge Bird-Riley is a member of the Kansas City Metropolitan Bar Association, The Missouri Bar, and the Kansas Bar Association.<sup>943</sup>

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933. *Obituary for Pastor John F. Payne*, ELITE FUNERAL CHAPEL, <https://elitefuneralchapel.com/obit/pastor-john-f-payne/> [https://perma.cc/A5YR-7WBA] (last visited Sept. 28, 2020).

934. *Id.*

935. *Id.*

936. *Id.*

937. *Id.*

938. *Id.*

939. *Governor Parson Appoints Kea S. Bird-Riley as Associate Circuit Judge for 16th Judicial Circuit*, (Dec. 23, 2020), <https://governor.mo.gov/press-releases/archive/governor-parson-appoints-kea-s-bird-riley-associate-circuit-judge-16th> [https://perma.cc/9GLE-HNXB].

940. *Commissioner Kea S. Bird-Riley Biography*, 16<sup>TH</sup> CIR. CT. OF JACKSON CNTY., MO., <https://www.16thcircuit.org/biography-commissioner-martina-l-peterson> [https://perma.cc/5D6Z-ZF5M] (last visited Sept. 28, 2020).

941. *Id.*

942. *Id.*

943. *Id.*

## 58. Rita Montgomery Hollie

Judge Rita Montgomery (now Rita Montgomery Hollie) served as a St. Louis County Municipal Judge from 1977 to 1981.<sup>944</sup> Before that, she worked in the Missouri Attorney General's Office, focusing on consumer protection against lead-based paint.<sup>945</sup> Hollie is a founder and partner of St. Louis-based Montgomery Hollie & Associates, LLC, a firm specializing in adoption and family law.<sup>946</sup> She received a J.D. and M.S.W. from Washington University in 1973.<sup>947</sup>

## 59. William J. McHugh, Sr.

William J. McHugh, Sr. served as a Municipal Judge for the City of St. Louis from 1981 to 1985, the City of Northwoods from 1992 to 1993, and the City of St. Louis, again, from 1993 to 2005.<sup>948</sup> He received a B.A. in elementary education from Harris Teachers College (now Harris-Stowe State University)<sup>949</sup> in 1968 and his J.D. from Drake University in 1974.<sup>950</sup> Before becoming a Municipal Judge, he served as a staff attorney and Chief Warrant Officer for the Juvenile Court of St. Louis City.<sup>951</sup> Judge McHugh currently is a sole practitioner in Clayton, Missouri.<sup>952</sup>

## 60. Daniel R. Brown

Judge Daniel R. Brown has served as a Municipal Judge in St. Louis County since 2017.<sup>953</sup> He is also a founding partner of Smith Brown, LLC, focusing on civil litigation and family law.<sup>954</sup> Brown graduated from

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944. *Brown School to Present 2009 Distinguished Alumni Awards*, WASHINGTON UNIV. IN ST. LOUIS (April 16, 2009), <https://source.wustl.edu/2009/04/brown-school-to-present-2009-distinguished-alumni-awards/> [<https://perma.cc/X7QV-DCUX>]; Fred W. Lindecke, *New Nominee Rejected For Election Panel*, MISSOURI CAPITOL, Mar. 6, 1986.

945. *Brown School to Present 2009 Distinguished Alumni Awards*, *supra* note 944.

946. *Id.*

947. *Id.*

948. Telephone Interview with Hon. William J. McHugh Sr. (ret.), Municipal Judge, in St. Louis, Mo. (Sept. 23, 2020).

949. *Campus History*, HARRIS-STOWE STATE UNIVERSITY, [https://www.hssu.edu/rsp\\_content.cfm?wid=50&pid=478](https://www.hssu.edu/rsp_content.cfm?wid=50&pid=478) [<https://perma.cc/36PQ-8JFA>] (last visited Sept. 30, 2020).

950. Interview with Hon. William J. McHugh Sr. (ret.), Municipal Judge, City of St. Louis (Sept. 30, 2020).

951. *Id.*

952. *Id.*

953. *Our Attorneys*, SMITHBROWNLIC.COM, <https://www.smithbrownllc.com/attorneys> [<https://perma.cc/FS4Z-JFZP>] (last visited Sept. 28, 2020).

954. *Id.*

Washington University with a B.S. and received a J.D. from Washington University School of Law in 2006.<sup>955</sup>

### 61. Leslie Brown Smith

Judge Leslie Brown Smith is a past Chief Administrative Law Judge for the Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, St. Charles Division.<sup>956</sup> Smith received her B.A. from Harvard University in 1974 and her J.D. from the University of Missouri in 1984.<sup>957</sup> She is now a member of Simon Law Group, P.C., focusing on worker's compensation defense.<sup>958</sup> Smith serves on the Legislative Committee of The Missouri Bar and is active in the Harvard Alumni Association.<sup>959</sup>

### 62. Kenneth J. Cain

Kenneth J. Cain is an Administrative Law Judge for the Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, Kansas City Division.<sup>960</sup> He began as an Administrative Law Judge in 1988<sup>961</sup> after serving as a Legal Advisor and Associate Administrative Law Judge from 1985 to 1987.<sup>962</sup> Judge Cain previously worked as an Assistant Regional Attorney for the United States Department of Health and Human Services, a sole practitioner, and the head of the Workers' Compensation Unit at the Missouri Attorney General's Office.<sup>963</sup> Judge Cain received his B.A., M.A., and J.D. from the University of Missouri-Kansas City.<sup>964</sup>

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955. *Id.*

956. *Leslie Brown Smith*, SIMONGROUPPC.COM, <http://www.simongrouppc.com/lbsmith.html> (last visited Sept. 28, 2020).

957. *Id.*

958. *Id.*

959. *Id.*

960. *Sixteenth Circuit Judicial Commission Application for Circuit Judge Jackson County, Missouri, Mo.* COURTS, <https://www.courts.mo.gov/file.jsp?id=89800> (last visited Sept. 28, 2020).

961. *Administrative Law Judges Appointment Dates*, MO. DEPT. OF LABOR AND INDUSTRIAL RELATIONS, [https://labor.mo.gov/DWC/judge\\_appt](https://labor.mo.gov/DWC/judge_appt) [<https://perma.cc/57YG-SAPE>] [hereinafter *Appointment Dates*] (last visited Sept. 28, 2020).

962. *Sixteenth Circuit Judicial Commission Application for Circuit Judge Jackson County, Missouri*, *supra* note 960.

963. *Id.*

964. *Appointment Dates*, *supra* note 961.

## 63. Suzette Carlisle

Judge Suzette Carlisle is an Administrative Law Judge for the Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation.<sup>965</sup> Before becoming an ALJ in 2005, she served as a Legal Advisor with the Missouri Division of Workers' Compensation from 1998 to 2005.<sup>966</sup> Carlisle previously was a criminal defense attorney and an Assistant Circuit Attorney for St. Louis City.<sup>967</sup> She received a B.S. and J.D. from Saint Louis University, an M.B.A. from Lindenwood College, and an M.A. in Judicial Studies from the University of Nevada-Reno.<sup>968</sup>

*E. The Public Lawyers*

Missouri's lawyers in the public sector have made equally strong gains. From county prosecutors to city mayors to state legislators, these individuals set the stage for future generations of Black lawyers.

## 1. Shayne Healea

In 2010, Shayne Healea was elected Prosecuting Attorney of Moniteau County.<sup>969</sup> A California, Missouri native, he is the first Black to serve as a chief prosecutor.<sup>970</sup> Healea, a graduate of University of Missouri School of Law, was re-elected in 2014 in a county that is about four percent Black.<sup>971</sup> Forced to resign following a DWI in 2018,<sup>972</sup> Healea now practices at Brown Cornell Farrow LLC in Jefferson City.<sup>973</sup>

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965. *Id.*

966. *NAWCJ Judiciary College 2019 Faculty*, LEX AND VERUM, Mar. 2019, at 39.

967. *Id.*

968. *Id.*

969. E-mail from Hon. Duane Benton, Circuit Judge, U.S. Court of Appeals for the Eighth Circuit, to author (July 30, 2020) (on file with author).

970. Catherine Martin, *Shayne Healea is Missouri's only nonwhite prosecutor, and one of few in the nation*, MISSOURI LAWYERS MEDIA (Aug. 3, 2015), <https://molawyersmedia.com/2015/08/03/310236/#:~:text=Moniteau%20County%20Prosecuting%20Attorney%20Shayne%20Healea%20outside%20the,%22They%20just%20know%20me%20as%20Shayne.%22%20KAREN%20ELSHOUT%2Fphoto> [<https://perma.cc/8V8W-NJWW>].

971. *Id.*

972. Maureen Strode, *Shayne Healea pleads guilty, has to resign as Moniteau prosecutor*, MISSOURIAN, (Sep. 4, 2018), [https://www.columbiainmissourian.com/news/local/shayne-healea-pleads-guilty-has-to-resign-as-moniteau-prosecutor/article\\_8b2098d4-b05b-11e8-9f7a-8f7bebf0b7c.html](https://www.columbiainmissourian.com/news/local/shayne-healea-pleads-guilty-has-to-resign-as-moniteau-prosecutor/article_8b2098d4-b05b-11e8-9f7a-8f7bebf0b7c.html) [<https://perma.cc/D47N-25Y7>].

973. *Shayne Healea*, BROWN CORNELL FARROW, LLC, <https://www.bcf-law.net/shayne-healea/> [<https://perma.cc/Y5XQ-BEXU>].



## 2. Kimberly Gardner

In 2017, Kimberly Gardner became the first Black Circuit Attorney for the City of St. Louis.<sup>974</sup> Gardner earned a B.A. at Harris-Stowe State University, and a J.D. and an M.S. in nursing at Saint Louis University.<sup>975</sup> She previously served as a state representative, attorney for her family's funeral home, a registered nurse, and an Assistant Circuit Attorney under Jennifer Joyce.<sup>976</sup>

## 3. Wesley Bell

In 2019, Wesley Bell became the first Black Prosecuting Attorney for St. Louis County.<sup>977</sup> Bell, raised in North St. Louis County by a police-officer father and a county-civil-servant mother, earned a B.A. at Lindenwood University and J.D. at University of Missouri School of Law.<sup>978</sup> He previously worked as a state public defender, criminal justice professor at St.

974. Danny Wicentowski, *Kim Gardner Is St. Louis' First Black Circuit Attorney. That Matters — And She's Just Getting Started*, RIVERFRONT TIMES, (Mar. 1, 2017), <https://www.riverfronttimes.com/stlouis/and-justice-for-all/Content?oid=3676536;KimberlyGardnerforStLouisCircuitAttorney>, ST. LOUIS AM., (Jul. 16, 2020), [http://www.stlamerican.com/news/editorials/kimberly-gardner-for-st-louis-circuit-attorney/article\\_3c942754-c70f-11ea-95b8-9fc472255da5.html](http://www.stlamerican.com/news/editorials/kimberly-gardner-for-st-louis-circuit-attorney/article_3c942754-c70f-11ea-95b8-9fc472255da5.html). Jerryl T. Christmas, a Black Democrat, ran for Circuit Attorney in the City of St. Louis in 2000 against Jennifer Joyce, a White Democrat, who would become the City's longest-serving prosecutor of sixteen years. Ray Hartmann, *The City That Gets No Respect*, RIVERFRONT TIMES, (Aug. 18, 2020), <https://www.riverfronttimes.com/stlouis/hartmann-the-city-that-gets-no-respect/Content?oid=34009102>. Rufus J. Tate, Jr. also ran for Circuit Attorney in the City of St. Louis as an Independent in 2000. Interview with Rufus J. Tate, Jr., Attorney at Law (Sept. 26, 2020). Helton Reed, Jr. ran unsuccessfully for Circuit Attorney in 1976. *Helton Reed Jr. Lawyer was dedicated to volunteering*, ST. LOUIS POST-DISPATCH at D9 (Aug. 3, 2006).

975. Jason Rosenbaum, *Politically Speaking: St. Louis Circuit Attorney Kim Gardner On Why She Should Stay In Office*, ST. LOUIS PUBLIC RADIO, (July 23, 2020), <https://news.stlpublicradio.org/politics-issues/2020-07-23/politically-speaking-st-louis-circuit-attorney-kim-gardner-on-why-she-should-stay-in-office> [https://perma.cc/7ZFK-VQBF].

976. Rachel Lippmann, *Six things to know about the candidates running to replace Circuit Attorney Joyce*, ST. LOUIS PUBLIC RADIO, (Jul. 15, 2016), <https://news.stlpublicradio.org/government-politics-issues/2016-07-15/six-things-to-know-about-the-candidates-running-to-replace-circuit-attorney-joyce> [https://perma.cc/3EP2-6J4X].

977. Sandra Jordan, *Wesley Bell elected STL County's first black prosecutor*, ST. LOUIS AM. (Nov. 7, 2018), [http://www.stlamerican.com/news/local\\_news/wesley-bell-elected-stl-county-s-first-black-prosecutor/article\\_40e7f5ca-e24a-11e8-b793-83813ee3637c.html](http://www.stlamerican.com/news/local_news/wesley-bell-elected-stl-county-s-first-black-prosecutor/article_40e7f5ca-e24a-11e8-b793-83813ee3637c.html) [https://perma.cc/CR94-RTU5].

978. ST. LOUIS COUNTY PROSECUTING ATTORNEY WESLEY BELL, <https://www.stlouiscountyprosecutingattorney.com/wesleybell> [https://perma.cc/KN9K-Q53V] (last visited Oct. 19, 2020).

Louis Community College-Florissant Valley, and a lawyer in private practice.<sup>979</sup>

#### 4. Angela M. Bennett

In 1997, Angela Bennett joined the U.S. Department of Education's Office for Civil Rights to direct the Kansas City office for the Midwest Division. Her job description was straightforward: "To make sure that each student in 2,273 federally financed school districts and in 300 federally financed colleges and universities has equal access to an education."<sup>980</sup> She was attracted to the position because her family had always emphasized education and this was a chance for her to use her "skills to ensure that students under our jurisdiction are afforded the best education possible."<sup>981</sup> As director, she oversaw a staff of 43 attorneys, investigators, and clerical workers. She was responsible for handling complaints of race, sex, disability, or age discrimination throughout Missouri, Kansas, Iowa, Nebraska, South Dakota, and North Dakota.<sup>982</sup>

Bennett is no stranger to discrimination. Raised in Kansas City, she attended an elementary school with only eight Black students.<sup>983</sup> As a ten-year-old child in 1963, she was the only Black girl at her Girl Scout summer camp.<sup>984</sup> Bennett recalls a young White girl "in her cabin staring and scowling" at her, "refusing even to accept a piece of paper" from her.<sup>985</sup> Bennett noted the young girl had likely "been told by her parents that Black people were bad. She was reacting to what she had been told."<sup>986</sup> Bennett "responded the way my parents had taught me. I treated her with kindness. She was soon following me all over the place."<sup>987</sup> As a young girl in the early 1960s, shopping at a suburban mall with her family, she often noticed that White people would stop and stare at them.<sup>988</sup> Bennett graduated from Kansas City's Southeast High School in 1970, in a class half White and half Black.<sup>989</sup> During her three years at the University of Missouri-Kansas City School of

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979. *Id.*

980. Laura Hockaday, *Lawyer Takes on a Cause Near and Dear: Angela M. Bennett is Education Watchdog for Civil Rights Office*, KAN. CITY STAR, Sept. 24, 1997, at F1.

981. *Id.*

982. *Id.*

983. *Id.*

984. *Id.* Bennett continues to be active in scouting, including serving on the board of the Girl Scouts of Northeast Kansas and Northwest Missouri. *Spotlight on Girl Scout Alum Angela Bennett*, GSKMO BLOG (Dec. 13, 2018), <http://gsksmoblog.org/2018/12/gs-alum-leadership-in-action/> [<https://perma.cc/P2J9-PATR>].

985. Hockaday, *supra* note 980.

986. *Id.*

987. *Id.*

988. *Id.*

989. *Id.*

Law, White male classmates told Bennett – the only Black woman in her class – and other women that they were taking up space designed for male law students.<sup>990</sup>

She served as an assistant county counselor for Jackson County, a Missouri Assistant Attorney General, and Chief Environmental Attorney for the U.S. Army Corps of Engineers.<sup>991</sup> She then became the first Black lawyer hired at Lathrop & Norquist (now Lathrop GPM), where she practiced for six years.<sup>992</sup> In 1996, with three degrees from the University of Missouri Kansas City, she became the first Black elected to the University of Missouri Kansas City Alumni Association Board of Directors.<sup>993</sup> In 2006, Bennett was elected President of the University of Missouri Board of Curators.<sup>994</sup>

### 5. Raymond Howard, Jr.

In 1968, Raymond Howard, Jr.<sup>995</sup> was elected to the Missouri Senate at age 33, the youngest Missourian ever elected a senator.<sup>996</sup> He served 12 years in the Missouri Senate and House of Representatives.<sup>997</sup> In the Senate, he chaired the Higher Education Committee and authored Missouri’s State Scholarship Law, Missouri’s Equal Housing Law, and Missouri’s Equal Opportunity Employment Law.<sup>998</sup>

Howard lived a remarkable life, serving in the U.S. Army as a paratrooper after high school, reaching the rank of lieutenant.<sup>999</sup> Howard, graduating at the top of his class, “became only the third African-American to graduate from St. Louis University School of Law.”<sup>1000</sup> A zealous advocate for change, Howard led many “sit-ins, peaceful protests, and boycotts” to ensure all citizens, regardless of skin color, the same access to jobs and businesses.<sup>1001</sup> He also was actively involved in local community organizations, including the Urban League, St. Louis YMCA, St. Louis

990. *Id.*

991. *Id.*

992. *Id.*

993. *Id.*

994. *Angela Bennett Elected President of University of Missouri Board of Curators; Don Walsworth Elected Vice President*, UNIV. MO. SYS., [https://www.umsystem.edu/ums/news/news\\_releases/angela\\_bennett\\_elected\\_president\\_of\\_university\\_of\\_missouri\\_board\\_of\\_curator](https://www.umsystem.edu/ums/news/news_releases/angela_bennett_elected_president_of_university_of_missouri_board_of_curator) [https://perma.cc/7TZR-5DRK] (last visited July 16, 2020).

995. From 1921 to 1988, “62 African Americans occupied seats in the Missouri general assembly.” Charles E. Menifield, *Black Political Life in the Missouri General Assembly*, 31 J. BLACK STUDIES 20, 21 (Sep. 2000).

996. *Raymond Howard, Jr.*, ST. LOUIS POST-DISPATCH (Aug. 28, 2019), <https://www.legacy.com/obituaries/stltoday/obituary.aspx?n=raymond-howard&pid=193753988&fhid=25804> [https://perma.cc/VET4-2N7L].

997. *Id.*

998. *Id.*

999. *Id.*

1000. *Id.*

1001. *Id.*

NAACP, St. Louis Congress of Racial Equality, St. Louis Symphony Orchestra and Gateway National Bank.<sup>1002</sup>

#### 6. Freeman R. Bosley, Jr.

In 1993, Freeman R. Bosley, Jr. became the first Black and 43rd Mayor of the City of St. Louis.<sup>1003</sup> In his four-year term, he led the city through the historic floods of 1993 and 1995, supervising emergency services and disaster relief efforts.<sup>1004</sup> He played a leadership role in the federal government's assistance to Trans World Airlines, with relocation of its headquarters to St. Louis.<sup>1005</sup> He also helped negotiate the relocation of the National Football League's Los Angeles Rams to St. Louis.<sup>1006</sup>

Born in St. Louis in 1954, Bosley graduated from Central High School<sup>1007</sup> and earned his undergraduate and law degrees from Saint Louis University in 1976 and 1979, respectively.<sup>1008</sup> Bosley was president of the Black Student Alliance and the Black-American Law Students Association.<sup>1009</sup> He served as a staff attorney for Legal Services of Eastern Missouri and as an attorney with the small Black law firm of Boast and Jordan.<sup>1010</sup> He was the first Black elected Circuit Clerk for the City of St. Louis.<sup>1011</sup> He served as Circuit Clerk for ten years before being elected mayor.<sup>1012</sup>

#### 7. Sylvester "Sly" James, Jr.

Sylvester "Sly" James, Jr. served as the 54th Mayor of Kansas City, Missouri.<sup>1013</sup> He was the second Black elected, following Emmanuel Cleaver, II, now in the United States Congress. James, following his father and brother, joined the Marines after high school, forgoing his nascent music career.<sup>1014</sup>

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1002. *Id.* See also *In re Raymond Howard*, 912 S.W.2d 61, 64 (Mo. 1995) (en banc) (imposing a six-month suspension for professional violations).

1003. *The Honorable Freeman Bosley, Jr.*, THE HISTORY MAKERS (Oct. 15, 2007), <https://www.thehistorymakers.org/biography/honorable-freeman-bosley-jr> [<https://perma.cc/5BK2-LNN6>].

1004. *Id.*

1005. *Id.*

1006. *Id.*

1007. *Id.*

1008. *Id.*

1009. *Id.*

1010. *Id.*

1011. *Id.*

1012. *Id.*

1013. *About Sly James*, OFFICE OF THE MAYOR SLY JAMES, <http://kcmayor.org/about-sly-james> [<https://perma.cc/XKP6-KYAJ>] (last visited Oct. 20, 2020).

1014. In high school, James was the lead singer of a band that opened for Jefferson Airplane. Donald Bradley, *Mayor candidate Sly James described as driven, passionate and funny*, KAN. CITY STAR, Mar. 6, 2011, at A1.

After four years as a military police officer, James attended Rockhurst College.<sup>1015</sup> He earned his J.D. from the University of Minnesota in 1983, returning home to Kansas City.<sup>1016</sup> He was the first Black attorney at Blackwell, Sanders, Matheny, Weary & Lombardi, and, in 1990, the firm's first Black partner.<sup>1017</sup>

At the firm, now Husch Blackwell, James represented Missouri inmates housed in Texas.<sup>1018</sup> On their behalf, he obtained a \$2.2 million settlement with the county where the prison was located, the largest prison-abuse settlement in the country.<sup>1019</sup>

Before elected Mayor, James served as Vice President of Legal Aid of Western Missouri, president of the Missouri Board of Law Examiners, and president of the Kansas City Metropolitan Bar Association.<sup>1020</sup>

## 8. Quinton Lucas

Quinton Lucas serves as the 55th Mayor of Kansas City, Missouri.<sup>1021</sup> In 2019, he became the third Black elected, following Emmanuel Cleaver, II and Sly James. Born and raised in Kansas City, Mayor Lucas has spent most of his life in the city's urban core. "As a child, he moved often and experienced homelessness, sometimes staying with family or friends, or residing in a motel."<sup>1022</sup> Despite these challenges, he remained focused on his education, graduating from the Barstow School, Washington University, and Cornell Law School.<sup>1023</sup>

He returned home to serve as a law clerk to Judge Duane Benton of the U.S. Court of Appeals for the Eighth Circuit.<sup>1024</sup> The Mayor then was in private practice focused on commercial disputes and government investigations of financial fraud.<sup>1025</sup> Since 2012, he has been a member of the University of Kansas Law School faculty, one of the youngest tenure-track law professors in the country.<sup>1026</sup> He lives in the historic 18th and Vine Jazz District, which he previously represented on the City Council.<sup>1027</sup>

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1015. *Id.*

1016. *Id.*

1017. *Id.*

1018. *Id.*

1019. *Id.*

1020. *Id.*

1021. *Mayor Quinton Lucas*, CITY OF KANSAS CITY, MISSOURI, <https://www.kcmo.gov/city-hall/city-officials/mayor-quinton-lucas> [<https://perma.cc/2LL5-FMNJ>].

1022. *Id.*

1023. *Quinton D. Lucas*, KU | SCHOOL OF LAW <https://law.ku.edu/faculty/quinton-lucas> [<https://perma.cc/TH22-NNG3>].

1024. *Id.*

1025. *Id.*

1026. *Id.*

1027. *Mayor Quinton Lucas*, *supra* note 1021.

## 9. Stefan Hughes

Stefan Hughes serves as an Assistant U.S. Attorney for the Western District of Missouri. He recalls choosing his current profession:

On Saturday January 13, 1990, I graduated from law school. After I moved back to Kansas City, I had a fateful conversation with my father. During the conversation, I asked my dad for career advice (because my original thought was I would go work in his law firm and make my fortune)! But my dad gave me some unexpected advice. He candidly advised me that, “son, before you can keep your clients out of jail, you must first learn how to put them (i.e., criminal defendants) in jail.”<sup>1028</sup>

In September 1990, Stefan Hughes interviewed with Albert Reiderer, then Jackson County Prosecuting Attorney, for an assistant prosecutor position. Reiderer asked only “one substantive question.”<sup>1029</sup> Hughes later learned he got the job due mostly to the reputation of his father and brother. Reiderer noted, however, that only Hughes could determine whether he kept the job.

That was all he needed to tell me because I threw myself into the work and I immediately loved it. I loved the work because I derived a great deal of satisfaction from representing crime victims and helping them find justice with their cases. In this way, I felt, I was following the example of my father who was also one of the first Black Assistant Jackson County Prosecutors. My dad worked in the office from approximately 1959-1961. The starting salary was \$24,000 per year.<sup>1030</sup>

Hughes, a career state and federal prosecutor, is proud of the Blacks who worked in his offices through the years. But he expressed sadness that the total number of Black Assistant United States Attorneys in his office can be counted on less than two hands.<sup>1031</sup> “[I]n the now 163-year history of the [U.S. Attorney’s Office for the Western of Missouri] it has only hired ten

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1028. E-mail from Stefan Hughes, Assistant U.S. Attorney, U.S. Att’y’s Off., to author (July 20, 2020) (on file with author).

1029. *Id.*

1030. *Id.*

1031. *Id.* The Blacks who have worked as Assistant U.S. Attorneys in the Western District of Missouri are, in order, (1) Clifford Spottsville, 1961-1967, later served as a municipal judge; (2) Larry Delano Coleman; (3) Thomas H. Newton, 1987-1993, currently serves as Missouri Court of Appeals judge; (4) Lajuana M. Counts, 1989-2018, currently serves as a U.S. Magistrate Judge; (5) Christina Tabor, 1990-2015, now retired; (6) Abe McGull, 1999-2020, currently in private practice; (7) Rudolph R. Rhodes, IV, 2002-present; (8) Stefan Hughes, 2008-present; (9) Jeff McCarther, 2014-present; and (10) Christa B. Moss, 2020-present. *Id.*

Black fulltime AUSA[s],” including only three Black women.<sup>1032</sup> He noted that with the recent retirement of Abe McGull, only Rudy R. Rhodes, Jeff McCarther, Christa B. Moss, and he remain as Black full-time Assistant United States Attorneys. “Because of this, I fully recognize the importance of always carrying myself in such a manner to justify my hiring and hopefully set an example so that the office will consider hiring other Black AUSAs in the future.”<sup>1033</sup>

Besides his father, Hughes salutes “several mentors including respected White lawyers like John O’Connor, Kevin Regan, and Jim Humphrey, Sr.”<sup>1034</sup> He remembers his father taught him the importance of fairness, consistency, and proportionality. On the one hand, his father suggested to him that whenever a defendant was especially vicious and or committed atrocious crimes, it was Hughes’s duty to get him convicted and seek a substantial sentence. “On the other hand, dad taught me that I should trust my own intuition and not be afraid to give a defendant a break if it appeared warranted.”<sup>1035</sup> Perhaps the most significant and positive role his father and brother played in his career was that he

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1032. E-mails from Stefan Hughes, Assistant U.S. Attorney, U.S. Att’ys Off., to author (July 20, 2020, and Jan. 24, 2021) (on file with author). There are currently 64 attorneys assigned to the U.S. Attorney’s Office in the Western District of Missouri. U.S. ATT’YS OFF. W. DIST. MO., <https://www.justice.gov/usao-wdmo/office> [<https://perma.cc/4CHA-F4CP>] (last visited July 24, 2020). Relatedly, the U.S. Attorney’s Office for the Eastern District of Missouri currently has 79 attorneys in its office. The U.S. Attorney’s Office for the Eastern District of Missouri has hired 22 Black full-time assistant U.S. attorneys in its history, with 9 currently serving. E-mails from Anthony Franks and Edward Dowd, Assistant U.S. Attorneys, U.S. Att’ys Off., to author (Sept. 28, 2020) (on file with author). The Blacks who have worked as assistant U.S. attorneys in the Eastern District of Missouri are, in order: (1) Evelyn Baker 1978-1983; (2) Larry Hale 1979-1984; (3) Charles Shaw 1980-1987; (4) Randall Cahill 1990-1994; (5) Eric Tolen\* 1987-1999; (6) Gabriel Gore 1995-2000; (7) Lois Jackson 2000-2001; (8) Kymberly Smith 1997-2002; (9) Donald Wilkerson 1995-2005; (10) Angela Turner Quigless 1995-2003; (11) Noelle Collins 2004-2013; (12) Reginald Harris 2002-2019; (13) Jennifer Winfield 2008-2020; (14) Dorothy McMurtry 1991-present; (15) Tracy Berry 2005-present; (16) Rodney Holmes 2002-2004, 2015-present; (17) Dianna Collins 2010-present; (18) Anthony Franks 2010-present; (19) Linda Lane 2017-present; (20) Anthony Box 2018-present; (21) James Redd 2019-present; and (22) Kourtney Bell 2020-present. E-mail from Anthony Franks, Assistant U.S. Attorney, U.S. Att’ys Off., to author (Sept. 28, 2020) (on file with author). \*MISSOURIAN: THE ASSOCIATED PRESS, *Ex-federal prosecutor sentenced for sex crimes* (Nov. 8, 2008) [https://www.columbiainmissourian.com/news/local/ex-federal-prosecutor-sentenced-for-sex-crimes/article\\_dfe4e3ed-737d-5e12-ad66-7476ac388afd.html](https://www.columbiainmissourian.com/news/local/ex-federal-prosecutor-sentenced-for-sex-crimes/article_dfe4e3ed-737d-5e12-ad66-7476ac388afd.html) [<https://perma.cc/6LZC-M5W8>] (last visited Sept. 28, 2020).

1033. E-mail from Stefan Hughes, Assistant U.S. Attorney, U.S. Att’ys Off., to author (July 20, 2020) (on file with author).

1034. *Id.*

1035. *Id.*

sometimes had the enormous advantage of name recognition when I was out in the field looking for victims and/or trying to persuade reluctant witnesses to cooperate with the prosecution. I can't tell you how many times people would ask whether I was Judge Hughes' son or not. That fact literally opened many doors for me that would have otherwise remained shut had I not had such a remarkable dad who gave me a good name within the community.<sup>1036</sup>

## 10. Anthony Bush

Anthony Bush has worked in Kansas City as an assistant city attorney for nearly three decades.<sup>1037</sup> A graduate of University of Missouri School of Law, Bush served more than two years as an assistant prosecuting attorney before moving to City Hall in 1990. He was the 1996-1997 Jackson County Bar Association President.

## 11. Carol Coe

Community activist Carol Coe spent much of her career advocating for the Black community in Kansas City. A graduate of the University of Missouri-Kansas City School of Law, she served as a prosecutor and Assistant City Attorney as well as worked for the Small Business Administration. Her first elected office was in the Jackson County Legislature (1985-1990). After a failed bid for Jackson County Prosecutor, Coe was elected to the Kansas City Council (1991-1995).<sup>1038</sup> While there, she sought the Democratic nomination for United States Senate finishing sixth in a crowded primary.<sup>1039</sup> Coe, known for her boisterous personality,<sup>1040</sup> was instrumental in bringing the International Jazz Hall of Fame to Kansas City and actively protested the lack of diversity in a law firm representing the city.<sup>1041</sup>

Although her city council career ended with a guilty plea to three misdemeanors,<sup>1042</sup> Coe remained an active presence in city politics –

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1036. *Id.*

1037. *Anthony Bush*, LINKEDIN, <https://www.linkedin.com/in/anthony-bush-931a1739> (last visited July 17, 2020).

1038. *3rd District Candidates*, KAN. CITY STAR, Feb. 21, 2007, at A4.

1039. *Race for Senate is Packed 14 Democrats Seek Seat Held by Bond*, ST. LOUIS POST-DISPATCH, Aug. 2, 1992, at A2.; *Missouri is Center of Attention as 5 States Hold Primary Elections Today*, WASH. POST (Aug. 4, 1992), <https://www.washingtonpost.com/archive/politics/1992/08/04/missouri-is-center-of-attention-as-5-states-hold-primary-elections-today/205b5b81-b513-4b53-bf66-616dc2cc2eb0/> [<https://perma.cc/9867-GJ5M>].

1040. By her own estimation, Coe was in the news every day. Fred W. Lindecke, *Kansas City Councilwoman Running for Bond's Seat*, ST. LOUIS POST-DISPATCH, Apr. 28, 1992, at C1.

1041. *Id.*

1042. Coe became embroiled in a heated re-election race that saw Freedom, Inc. endorse her challenger and a controversy over sample ballots distributed by her supporters. Coe would ultimately plead guilty to three misdemeanor campaign



unsuccessfully seeking her old city council post and losing a 1998 race for Kansas City Board of Education. In 2006, Coe was appointed by Councilwoman Sandra McFadden-Weaver to the Public Improvements Advisory Committee,<sup>1043</sup> and served as director of Green Acres, an urban farming initiative aimed at inner-city students.<sup>1044</sup> More recently, Coe served on the Jackson County Jail Task Force.<sup>1045</sup> She passed away in February 2021, at age 74.

## 12. Ronald E. Finley

Ronald Finley serves on the Jackson County Legislature, representing most of east central Kansas City and Raytown.<sup>1046</sup> A past president of the Kansas City branch of the NAACP, he served on the Kansas City Council from 1991 to 1998 and the Jackson County Legislature from 1998 to 2005.<sup>1047</sup> After a stint as Chief of Staff to state Senator Yvonne Wilson, Finley returned to the county legislature in 2018. Finley earned his J.D. and LL.M at the University of Missouri-Kansas City.<sup>1048</sup> Finley is known for both his civility and bluntness while in public office.<sup>1049</sup>

## 13. Larry Hale

Larry Hale's illustrious career included both private practice and government work.<sup>1050</sup> He joined the United States Attorney's Office in 1979, honing his litigation skills before forming the firm of Peoples, Hale and

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finance violations and surrender her law license in 1996. Mark Morris, *Coe, others testify before grand jury*, KAN. CITY STAR, Mar. 4, 1995, at C1; Joe Lambe, *Coe stole from campaign funds, indictment says*, KAN. CITY STAR, June 14, 1995, at A1; Joe Lambe, *Coe pays restitution, seeks probation release*, KAN. CITY STAR, Feb. 19, 1998, at C2; *Metro Digest*, KAN. CITY STAR, Mar. 19, 1998, at C2.

1043. Lynn Horsley, *Public improvements panel gets new voice*, KAN. CITY STAR, Sept. 22, 2006, at B5.

1044. Cindy Hoedel, *Former Councilwoman Carol Coe cultivates careers for urban kids*, KAN. CITY STAR, May 24, 2013.

1045. Mike Hendricks, *Two years after jail task force finished work, Frank White names a jail task force*, KAN. CITY STAR, Nov. 14, 2017.

1046. *2nd District Legislator*, JACKSON CTY, MO, <https://www.jacksongov.org/1079/2nd-District-Ronald-E-Finley> [<https://perma.cc/AH9B-R3PN>] (last visited July 16, 2020).

1047. *Id.*

1048. *Id.*

1049. Gromer Jeffers, Jr., *Finley says goodbye to his council colleagues*, KAN. CITY STAR, Dec. 22, 1998, at B3.

1050. Jessica Shumaker, *St. Louis 'legal legend' Larry Hale dies at 67*, MO. LAWYERS. MEDIA (Jan. 24, 2020), <https://molawyersmedia.com/2020/01/24/st-louis-legal-legend-larry-hale-dies-at-67/> [<https://perma.cc/LGX7-XS9X>]; *Larry Darnell Hale*, SCHRADER FUNERAL HOME AND CREMATORY, <http://www.schraderfh.com/obituary/6844006> [<https://perma.cc/5X9E-ULKC>] (last visited July 16, 2020).

Coleman in 1988.<sup>1051</sup> In 1999, as discussed, Hale returned to government service as Assistant Special Counsel during the Waco investigation under Senator John Danforth.<sup>1052</sup> At the state level, Hale served as a Special Attorney General for the Missouri Gaming Commission.<sup>1053</sup>

Outside the courtroom, Hale served on a United States Magistrate Selection Committee, a Public Defender Selection Committee, and the United States Sentencing Commission.<sup>1054</sup> As an educator, he shared his trial advocacy skills with students at Washington University School of Law and Emory University School of Law.<sup>1055</sup> Ed Dowd, a former U.S. Attorney and later Deputy Special Counsel for the Waco investigation, recalls:

In 1999, we recruited [now U.S. Magistrate Judge] Willie Epps, Larry Hale, Gabe Gore and John Sardar to be Assistant Special Counsel for the Waco Investigation. They all rose to the occasion and did tremendous work on an investigation run by former Senator John C. Danforth, with me as his Deputy Special Counsel. This was an extremely important investigation which had national and international implications. The result cleared the FBI of murdering Branch Davidians and confirmed that the U.S. Army had acted within the law . . . . All of these lawyers were given an opportunity to excel in a very difficult, complex, important investigation, and all of them performed in the most outstanding and professional manner. The final report was accepted as accurate, thorough and fair by the media and citizens of the United States.<sup>1056</sup>

#### 14. Anthony Franks

Anthony Franks earned both a B.B.A. and J.D. from Howard University.<sup>1057</sup> He began his career in the private sector, first as an associate at Thompson Coburn and later as Associate General Counsel for Anheuser-Busch. Beginning in 2010, Franks shifted to the public sector as an Assistant U.S. Attorney in the Eastern District of Missouri.<sup>1058</sup> He is married to fellow attorney Kimberly Franks, a former Mound City Bar Association president.

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1051. Shumaker, *supra* note 1050; *Larry Darnell Hale*, *supra* note 1050.

1052. Shumaker, *supra* note 1050; *Larry Darnell Hale*, *supra* note 1050.

1053. Shumaker, *supra* note 1050; *Larry Darnell Hale*, *supra* note 1050.

1054. Shumaker, *supra* note 1050; *Larry Darnell Hale*, *supra* note 1050.

1055. Shumaker, *supra* note 1050; *Larry Darnell Hale*, *supra* note 1050.

1056. E-mail from Edward L. Dowd, Jr., Partner, Dowd Bennett, to author (July 20, 2020) (on file with author).

1057. *Anthony Franks*, LINKEDIN, <https://www.linkedin.com/in/anthony-franks-149aa366> (last visited July 16, 2020).

1058. *Ex-Bryan Cave, Anheuser-Busch lawyers to join U.S. attorney's office*, ST. LOUIS BUS. J., (Aug. 9, 2010, 1:24 PM), <https://www.bizjournals.com/stlouis/stories/2010/08/09/daily10.html> [<https://perma.cc/TH46-AL4J>].

## 15. Gabriel E. Gore

Gabe Gore is yet another lawyer who split his career between the private and public sectors. He has been a partner (the first Black) at Dowd Bennett LLP since 2010, specializing in complex civil litigation and white-collar defense.<sup>1059</sup> A 1994 graduate of the University of Chicago Law School, Gore and his wife, Nicole Gore, studied Racism and Law under then-Professor Barack Obama while in school.<sup>1060</sup> After clerking for Judge John R. Gibson on the U.S. Court of Appeals for the Eighth Circuit, Gore joined the U.S. Attorney's Office in St. Louis.<sup>1061</sup>

Gore left the U.S. Attorney's Office in 1999 to join Senator John Danforth's Waco Investigation.<sup>1062</sup> Gore then joined Williams & Connolly LLP in Washington, D.C.<sup>1063</sup> In 2005, Gore returned home to St. Louis to join Bryan Cave LLP as a partner.<sup>1064</sup> Even in private practice, Gore excels in public service. In 2014, Governor Jay Nixon appointed Gore to the Ferguson Commission to study the issues raised by the death of Michael Brown and ensuing civil unrest.<sup>1065</sup> Also, Gore is active on the boards of the Knowledge is Power Program (KIPP) St. Louis and his alma mater, Missouri State University.<sup>1066</sup>

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1059. *Gabriel E. Gore*, DOWD BENNETT, <https://www.dowdbennett.com/attorneys/gabriel-gore/> [https://perma.cc/6KBB-SF3Q] (last visited July 16, 2020). Sheena R. Hamilton, a graduate of Tennessee State University and Saint Louis University School of Law, is the other Black partner at Dowd Bennett, where she focuses on employment and labor law. *Sheena R. Hamilton*, DOWD BENNETT, <https://www.dowdbennett.com/attorneys/sheena-r-hamilton/> [] (last visited Oct. 22, 2020). A BAMSLS John C. Shepherd Professionalism Award winner in 2019, Hamilton clerked for then Chief Judge of the U.S. District Court for the Eastern District of Missouri and today serves on the ABA Board of Governors. *Id.*

1060. Jessica Bassett, *Barack's Students Gabe and Nicole Gore Reflect on 'Professor Obama,'* ST. LOUIS AM. (Oct. 30, 2008), [http://www.stlamerican.com/news/local\\_news/barack-s-students-gabe-and-nicole-gore-reflect-on-professor-obama/article\\_64992363-6f25-5986-950e-9684b26f0365.html](http://www.stlamerican.com/news/local_news/barack-s-students-gabe-and-nicole-gore-reflect-on-professor-obama/article_64992363-6f25-5986-950e-9684b26f0365.html); interview with Gabriel E. Gore, Partner, Dowd Bennett (Aug. 18, 2020).

1061. *Gabriel E. Gore*, *supra* note 1059. Interview with Gabriel E. Gore, Partner, Dowd Bennett (Aug. 18, 2020).

1062. *Gabriel E. Gore joins Bryan Cave L.L.P.'s St. Louis Office*, ST. LOUIS DAILY REC., June 18, 2005. Interview with Gabriel E. Gore, Partner, Dowd Bennett (Aug. 18, 2020).

1063. *Gabriel E. Gore*, *supra* note 1059.

1064. *Gabriel E. Gore joins Bryan Cave L.L.P.'s St. Louis Office*, *supra* note 1062.

1065. *Gov. Nixon Announces Members of Ferguson Commission, Rev. Starsky Wilson Rich McClure to Co-Chair*, ST. LOUIS AM. (Nov. 18, 2014), [http://www.stlamerican.com/news/local\\_news/article\\_2cdcf876-6f64-11e4-9037-e71b90969383.html](http://www.stlamerican.com/news/local_news/article_2cdcf876-6f64-11e4-9037-e71b90969383.html).

1066. *KIPP St. Louis Honors Gabe Gore, Kathy Osborn, Tom Irwin*, ST. LOUIS AM. (May 30, 2018), [http://www.stlamerican.com/news/local\\_news/kipp-st-louis-honors-gabe-gore-kathy-osborn-tom-irwin/article\\_5c813d6e-6473-11e8-8435-](http://www.stlamerican.com/news/local_news/kipp-st-louis-honors-gabe-gore-kathy-osborn-tom-irwin/article_5c813d6e-6473-11e8-8435-)

## 16. Jennifer Winfield

Former Chief of the White Collar Crimes Unit and civil rights coordinator in the United States Attorney's Office for the Eastern District of Missouri, Jennifer Winfield began her government career on the other side of the courtroom.<sup>1067</sup> A 2001 graduate of Indiana University Robert H. McKinney School of Law, she first served as a public defender from 2002 to 2005.<sup>1068</sup> After a brief stop at Hinshaw & Culbertson LLP, Winfield returned to government service—this time as an Assistant Prosecuting Attorney in St. Louis County for nearly three years.<sup>1069</sup> In 2008, she joined the United States Attorney's Office.<sup>1070</sup> Over her 12-year career as a federal prosecutor, Winfield served in several units, from organized crime to human trafficking.<sup>1071</sup> Today, she is Assistant Director & Deputy Title IX Officer at the University of California, Riverside.<sup>1072</sup>

## 17. Jeffrey McCarther

A native Kansas Citian, Jeffrey McCarther studied economics at Northwestern University before earning his law degree from the University of Missouri School of Law.<sup>1073</sup> He chose Mizzou to return to his home State and pursue a career in public service.<sup>1074</sup> But graduating at the height of the 2008-2009 recession and deep in student debt, McCarther instead joined Shook, Hardy & Bacon LLP, using his Big Law salary to pay off his debts before joining the public sector.<sup>1075</sup> After a brief stint with the Jackson County Prosecutor's Office, McCarther became an Assistant United States Attorney in Western Missouri in 2014.<sup>1076</sup> As an Assistant United States Attorney in the Violent Crime & Drug Trafficking Unit, McCarther has tried over 20 cases to verdict and prosecuted many more.<sup>1077</sup>

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93ee2cc5e7fc.html; *Gabriel E. Gore*, MO. ST. UNIV., <https://www.missouristate.edu/bog/gore.htm> [<https://perma.cc/WG35-JC2W>] (last visited July 16, 2020); interview with Gabriel E. Gore, Partner, Dowd Bennett (Aug. 18, 2020).

1067. *Jennifer Winfield*, LINKEDIN, <https://www.linkedin.com/in/jennifer-winfield-462a46153> (last visited July 16, 2020).

1068. *Id.*

1069. *Id.*

1070. *Id.*

1071. *Id.*; interview with Jennifer Winfield, Assistant Director & Deputy Title IX Officer, University of California, Riverside (Sept. 27, 2020).

1072. Interview with Jennifer Winfield, Assistant Director & Deputy Title IX Officer, University of California, Riverside (Sept. 27, 2020).

1073. *Featured Alumnus: Jeffrey McCarther*, UNIV. MO. SCH. L. (Dec. 17, 2019), <https://law.missouri.edu/news/featured-alumnusjeffrey-mccarther/> [<https://perma.cc/4NX7-VNUX>].

1074. *Id.*

1075. *Id.*

1076. *Id.*

1077. *Id.*

## 18. Abe McGull

Attorney, city councilman, educator, and veteran are only some of the titles that describe Abe McGull. A career public servant, he gave 21 years of his life to the U.S. Navy in service to our country.<sup>1078</sup> As a civilian, McGull began his legal career as an Assistant Prosecuting Attorney in Clay County after graduating from the University of Missouri-Kansas City School of Law.<sup>1079</sup> McGull then served as Mayor of Pleasant Valley before joining the United States Attorney's Office for the Western District of Missouri in 1999.<sup>1080</sup> In 2019, McGull, married to fellow attorney Crista Hogan,<sup>1081</sup> returned to elected office as a member of the Springfield City Council.<sup>1082</sup> Today, McGull has entered private practice after prosecuting organized crime and drug offenses in the Southern Division of the Western District of Missouri for 21 years.<sup>1083</sup>

## 19. Travis Poindexter

Travis Poindexter has been a public defender for more than 20 years.<sup>1084</sup> Graduating from University of Missouri Kansas City School of Law in 1997,<sup>1085</sup> he joined the Missouri State Public Defender's Office in Kansas City, representing indigent clients for five years.<sup>1086</sup> For the past 18 years, he has been an Assistant Federal Public Defender for the Western District of Missouri.<sup>1087</sup>

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1078. Abe McGull was deployed to Iraq in 2008 as a public relations officer. Mike Cullinan, *2019 Men of the Year: Abe McGull*, SPRINGFIELD BUS. J. (Aug. 14, 2019, 2:38PM), <https://sbj.net/stories/2019-men-of-the-year-abe-mcgull,65085> [<https://perma.cc/82JH-W9SX>].

1079. Abram "Abe" McGull, LINKEDIN, <https://www.linkedin.com/in/abram-abe-mcgull-98ba349/> (last visited Oct. 23, 2020).

1080. Cullinan, *supra* note 1078.

1081. McGull and Hogan married on June 12, 2017—the fiftieth anniversary of *Loving v. Virginia*. Thomas Gounley, *He's Black, She's White. Both Lawyers, Lawyers marry on anniversary of landmark ruling*, SPRINGFIELD NEWS-LEADER, (June 12, 2017, 5:04 PM), <https://www.news-leader.com/story/news/local/2017/06/12/springfield-couple-getting-married/371525001/> [<https://perma.cc/VP35-8D82>].

1082. Cullinan, *supra* note 1078.

1083. *Id.*

1084. Travis Poindexter, FED. DEFENDER OFF., <https://mow.fd.org/content/travis-poindexter> [<https://perma.cc/7CZP-DYZQ>] (last visited July 16, 2020).

1085. *Id.*

1086. *Id.*

1087. *Id.*

## 20. Ronna Holloman-Hughes

A 1993 graduate of Washington University School of Law, Holloman-Hughes has represented indigent clients at both the state and federal levels.<sup>1088</sup> She first practiced with the Missouri State Public Defender from 1993 to 2001 before opening her own practice in 2001.<sup>1089</sup> In 2006, Holloman-Hughes left private practice to join the Federal Defender Office for the Western District of Missouri.<sup>1090</sup>

## 21. James R. “Jim” Neely, Jr.

James R. Neely, Jr. was inducted into the Fred David Gray Hall of Fame by the National Bar Association in 2016.<sup>1091</sup> He is best known as District Director of the St. Louis District Office of the EEOC. A native of East St. Louis, he graduated from Howard University and Vanderbilt University School of Law.

Law school was “a psychological challenge” for Neely<sup>1092</sup> due to his education in segregated schools and undergraduate attendance at a historically black university. He was 20 when he matriculated in 1969, “five years after the passage of the Civil Rights Act of 1964.”<sup>1093</sup>

Neely was the sixth Black to attend Vanderbilt University School of Law, “a White southern law school.”<sup>1094</sup> He recalls being much younger than the preceding five Black law students. Neely began law school with another Black student, who did not finish. Neely recounted that despite having a lighter complexion than his other Black classmate, professors still could not remember who they were and constantly asked “which one are you?”<sup>1095</sup>

Neely started his career in 1972 at the National Labor Relations Board as a Field Attorney.<sup>1096</sup> His work there taught him to be thorough and attentive

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1088. *Ronna Holloman*, FED. DEFENDER OFF., <https://mow.fd.org/content/ronna-holloman> [<https://perma.cc/LS7W-LD2P>] (last visited July 16, 2020).

1089. *Id.*

1090. *Id.*

1091. *James R. Neely Jr. to be inducted into Hall of Fame*, ST. LOUIS AM. (July 19, 2016), [http://www.stlamerican.com/business/people\\_on\\_the\\_move/james-r-neely-jr-to-be-inducted-into-hall-of/article\\_c88fe718-4ec1-11e6-8ac9-7baeb174d498.html](http://www.stlamerican.com/business/people_on_the_move/james-r-neely-jr-to-be-inducted-into-hall-of/article_c88fe718-4ec1-11e6-8ac9-7baeb174d498.html) [<https://perma.cc/4KU6-JKHV>].

1092. E-mail from James R. Neely, Jr., District Director (ret.), E.E.O.C., to author (July 8, 2020) (on file with author).

1093. *Id.*

1094. *Id.*

1095. *Id.*

1096. Field attorneys investigate charges of unfair labor practices as well as litigate them. *Field Attorney and Field Examiner Positions, Office of General Counsel*, NLRB, <https://www.nlr.gov/about-nlr/who-we-are/careers/job-descriptions-and-listings/field-attorney-and-field-examiner#:~:text=Field%20attorneys%20act%20on%20behalf,officers%20in%20co>

to deadlines, as well as how to try cases. He moved to the EEOC as a Trial Attorney in 1975.

The Commission was a fledgling agency. It had only been in existence ten years after being created by the Civil Rights Act of 1964. In addition to that, the Commission had only attained the right to file its own lawsuits in 1972, the year I graduated from law school.<sup>1097</sup>

Neely stated he embraced the mission of the agency, striving to accomplish the goals of the Commission. Many times, “that meant appearing before judges who were unsympathetic to its mission.”<sup>1098</sup> Neely was promoted to Supervisory Trial Attorney, and later selected as the first Regional Attorney and head of the Legal Unit in St. Louis. Opportunities for Neely multiplied as his reputation grew, with important assignments in New York, New Orleans, and Houston. The last assignment brought him in regular contact with the General Counsel, the Chair, and the Commissioners of EEOC. Neely was selected as the Deputy General Counsel of the agency, serving as Deputy and Acting General Counsel for a period of four years. When the administration changed, he went to the Detroit District Office as the District Director. “That office had a really good staff who were unappreciated. Statistically, it rose to be the top District Office in the country through their hard work.”<sup>1099</sup>

When the District Director in St. Louis retired in 2005, Neely returned home. “The culture of the program needed to be changed but it is now one of the top Districts in the country.”<sup>1100</sup> Neely retired in January 2019, declining an opportunity to return to the Washington headquarters for a top position. Reflecting on Black lawyers and judges in Missouri, Neely remarked:

Certainly, every African American lawyer in St. Louis admired Margaret Bush Wilson and Frankie Freeman. The irony for me is that I never appeared before an African American judge in the federal courts until Judge Clyde Cahill was appointed. I only appeared before him once. That highlights an ongoing problem. The federal bench is still not representative of the community of African American lawyers . . . . There is somewhat better representation than before but I fear an era of retrenchment is occurring.<sup>1101</sup>

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ntested%20representation%20matters [https://perma.cc/7UT6-7EAN] (last visited Oct. 23, 2020).

1097. E-mail from James R. Neely, Jr., District Director (ret.), E.E.O.C., to author (July 8, 2020) (on file with author).

1098. *Id.*

1099. *Id.*

1100. *Id.*

1101. *Id.* Neely also noted his closest friend in St. Louis was Judge Donald McCullin. *Id.* A native St. Louisan, Judge McCullin was appointed as a St. Louis circuit judge in 1999, overseeing civil and criminal cases until his retirement in 2011.

## 22. Jenelle Beavers

Kansas City native Jenelle Beavers serves as Counsel in the Office of the General Counsel at the University of Missouri System.<sup>1102</sup> Between 2008 and 2016, she was a trial attorney with the U.S. Department of Justice “where she led False Claims Act investigations and civil prosecutions in the health, technology and defense industries.”<sup>1103</sup> In 2011, she received a Special Commendation from the Assistant Attorney General for Outstanding Service. Beavers received a bachelor’s degree, with honors, from the University of Missouri in 2001, and her J.D. and M.P.H. from the University of Michigan in 2005.<sup>1104</sup> She is married to fellow attorney and University of Missouri Law Professor Sam F. Halabi.<sup>1105</sup>

## 23. Antwaun Smith

Antwaun Smith, originally from St. Joseph, is Counsel at the University of Missouri System.<sup>1106</sup> He returned to the MU campus (B.A. and J.D.) in 2018 after ten years of private practice at Shook, Hardy & Bacon (2007-2012) and his own law firm (2012-2018), where he focused on plaintiff-side personal injury and insurance coverage disputes.<sup>1107</sup> A Rhodes Scholar, Smith earned a master’s degree from Oxford University.<sup>1108</sup> He served as a trustee

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Ashley Jost, *Former St. Louis Judge Donald McCullin Dies at 75*, ST. LOUIS POST-DISPATCH (Oct. 15, 2016), [https://www.stltoday.com/news/local/crime-and-courts/former-st-louis-judge-donald-mccullin-dies-at/article\\_e4cc19ce-f0be-5851-b80d-d2e1a4df43de.html](https://www.stltoday.com/news/local/crime-and-courts/former-st-louis-judge-donald-mccullin-dies-at/article_e4cc19ce-f0be-5851-b80d-d2e1a4df43de.html) [<https://perma.cc/3KAU-9A3F>]. Later, he served as a municipal judge in Ferguson. *Id.* Prior to taking the bench, McCullin practice law and worked as “director of compliance at Anheuser-Busch, ensuring that the company followed anti-discrimination laws.” *Id.*

1102. Interview with Jenelle Beavers, Counsel, U. Mo. System (Aug. 1, 2020).

1103. *Jenelle Beavers*, UNIV. MO. SYS., [https://www.umsystem.edu/ums/gc/staff/jenelle\\_beavers](https://www.umsystem.edu/ums/gc/staff/jenelle_beavers) [<https://perma.cc/KK5M-9E4X>] (last visited Oct. 24, 2020).

1104. Interview with Jenelle Beavers, Counsel, U. Mo. System (Aug. 1, 2020).

1105. *Id.* Sam F. Halabi is the Manley O. Hudson Professor of Law at the University of Missouri School of Law as well as a Scholar at the O’Neill Institute for National and Global Health Law and the Center for Global Health Science and Security at Georgetown University. *Sam F. Halabi*, UNIV. MO. SCH. L., <https://law.missouri.edu/person/sam-f-halabi/> [<https://perma.cc/ZC7N-RP4R>] (last visited Oct. 23, 2020).

1106. Interview with Antwaun Smith, Counsel, U. Mo. System (Aug. 1, 2020).

1107. *Id.*

1108. *Antwaun Smith*, UNIV. MO. SYS., [https://www.umsystem.edu/ums/gc/staff/antwaun\\_smith](https://www.umsystem.edu/ums/gc/staff/antwaun_smith) [<https://perma.cc/GY5Z-228K>] (last visited Oct. 23, 2020). Antwaun Smith may be the first Missouri Black lawyer to have attended Oxford University as a Rhodes Scholar. *See also* Karen Downey, *MU Grad Receives Rhodes Scholarship*, THE MANEATER, (Dec. 8, 1998), <https://www.themaneater.com/stories/campus/mu-grad-receives-rhodes-scholarship> [<https://perma.cc/59VC-NWRY>].



and chair of the Board of Trustees for the Missouri State Employees Retirement System, on the Board of Governors for The Missouri Bar, and on the board of the Midwest Innocence Project.<sup>1109</sup>

#### 24. Hope E. Whitehead

The first Black judicial administrator of the St. Louis County Circuit Court, Hope E. Whitehead was appointed on November 9, 2019.<sup>1110</sup> Whitehead graduated from Fordham University in New York in 1981 and received her J.D. from Washington University School of Law in 1990. She worked at the City of St. Louis Circuit Attorney's Office before being appointed by four different governors to positions in their administrations.<sup>1111</sup> Whitehead served as a Legal Advisor for the Division of Workers' Compensation from 2001 to 2005.<sup>1112</sup> She later formed her own practice, Whitehead & Associates, LLC, and served in the Missouri House of Representatives.<sup>1113</sup> Whitehead, a past president of the Mound City Bar Association, has served on the board for a multitude of organizations.<sup>1114</sup>

#### F. The Executives

Many Black lawyers have held leadership roles in corporations, both in and out of law. The following section highlights those Black attorneys with significant contributions to the corporate world in Missouri. Many also have strong ties to the community and share a commitment to advancing diversity, equity and inclusion.

##### 1. Les Parrette

Les Parrette served as a corporate transactions partner at Husch Blackwell, General Counsel at Aquila, and then General Counsel at Novelis, Inc.<sup>1115</sup> He was among six general counsel honored as 2012 "Legends in the Law" at the Burton Awards in Washington, D.C.<sup>1116</sup> The Novelis CEO

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1109. Interview with Antwaun Smith, Counsel, U. Mo. System (Aug. 1, 2020); *Antwaun Smith*, *supra* note 1108.

1110. *Hope E. Whitehead Appointed Administrator for 21st Judicial Circuit*, ST. LOUIS CTY. CIRCUIT CT. (Nov. 9, 2019), <https://wp.stlcountycourts.com/2019/11/hope-e-whitehead-appointed-administrator-for-21st-judicial-circuit/> [<https://perma.cc/SFJ9-CVPE>].

1111. *Id.*

1112. *Id.*

1113. *Id.*

1114. *Id.*

1115. *Novelis Names Les Parrette General Counsel*, NOVELIS (Feb. 18, 2005), <http://investors.novelis.com/2005-02-18-novelis-names-les-parrette-general-counsel> [<https://perma.cc/K6MP-MQKQ>].

1116. *Novelis' Les Parrette Honored with 2020 "Legends in the Law" Award*, CISION (June 12, 2020), <https://www.prnewswire.com/news-releases/novelis-les->

credited Parrette with “tremendously help[ing] transform Novelis from a regionally focused organization into a truly world-class global enterprise.”<sup>1117</sup> A graduate of Harvard College and Harvard Law School,<sup>1118</sup> Parrette oversaw a global team of 35 legal professionals and was responsible for corporate governance, litigation, mergers and acquisitions, securities law, and more.

## 2. Ralph D. Reid

Ralph Reid is best known for his service at Sprint as Vice President of Corporate Social Responsibility and President of the Sprint Foundation.<sup>1119</sup> Reid led Sprint’s Community Affairs, Corporate Diversity and Inclusion, and Corporate Sustainability efforts.<sup>1120</sup> He also managed Sprint’s philanthropic activities as President of the Sprint Foundation.<sup>1121</sup> His career with the wireless carrier spanned 33 years.<sup>1122</sup> Reid graduated from Oakwood University and the University of Missouri-Kansas City School of Law.<sup>1123</sup> He retired from Sprint in 2015 and joined the American Jazz Museum as Interim CEO.<sup>1124</sup>

Reid served in various leadership positions for several organizations, including the Shawnee Mission Medical Center, Boys and Girls Club of Greater Kansas City, Kansas City Repertory Theater, Heart of America United Way, Greater KC Chamber of Commerce, Oakwood University, University of Missouri-Kansas City, and the Kansas City United Community Action Agency.<sup>1125</sup> Reid was honored “as one of *Savoy* magazine’s Top 100 Most Influential Blacks in Corporate America.”<sup>1126</sup>

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parrette-honored-with-2012-legends-in-the-law-award-158543995.html#:~:text=Novelis%20Inc.&text=Senior%20Vice%20President%20and%20General,for%20the%20global%20aluminum%20company [https://perma.cc/Q8FK-6WXT]. The award goes to the general counsel of a company with more than \$1 billion in annual gross revenue who has demonstrated leadership, character, and authority in a specialized area of law. *Id.*

1117. *Id.*

1118. *Novelis Appoints Mayr And Parrette To Executive Positions*, NOVELIS (Oct. 5, 2009), <http://investors.novelis.com/2009-10-05-novelis-appoints-mayr-and-parrette-to-executive-positions> [https://perma.cc/AK7R-8NNL].

1119. Ashley Jost, *Former Sprint exec sits in as jazz museum leader*, KAN. CITY BUS. J. (Aug. 13, 2015, 3:51 PM), <https://www.bizjournals.com/kansascity/news/2015/08/13/former-sprint-exec-sits-in-a-jazz-museum-leader.html> [https://perma.cc/A9UL-2TJG].

1120. *Ralph D. Reid*, SAVOY (Jan. 3, 2012), <http://savoynetwork.com/ralph-d-reid/> [https://perma.cc/KP7R-U4ED].

1121. *Id.*

1122. Jost, *supra* note 1119.

1123. *Ralph D. Reid*, *supra* note 1120. Reid was also the 2013 recipient of an honorary doctorate from the University of Missouri-Kansas City. *Id.*

1124. Jost, *supra* note 1119.

1125. *Ralph D. Reid*, *supra* note 1120.

1126. *Sprint Vice President of Corporate Social Responsibility Named to SaVoy Magazine’s Top 100 Most Influential Blacks in Corporate America List*, BUS.

### 3. Denise St. Omer

Denise St. Omer is Vice President of Grantmaking and Inclusion Initiatives for the Greater Kansas City Community Foundation,<sup>1127</sup> where she has worked since 2007.<sup>1128</sup> She oversees “grantmaking activities including the assessment and tracking of all major grants for clients that use the Community Foundation’s grantmaking services, as well as oversight of the Community Foundation’s discretionary funds. In addition, [St. Omer] is responsible for leading the Community Foundation’s leadership work focused on equity and inclusion.”<sup>1129</sup>

St. Omer earned her undergraduate and law degrees at the University of Missouri.<sup>1130</sup> She previously was chief trial assistant for the Community Justice Unit in the Jackson County Prosecuting Attorney’s Office.<sup>1131</sup> St. Omer has been honored as a Fellow for the Association of Black Foundation Executives Connecting Leaders Fellowship Program, as well as for inclusion in the 2016 class of Ingram’s Women Executives – Kansas City.<sup>1132</sup>

### 4. Countess Price

Countess Price is an Assistant General Counsel at Bayer Corporation.<sup>1133</sup> Before the Bayer buyout of Monsanto, Price was Assistant General Counsel for litigation at Monsanto Corporation for 19 years, and an associate at Armstrong Teasdale for 8 years.<sup>1134</sup> She is a graduate of the University of Missouri-St. Louis and Saint Louis University School of Law.<sup>1135</sup>

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WIRE (Mar. 3, 2010, 9:00 AM), <https://www.businesswire.com/news/home/20100303005321/en/Sprint-Vice-President-Corporate-Social-Responsibility-Named>. “The Top 100 list recognizes those African Americans who have made a positive impact in Corporate America as well as the communities around them. Honorees were selected based on their exemplary record of accomplishments and for bettering their community and inspiring others.” *Id.*

1127. *Denise St. Omer*, FOOD AND FARM COMMS. FUND, <https://foodandfarmcommunications.org/about/denise-st-omer/> [<https://perma.cc/NK22-DG3E>] (last visited July 14, 2020).

1128. *Id.*

1129. *Id.*

1130. Denise St. Omer, LINKEDIN, <https://www.linkedin.com/in/denisestomer/> (last visited Oct. 21, 2020).

1131. *Denise St. Omer*, *supra* note 1127 (noting that St. Omer currently serves on GEO’s Board of Directors).

1132. *Id.*

1133. Countess Price, LINKEDIN, <https://www.linkedin.com/in/countess-w-price-6177998/> (last visited July 14, 2020).

1134. *Id.*

1135. *Id.*

### 5. Chris Lewis

Chris Lewis is General Counsel of Edward Jones, leading a team that provides legal, compliance, and government relations support to the firm.<sup>1136</sup> He also serves on the Edward Jones Executive and Management Committees.<sup>1137</sup> He is the first Black lawyer to serve as general counsel at Edward Jones, and the first Black on its Executive Committee. Lewis joined Edward Jones in 2007 as a Principal and Deputy General Counsel in the Legal division, before being named general counsel in 2015. Born in Jamaica, Lewis was raised in Poughkeepsie, New York.<sup>1138</sup> A graduate of Manhattanville College and Columbia University School of Law (a Harlan Fiske Stone Scholar),<sup>1139</sup> Lewis worked in New York with law firms K&L Gates and Duane Morris.<sup>1140</sup> With dual passions for civil rights and securities, Lewis advocates for diversity and inclusion not only at Edward Jones, but throughout the greater St. Louis community.<sup>1141</sup> Lewis serves as board chair of Big Brothers Big Sisters of Eastern Missouri, a member of the Board of Directors for St. Louis Children's Hospital Foundation and the Missouri Botanical Garden, and a member of the Board of Trustees at Manhattanville College in Purchase, New York.<sup>1142</sup>

### 6. Keith H. Williamson

Keith Williamson is President of the Centene Charitable Foundation,<sup>1143</sup> after spending 13 years as Secretary and General Counsel of Centene.<sup>1144</sup> He is the first Black to serve Centene in these two executive positions. A native of St. Louis, Williamson completed his undergraduate education at Brown University, his Juris Doctorate and Master of Business Administration at Harvard University, and his Master of Laws at New York University School

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1136. *Christopher (Chris) Lewis*, EDWARD JONES, <https://www.edwardjones.com/about/media/press-kit/resources/firm-leaders/chris-lewis.html> [<https://perma.cc/3BRZ-XLXH>] (last visited July 15, 2020).

1137. *Id.*

1138. Rachel Webb, *Private company with revenues over \$500 million- Chris Lewis*, MO. LAWS. MEDIA (Nov. 6, 2017), <https://molawyersmedia.com/2017/11/06/private-company-with-revenues-over-500-million-chris-lewis/> [<https://perma.cc/34W8-UETA>].

1139. *Id.*

1140. *Id.*

1141. *See id.*

1142. *Christopher (Chris) Lewis*, *supra* note 1136.

1143. *Keith Williamson appointed president of the Centene Charitable Foundation*, ST. LOUIS AM. (Feb. 21, 2020), [http://www.stlamerican.com/business/people\\_on\\_the\\_move/keith-williamson-appointed-president-of-the-centene-charitable-foundation/article\\_173428e2-536f-11ea-af49-abbe5ad554b8.html](http://www.stlamerican.com/business/people_on_the_move/keith-williamson-appointed-president-of-the-centene-charitable-foundation/article_173428e2-536f-11ea-af49-abbe5ad554b8.html).

1144. *Id.* He was named Centene general counsel in 2006. *Keith Williamson*, COMPARABLY: CENTENE CORP., <https://www.comparably.com/companies/centene-corporation/keith-h-williamson> (last visited Oct. 21, 2020).

of Law.<sup>1145</sup> Williamson joined Covington & Burling in Washington, D.C., in 1978 as a tax lawyer.<sup>1146</sup> Three years later, he joined Revis & McGrath (now Norton Rose Fulbright).<sup>1147</sup> His career also includes work as director of tax, assistant general counsel for financial services, deputy general counsel for mergers, and president of the capital services division of Pitney Bowes.<sup>1148</sup>

Williamson was selected by *Fortune* magazine in 2002 as one of the 50 most powerful Black executives.<sup>1149</sup> “He has chaired the board of the Urban League of Metropolitan St. Louis, served on the board of the Saint Louis Art Museum, co-founded the KIPP charter school network and worked with the Opportunity Trust, which seeks to improve St. Louis public education.”<sup>1150</sup> Williamson also currently serves as an independent director on the board of directors for PPL Corporation (formerly known PP&L and Pennsylvania Power and Light).<sup>1151</sup>

## 7. Sandra Moore

Sandra Moore is the Managing Director and Chief Impact Officer of Advantage Capital, a private equity firm in St. Louis.<sup>1152</sup> Before Advantage Capital, she served as the president of Urban Strategies, helping transform distressed urban core communities in the U.S. into vibrant, safe residential neighborhoods with new housing and good schools.<sup>1153</sup> She has served as a judge for the Equal Employment Opportunities Commission, and director of the Missouri Department of Labor, thus a member of Governor Mel Carnahan’s cabinet. Moore sits on the boards of Advantage Capital, Barnes-Jewish Hospital Foundation, Illinois Facilities Fund, Loop Trolley Company, McCormack Baron Salazar Urban Initiatives CDE Advisory Committee, Missouri Historical Society, St. Louis Black Leadership Roundtable, Urban League of Metro St. Louis, Washington University National Law Council, National Blues Museum, and UMSL Chancellor’s Council.<sup>1154</sup> Moore earned a B.A. in urban studies and a law degree from Washington University. She

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1145. *Keith H. Williamson*, THE HISTORYMAKERS (Feb. 16, 2005), <https://www.thehistorymakers.org/biography/keith-h-williamson-40> [https://perma.cc/27CE-2433].

1146. *Id.*

1147. *Id.*

1148. *Id.*

1149. *Id.*

1150. *Keith Williamson appointed president of the Centene Charitable Foundation*, *supra* note 1143.

1151. *Board of Directors*, PPL CORP., <https://www.pplweb.com/who-we-are/board-of-directors/> [https://perma.cc/QQ42-X2DN] (last visited July 15, 2020) (noting Williamson has been a member of the board since 2005).

1152. *Our Team*, ADVANTAGE CAPITAL, <https://www.advantagecap.com/team> [https://perma.cc/J5U2-SGAN].

1153. *Sandra Moore*, CENTER FOR THE STUDY OF SOCIAL POLICY, <https://cssp.org/team/sandra-moore/> [https://perma.cc/D3UH-U63Q].

1154. *Id.*

has been a recipient of numerous awards, including the Washington University School of Law Distinguished Law Alumni Award and the St. Louis Community Empowerment Foundation Civic Leadership Award.<sup>1155</sup>

### 8. Wayman F. Smith, III

Wayman Smith, III, prominent city councilman, attorney, judge, and business executive,<sup>1156</sup> was born in St. Louis in 1940. His father, “Wayman Smith, II, was the first Black certified public accountant in Missouri and later served as a city councilman.”<sup>1157</sup> Smith III earned his degrees at Monmouth College and Howard University School of Law.<sup>1158</sup> He worked on housing legislation for the Missouri Commission on Human Rights in 1966, in private practice in 1968, as a City Court Judge from 1970 to 1975, on the St. Louis City Council from 1975 to 1987, and at Anheuser-Busch from 1980 until 2001.<sup>1159</sup> At Anheuser-Busch, he was the first Black member of the corporate affairs department.<sup>1160</sup> “Working with Augie Busch, Smith created a \$200 million minority business development program. Smith eventually became Vice President of Corporate Affairs for Anheuser-Busch Companies, and a member of the board of directors of Anheuser Busch, Inc.”<sup>1161</sup>

Smith served on the Board of Trustees of Howard University from 1989 to 2012, and as Chairman of the Board of Trustees from 1991 to 1995.<sup>1162</sup> His commitment to the community was further demonstrated by his various civic board engagements, including the Congressional Black Caucus Foundation, National Urban League, National Association of Sickle Cell Disease, Inc., St. Louis Symphony, and St. Louis Metropolitan YMCA.<sup>1163</sup> He died on September 15, 2020, at the age of 80.<sup>1164</sup>

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1155. *Id.*

1156. *The Honorable Wayman Smith*, THE HISTORYMAKERS (Dec. 18, 2006) <https://www.thehistorymakers.org/biography/honorable-wayman-smith> [<https://perma.cc/4ANX-V6GS>].

1157. *Id.*

1158. *Id.*

1159. CONG. REC., EXTENSIONS OF REMARKS E1138 (June 18, 2001), <https://www.congress.gov/crec/2001/06/18/CREC-2001-06-18-extensions.pdf> [<https://perma.cc/L2TM-4Q8V>]; *The Honorable Wayman Smith*, *supra* note 1156 (noting Smith’s early career included mentorship from St. Louis attorneys Margaret Bush Wilson and Frankie Freeman).

1160. *The Honorable Wayman Smith*, *supra* note 1156.

1161. *Id.*

1162. *Wayman F. Smith, III, Esq.*, HOWARD U.: OFF. OF THE SECRETARY, <https://www.howard.edu/secretary/trustees/bios/smith.htm> (last visited Oct. 22, 2020) (noting that Smith has also served as Chairman of the Board of Regents of Harris Stowe State University).

1163. *Id.*

1164. Chris King & Kenya Vaughn, ‘A great warrior, a great leader and politician’ – Remembering Wayman F. Smith, III, who passed September 15 at age 80, ST. LOUIS AM. (Sept. 23, 2020), [http://www.stlamerican.com/news/local\\_news/a-](http://www.stlamerican.com/news/local_news/a-)

## 9. Mark C. Darrell

Mark C. Darrell is Senior Vice President, General Counsel and Chief Compliance Officer of Spire.<sup>1165</sup> He joined Spire as General Counsel in 2004, after working “[twelve] years in various executive legal and non-legal roles at NiSource Inc., Columbia Energy Group and New Jersey Resources Corporation.”<sup>1166</sup> Darrell previously was in private law practice in Washington, D.C., “practicing before the Federal Energy Regulatory Commission and the D.C. Public Service Commission.”<sup>1167</sup> He earned a B.S. from Syracuse University and a J.D. from Georgetown University Law Center. Recognized as one of the “Nation’s Most Influential Minority Attorneys” on the Lawyer of Color’s Power List and a “Diverse Business Leader” by the *St. Louis Business Journal*, he serves on the boards of Mercy Hospital St. Louis, United Way of Greater Saint Louis, FOCUS St. Louis, Boys & Girls Clubs of Greater St. Louis, and Easter Seals Midwest.<sup>1168</sup> He is likely the first Black to serve as general counsel of a publicly-traded company in St. Louis.<sup>1169</sup>

## 10. Randy E. Hayman

Randy E. Hayman served as General Counsel for the Metropolitan St. Louis Sewer District (MSD) from 2000 to 2010.<sup>1170</sup> He left his hometown of St. Louis in 2010 to serve as General Counsel for D.C. Water until 2016.<sup>1171</sup> Hayman engaged in private practice at Beveridge & Diamond PC in Washington, D.C., for several years, having been recruited to the firm by its legendary chairman, Benjamin F. Wilson.<sup>1172</sup> Today, Hayman serves as

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great-warrior-a-great-leader-and-politician—remembering-wayman-f-smith-iii/article\_add9ed18-fe19-11ea-a6c7-fbc03732da93.html.

1165. *Officers & Directors*, SPIRE, <https://www.spireenergy.com/officers-directors> [https://perma.cc/9TY9-Q84A] (last visited Oct. 22, 2020).

1166. *Id.*

1167. *Id.*

1168. *Id.*

1169. Interview with Gabe Gore, Partner, Dowd Bennett LLP (Aug. 19, 2020); e-mail from Gabe Gore, Partner, Dowd Bennett LLP, to author (Aug. 19, 2020) (on file with author).

1170. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020).

1171. *Id.*

1172. *Id.* Ben Wilson is Chair of the Environmental Law Institute (ELI) and serves on the Boards of PG&E Corporation and Northwestern Mutual Life Insurance Company, the Board of Trustees of Dartmouth College, and the Board of the Leadership Council on Legal Diversity (LCLD) where he is currently Secretary. For the past 30 years, he has been the Chairman of the Environmental, Energy, and Public Utilities Law Section of the National Bar Association. *Benjamin F. Wilson, Chairman*, BEVERIDGE & DIAMOND, <https://www.bdlaw.com/benjamin-f-wilson/> [https://perma.cc/Z9S8-C9CH] (last visited Oct. 22, 2020).

Commissioner and CEO of the Philadelphia Water Department.<sup>1173</sup> Hayman is fondly remembered in St. Louis for his efforts to diversify the Metropolitan St. Louis Sewer District's legal spending while General Counsel there.<sup>1174</sup> He is a graduate of John Burroughs School, University of Michigan, and Georgetown University Law Center.

### 11. The Roberts Brothers: Michael and Steven

Natives of St. Louis, Michael Roberts and his brother, Steven Roberts, are the first Black Missouri lawyers to build an estimated \$1 billion empire.<sup>1175</sup> Michael Roberts graduated from Lindenwood University and St. Louis University School of Law before forming Roberts-Roberts and Associates, a business and construction management firm, with his brother, Steven.<sup>1176</sup> Steven Roberts attended Clark University and earned a J.D. and M.B.A. from Washington University in St. Louis.<sup>1177</sup>

In 1977, Michael Roberts, at 28, became the youngest-ever city alderman.<sup>1178</sup> Steve Roberts broke that record two years later when he won a seat at 26.<sup>1179</sup> In 1981, the brothers began Roberts Broadcasting after winning a license from the Federal Communications Commission to start a channel in St. Louis.<sup>1180</sup> Their business enterprise continued to grow after they acquired

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1173. Frank Kummer, *Washington environmental lawyer named Philly's new water commissioner*, PHILA. INQUIRER (May 13, 2019), <https://www.inquirer.com/science/climate/andy-hayman-philadelphia-water-department-commissioner-20190513.html> [https://perma.cc/YP8R-V8MV]; *Philadelphia Water Department*, CITY OF PHILA., <https://www.phila.gov/departments/philadelphia-water-department/> [https://perma.cc/2J5H-46R5] (last visited July 24, 2020).

1174. Interview with Eric Kendall Banks, Attorney at Law, Banks Law LLC (July 18, 2020); interview with Larry D. Hale, Partner, The Hale Law Firm (June 2008).

1175. Ed Lavandra & Wayne Drash, *Black in America 2: Two Brothers, no fears and \$1 billion empire*, CNN, <https://www.cnn.com/2009/LIVING/08/24/black.donald.trumps/index.html?iref=24hours> [https://perma.cc/5G4Y-XHGL] (last visited Oct. 22, 2020).

1176. *Michael Roberts, Sr.*, THE HISTORYMAKERS, <https://www.thehistorymakers.org/biography/michael-roberts-sr> [https://perma.cc/42UC-BHZK] (last visited Oct. 22, 2020).

1177. *Steven Roberts, Sr.*, THE HISTORYMAKERS, <https://www.thehistorymakers.org/biography/steven-roberts-sr> [https://perma.cc/V2PT-XRBD] (last visited Oct. 22, 2020).

1178. Walker Moskop, *Roberts Brothers Built Business on Real Estate, Broadcasting and Cell Towers*, ST. LOUIS POST DISPATCH (June 13, 2015), [https://www.stltoday.com/news/local/metro/roberts-brothers-built-business-on-real-estate-broadcasting-and-cell-towers/article\\_3658132c-1a41-5b6f-90bf-10ef40e78585.html](https://www.stltoday.com/news/local/metro/roberts-brothers-built-business-on-real-estate-broadcasting-and-cell-towers/article_3658132c-1a41-5b6f-90bf-10ef40e78585.html) [https://perma.cc/8AU6-X28S].

1179. *Id.*

1180. *Michael Roberts, Sr.*, *supra* note 1176; *Steven Roberts, Sr.*, *supra* note 1177.



many more stations, bought and redeveloped city real estate, and won a contract with Sprint to build cell networks in rural Missouri.<sup>1181</sup> Together, the brothers have founded over 30 companies, encountering occasional bankruptcy bumps along the way.<sup>1182</sup>

## 12. Chonda Nwamu

In 2016, Chonda Nwamu joined Ameren Services Company as Vice President and Deputy General Counsel of the legal department.<sup>1183</sup> She was promoted to Senior Vice President three years later, primarily advising Ameren's Board of Directors and senior management and leading the General Counsel function.<sup>1184</sup> She also serves on Ameren's Executive Leadership Team.<sup>1185</sup>

A graduate of the University of Virginia and the University of Pennsylvania School of Law, Nwamu specialized in complex commercial litigation and worked for 16 years at a California investor-owned electric and gas company before joining Ameren.<sup>1186</sup> She currently serves on the Board of Directors of the Boys and Girls Club of Greater St. Louis, and was a Commissioner on the St. Louis Zoological Park Subdistrict Commission.<sup>1187</sup>

## 13. Darryl Chatman

In February 2021, Darryl Chatman became chair of the University of Missouri System Board of Curators,<sup>1188</sup> after serving on the Board for three years.<sup>1189</sup> A Missouri native, he grew up in the Pruitt-Igoe housing projects in downtown St. Louis.<sup>1190</sup> Through the sacrifices of his father and grandfather, Chatman attended private school, eventually playing football for the University of Missouri as a linebacker.<sup>1191</sup> He earned four degrees from

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1181. Moskop, *supra* note 1178.

1182. *Michael Roberts, Sr.*, *supra* note 1176; *Steven Roberts, Sr.*, *supra* note 1177; Lisa Brown, ST. LOUIS POST DISPATCH, *Another bankruptcy for St. Louis-based Roberts brothers* (Apr. 17, 2012), [https://www.stltoday.com/business/local/another-bankruptcy-for-st-louis-based-roberts-brothers/article\\_70b5fe24-7079-54b3-99fa-c4524a85f270.html](https://www.stltoday.com/business/local/another-bankruptcy-for-st-louis-based-roberts-brothers/article_70b5fe24-7079-54b3-99fa-c4524a85f270.html) [<https://perma.cc/MK3F-J8RK>].

1183. *Chonda Nwamu*, AMEREN, <https://www.ameren.com/company/about-ameren/executive-leadership/chondanwamu> [<https://perma.cc/4QJK-DJEA>] (last visited Oct. 22, 2020).

1184. *Id.*

1185. *Id.*

1186. *Id.*

1187. *Id.*

1188. Sarah Diedrich, *Still bringing his A Game*, Show Me Mizzou (Feb. 1, 2021), <https://showme.missouri.edu/2021/still-bringing-his-a-game/> [<https://perma.cc/DCZ6-VGJT>] (last visited April 5, 2021).

1189. *Id.*

1190. *Id.*

1191. *Id.*

the University of Missouri: a B.A. in animal science, M.A. in animal science, M.A. in agricultural economics, and J.D.<sup>1192</sup> Before joining the Board of Curators, Chatman served as general counsel for the Missouri Department of Agriculture and as an attorney at Armstrong Teasdale, LLP in St. Louis.<sup>1193</sup> He currently serves as Senior Vice President of Governance and Compliance at the United Soybean Board in Chesterfield, Missouri.<sup>1194</sup>

### *F. The Professors*

Before 1971, Missouri's four law schools had never had any Black faculty. In the early 1970s, Peter Mutharika was hired at Washington University School of Law, and Gwendolyn Wells at the University of Missouri-Kansas City's law school. Since then, Missouri's Black professorial representation has continued to grow. The following section examines Black professors at the State's four law schools.

#### 1. University of Missouri School of Law

The University of Missouri School of Law now has 22 tenured faculty members.<sup>1195</sup> Only one is Black: S. David Mitchell, Ruth L. Hulston Professor of Law and former Associate Dean for Academic Affairs.<sup>1196</sup> He became the fourth Black Professor of Law in the school's history when he joined the faculty in 2006.<sup>1197</sup> He earned his B.A. at Brown University in 1991, M.A. in sociology at University of Pennsylvania in 1991, J.D. from University of Pennsylvania School of Law in 2002, and Ph.D. in sociology from University of Pennsylvania in 2012.<sup>1198</sup> "Professor Mitchell is an interdisciplinary scholar who looks at the criminal justice system using a sociological lens."<sup>1199</sup> He has explored the collateral consequences of sentencing, ex-offender reentry, and felon disenfranchisement.<sup>1200</sup> After law school, he clerked for the Honorable Andre M. Davis on the U.S. District

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1192. *Id.*

1193. *Id.*

1194. *Id.*

1195. E-mail from Judy Tayloe, Senior Executive Assistant to Dean Lyriisa Lidsky, U. Mo. Sch. L., to Cailynn Hayter, Law Clerk, Hon. Willie J. Epps, Jr. (Aug. 6, 2020) (on file with author).

1196. *S. David Mitchell*, U. MO. SCH. L., <https://law.missouri.edu/person/s-david-mitchell/> [<https://perma.cc/Y9Y5-PWPH>] (last visited Oct. 22, 2020).

1197. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. MO. SCH. L. (July 18, 2020).

1198. *S. David Mitchell*, U. MO. SCH. L., <https://law.missouri.edu/wp-content/uploads/2019/07/CV-8-31-17.pdf> [<https://perma.cc/PVJ4-AJY4>] (Curriculum Vitae of S. David Mitchell) (last visited July 24, 2020).

1199. *S. David Mitchell*, *supra* note 1196.

1200. *Id.*

Court for the District of Maryland.<sup>1201</sup> In 2020, he was named Co-Director of the Michael A. Middleton Center for Race, Citizenship, and Justice.<sup>1202</sup>

Chuck Henson is the Trial Practice Professor of Law at the University of Missouri School of Law, serving without tenure in various capacities since 2009,<sup>1203</sup> after initially joining as an Adjunct Professor and Visiting Professor of Law.<sup>1204</sup> Professor Henson is an experienced trial lawyer with primary emphasis on employment litigation and commercial law matters, having worked in the Missouri Attorney General's Office before joining the faculty. "He previously worked as a Partner at Kutak Rock LLP in Denver and as Vice-President Law (Human Resources) at Adelphia Communications, where he was responsible for providing legal guidance and management of human resources issues, projects, and litigation for a corporation with 15,000 employees in 23 states."<sup>1205</sup> In 2015, he became the first Black to serve as Associate Dean for Academic Affairs.<sup>1206</sup> Later that year, Professor Henson was named Interim Vice Chancellor for Inclusion, Diversity, and Equity for the University of Missouri. He is a graduate of Yale College and Georgetown University Law Center.<sup>1207</sup>

Only three other Black lawyers served on the faculty, with tenure, before Mitchell. Paving the way was Michael A. Middleton, the first Black law professor at the University of Missouri School of Law. He joined the faculty in 1985 after an illustrious federal career in Washington, D.C.<sup>1208</sup> Middleton earned his undergraduate and law degrees from the University of Missouri in 1968 and 1971, respectively.<sup>1209</sup> He became a trial attorney in the Civil Rights Division of the Department of Justice and, in 1977, Assistant Deputy Director

1201. *Id.* Judge Andre M. Davis was later elevated to the U.S. Court of Appeals for the Fourth Circuit. Today he serves as the City Solicitor for Baltimore. *Biography of Judge Andre M. Davis*, U.S. DIST. CT. DIST. OF MD., <https://www.mdd.uscourts.gov/biography-judge-andre-m-davis> [<https://perma.cc/63UQ-JUVY>] (last visited Oct. 22, 2020). He served as the City Solicitor for Baltimore until 2019. Luke Broadwater and Talia Richman, *Baltimore City Solicitor Andre Davis Submits Resignation*, BALT. SUN (Dec. 26, 2019, 5:44 PM), <https://www.baltimoresun.com/politics/bs-md-pol-andre-davis-resigns-20191226-5x1bi2husncybdvtrolyzj4haa-story.html> [<https://perma.cc/B9NS-MNQT>].

1202. *Directors*, UNIV. OF MO., <https://middletoncenter.missouri.edu/directors> [<https://perma.cc/7ZE9-JBPN>]

1203. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020).

1204. *Chuck Henson*, U. MO. SCH. L., <https://law.missouri.edu/person/chuck-henson/> [<https://perma.cc/W5D2-XPBX>] (last visited July 24, 2020).

1205. *Id.*

1206. E-mail from S. David Mitchell, Ruth L. Hulston Professor of Law, U. Mo. Sch. L., to author (Jan. 30, 2021) (on file with author).

1207. *Chuck Henson*, U. MO. SCH. L., <https://law.missouri.edu/wp-content/uploads/2019/07/henson-cv.pdf> [<https://perma.cc/G36T-HUG2>] (Curriculum Vitae of Chuck Henson) (last visited July 24, 2020).

1208. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020).

1209. *Id.*

of the Office for Civil Rights at the Department of Health, Education & Welfare.<sup>1210</sup> He later became the Director of the Office of Systemic Programs for the EEOC; the Principal Deputy Assistant Secretary for Civil Rights at the Department of Education; and Associate General Counsel of the EEOC's trial division.<sup>1211</sup> He ultimately attained the title of Director for the EEOC's St. Louis office before returning to Mizzou.

Beginning in 1997, Professor Middleton served as the Interim Vice Provost for Minority Affairs and Faculty Development for the University of Missouri. In 1998, he accepted the position of Deputy Chancellor.<sup>1212</sup> He currently serves as the Deputy Chancellor Emeritus and Professor Emeritus of Law.<sup>1213</sup> He has served as Interim President of both the University of Missouri System and of Lincoln University.<sup>1214</sup> A documentary reflecting President Middleton's life, "Only The Educated Are Free," premiered in 2019.<sup>1215</sup> It describes him as a civil rights activist and attorney, the first Black law professor at Mizzou's law school, and a trailblazing administrator at the University. "There was a major, systemic, structural racism within the South that I could not put up with," Middleton said about his civil rights activism. "I wanted to be part of the movement to get rid of that."<sup>1216</sup>

Pamela J. Smith became the second African American and first Black woman to join the faculty as a professor of law in 2001 and later earn tenure.<sup>1217</sup> After a stint as a visiting professor at Tulane University Law School, she

1210. *Id.*

1211. *Id.*; see also *Michael A. Middleton*, U. MO. SCH. L., <https://law.missouri.edu/person/michael-a-middleton/> [<https://perma.cc/2Q9W-G32D>] (last visited Oct. 23, 2020).

1212. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020); see also *Michael A. Middleton*, *supra* note 1211.

1213. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020).

1214. *Id.*

1215. *Documentary About Civil Rights Attorney Michael Middleton Premieres Sept. 13*, ST. LOUIS AM. (Sept. 11, 2019), [http://www.stlamerican.com/news/local\\_news/documentary-about-civil-rights-attorney-michael-middleton-premieres-sept-13/article\\_ef588fc6-d50a-11e9-b8e1-13d7b6314483.html](http://www.stlamerican.com/news/local_news/documentary-about-civil-rights-attorney-michael-middleton-premieres-sept-13/article_ef588fc6-d50a-11e9-b8e1-13d7b6314483.html).

1216. *Id.* Given Middleton's legacy at the University of Missouri and in the legal profession, it is unsurprising that his children, Marc N. Middleton and Kimberly Middleton Gray, both graduated from the University of Missouri School of Law and have been recognized as Missouri Super Lawyers. *Attorney Marc N. Middleton*, CORNERSTONE L. FIRM, <http://cornerstonefirm.com/attorney-marc-n-middleton/> [<https://perma.cc/RY65-83BA>] (last visited Oct. 23, 2020); *Kimberly Gray*, CORDELL & CORDELL, <https://cordellcordell.com/attorneys/kimberly-gray/> [<https://perma.cc/KUA3-QAT6>] (last visited Oct. 23, 2020). Marc Middleton currently works as a plaintiff lawyer in Kansas City, while Kimberly Gray primarily focuses her practice on family law.

1217. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020).

now works as the Associate Executive Director and Instructional Designer at Relaunching Attorney Platform by Transformative Impact.<sup>1218</sup>

Henry L. “Hank” Chambers, Jr. was the third Black Professor of Law at the University of Missouri School of Law, joining the faculty in 2002.<sup>1219</sup> Chambers earned his undergraduate and law degrees from the University of Virginia. He was a litigation associate at Fried, Frank, Harris, Shriver & Jacobson in Washington D.C. from 1991 to 1994.<sup>1220</sup> In 2002, Chambers became a visiting Professor of Law at Washington University School of Law, and joined the faculty at MU School of Law shortly after.<sup>1221</sup> In 2004, he left Missouri to become a Professor of Law at the University of Richmond School of Law, currently the Austin E. Owen Research Scholar & Professor of Law. He teaches and writes about constitutional law, criminal law, law and religion, and employment discrimination.<sup>1222</sup>

## 2. Saint Louis University School of Law

Saint Louis University School of Law has 26 tenured faculty members.<sup>1223</sup> Only one is Black, Professor Ruqaiijah Yearby.<sup>1224</sup> She specializes in racial disparities in health care, the political economy of health care, and social justice in medical research. She teaches courses in the areas of Health Care Regulation, Race, Health and Justice. In 2000, Professor Yearby earned her M.P.H. in Health Policy & Management from Johns Hopkins School of Public Health and J.D. from Georgetown University Law Center. She joined the Saint Louis University Law faculty in 2018 with tenure, having taught with tenure at Case Western Reserve University School of Law and University at Buffalo Law School.<sup>1225</sup>

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1218. *Pamela J. Smith*, LINKEDIN, <https://www.linkedin.com/in/pamela-j-smith-b81028107> (last visited Oct. 23, 2020).

1219. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020). Chambers was the James S. Rollins Professor of Law while at the University of Missouri School of Law. *Id.*

1220. *Henry L. Chambers Jr.*, RICHMOND SCH. L., <https://law.richmond.edu/faculty/hchamber/> [<https://perma.cc/LG9T-3RAT>] (last visited Oct. 23, 2020).

1221. Interview with Michael A. Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, U. Mo. Sch. L. (July 18, 2020).

1222. *Henry L. Chambers Jr.*, RICHMOND SCH. L., <https://law.richmond.edu/faculty/hchamber/> [<https://perma.cc/LG9T-3RAT>] (last visited Oct. 23, 2020).

1223. “SLU Law has 27 tenure-track professors, 26 of whom are tenured . . . 23 are full professors, which is the highest rank that a professor can have.” E-mail from Marcia L. McCormick, Professor of Law, Saint Louis University Sch. L., to Cailynn Hayter, Law Clerk, Hon. Willie J. Epps, Jr. (Aug. 7, 2020) (on file with author).

1224. E-mail from Ruqaiijah Yearby, Professor of Law, Saint Louis University Sch. L., to author (July 27, 2020) (on file with author).

1225. *Ruqaiijah Yearby*, ST. LOUIS U. SCH. L., [https://www.slu.edu/law/faculty/\\_pdfs/full-time/yearby2020v2.pdf](https://www.slu.edu/law/faculty/_pdfs/full-time/yearby2020v2.pdf)

Ulysses S. Crockett, Jr. taught as an Assistant Professor of Law, without tenure, for two years between 1973 and 1975.<sup>1226</sup> Leland Ware became the first Black tenured law professor there in 1987.<sup>1227</sup> Camille Nelson served on the faculty with tenure between 2000 and 2009, but now is Dean of the University of Hawaii at Monoa William S. Richardson School of Law.<sup>1228</sup> Eric Miller taught at Saint Louis University School of Law with tenure from 2005 to 2012, and now teaches at Loyola Law School in California.<sup>1229</sup> Justin Hansford, the Director of the Thurgood Marshall Civil Rights Center and Professor of Law at Howard University School of Law, once served on the faculty with tenure. Aaron Taylor, now Senior Vice President and Executive Director of AccessLex, began teaching at the School in 2011, earning tenure in 2016. Patricia H. Lee, the Randy L. and Melvin R. Berlin Professor of Business Law at Loyola of Chicago School of Law, once taught at Saint Louis University School of Law. “Belinda Dantley is a relatively new Black faculty member at SLU LAW. She’s in a non-tenure track administrative position as director for the Office of Inclusion and Diversity Education, but she is a member of the law faculty as well.”<sup>1230</sup>

Dean William P. Johnson believes there is work to be done.

I will say this: in a recent letter to all SLU LAW alumni, I stated as plainly and as clearly as I could that we have failed as an institution with respect to diversity on the law faculty and in particular with

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[<https://perma.cc/9UPN-7KQJ>] (Curriculum Vitae of Ruqaiyah Yearby) (last visited Mar. 30, 2021).

1226. *Seven Join College’s Law Faculty*, 3 CLEV. MARSHALL L. NOTES 5 no. 1 (Fall 1975), [https://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1004&context=lawpublications\\_lawnotes](https://engagedscholarship.csuohio.edu/cgi/viewcontent.cgi?article=1004&context=lawpublications_lawnotes) [<https://perma.cc/9BZX-ZCLH>]. A graduate of the University of California at Berkeley in 1968 and Boalt Hall School of Law in 1971, Crockett earned his LL.M in 1973 from the Columbia University School of Law where he was named a Theodore Dwight Fellow and J.S.D. candidate. *Id.* He joined the law faculty at Cleveland State University in the fall of 1975. *Id.*

1227. *Leland Ware*, U. DEL. BIDEN SCH., <https://www.bidenschool.udel.edu/people/lware?uid=lware&Name=Leland%20Ware> [<https://perma.cc/LU5W-AMKS>] (last visited Oct. 23, 2020); Professor Leland Ware has been the Louis L. Redding Chair for the Study of Law and Public Policy at the University of Delaware since 2000. *Id.* Before his time in Delaware, he was a professor at Saint Louis University School of Law from 1987 to 2000. *Id.* Ware was University Counsel at Howard University from 1984 to 1987. *Id.* Between 1979 and 1984, Ware was a Trial Attorney with the U.S. Department of Justice, Civil Division, in Washington, D.C. *Id.*

1228. E-mail from William P. Johnson, Dean, Saint Louis University Sch. L., to author (July 27, 2020) (on file with author).

1229. *Eric Miller*, LOY. L. SCH., <https://www.lls.edu/faculty/facultylist/r/ericmiller/> (last visited Oct. 23, 2020).

1230. E-mail from William P. Johnson, Dean, Saint Louis U. Sch. L., to author (July 27, 2020) (on file with author).

respect to Black faculty representation. We must do better. In my role as dean, I must do better.<sup>1231</sup>

### 3. University of Missouri-Kansas City School of Law

There are 20 tenured faculty members at the University of Missouri-Kansas City (UMKC) School of Law.<sup>1232</sup> Four are Black: Kenneth D. Ferguson, Jamila Jefferson-Jones, Mikah K. Thompson, and Del Wright.

Professor Kenneth D. Ferguson joined the UMKC Law faculty as a visiting professor in 1990, becoming an assistant professor in 1992, and associate professor of law in 1998. A graduate of Drake University and O.W. Coburn School of Law, Oral Roberts University, Ferguson clerked for Chief Judge Dennis Stewart, U.S. Bankruptcy Court for the Western District of Missouri (1986-87). Professor Ferguson is “recognized nationally for his bankruptcy law and sports law scholarship.”<sup>1233</sup>

Professor Jamila Jefferson-Jones, a graduate of Harvard College and Harvard Law School, was an executive editor of the *Civil Rights-Civil Liberties Law Review*, delivering the graduate English oration at the university’s 346th commencement. She joined the UMKC Law faculty in 2015, teaching courses in Property, Real Estate Transactions, and Professional Responsibility.<sup>1234</sup> Her scholarship reflects her intellectual interest in theories of property and ownership, as well as property and wealth attainment by communities and groups on the margins of society. Professor Jefferson-Jones practiced at firms in the District of Columbia and her hometown of New Orleans, in the areas of business transactions, real estate, and insurance matters. She has also served as a staff attorney in the Orleans Public Defenders office. She is the daughter of former U.S. Congressman William Jefferson, the first Black elected to the U.S. Congress from Louisiana since Reconstruction (also a Harvard-trained lawyer).

Professor Mikah K. Thompson re-joined the UMKC Law faculty in 2018, where she had been a full-time faculty member from 2005 to 2011. Teaching Civil Procedure, Evidence, Race and the Law, and Employment Law, she focuses her research on the intersection of evidentiary law and critical race theory. She has written on juror bias, describing the impact of racial stereotypes on jurors’ assessment of trial evidence. “Prior to re-joining

1231. *Id.*; see Letter from William Johnson, Dean, St. Louis U. Sch. L. (June 23, 2020) <https://www.slu.edu/law/about/dean-johnson-message-june-2020.php#alumni> [<https://perma.cc/4JFQ-KDTR>].

1232. E-mail from Nancy Levit, Curators’ and Edward D. Ellison Professor of Law, UMKC Sch. L., to Cailynn Hayter, Law Clerk, Hon. Willie J. Epps, Jr. (Aug. 6, 2020) (on file with author).

1233. *Kenneth D. Ferguson*, UMKC SCH. L., <https://law.umkc.edu/profiles/faculty-directory/kenneth-d-ferguson.html> (last visited Oct. 23, 2020).

1234. *Jamila Jefferson-Jones*, UMKC SCH. L., <https://law.umkc.edu/profiles/faculty-directory/jamila-jefferson-jones.html> (last visited Oct. 23, 2020).

the faculty, Professor Thompson was the Director of Affirmative Action and Title IX Coordinator for the UMKC campus.<sup>1235</sup> She is a graduate of Missouri State University and Washington University School of Law.

After teaching at Valparaiso University, Professor Del Wright joined the UMKC Law faculty in 2017, teaching in the areas of finance, business, securities, venture capital and tax.<sup>1236</sup> His current research focus is cryptoassets and the regulation of blockchain technologies. Professor Wright has practiced as an attorney with the U.S. Department of Justice, prosecuting both tax and organized crime, and with Skadden Arps, working in both the banking and tax groups.<sup>1237</sup> He also worked as an investment banker, most recently with Banc of America Securities, structuring derivatives and other financial instruments. Professor Wright earned a master's in public policy degree from Harvard's Kennedy School of Government, focusing on financial policy and regulation, and a Juris Doctor from the University of Chicago.<sup>1238</sup> He is active with the National Bar Association, serving as Assistant General Counsel.

Three other notable Black professors at the University of Missouri-Kansas City School of Law also deserve mention. Gwendolyn Wells became the first Black law professor at the School of Law in the early 1970s,<sup>1239</sup> Ibrahim J. Wani taught international and human rights law at the School from the early 1980s to the early 1990s,<sup>1240</sup> and Dean Burnele Venable Powell is the highest-ranking Black ever to serve on the faculty. In July 1995, Powell joined the school as its first Black dean,<sup>1241</sup> becoming only the ninth Black dean in the country (for schools not historically Black).<sup>1242</sup> Under his leadership, the Urban Issues Data Bank was established to enable students to write about law-related urban issues for nonprofit organizations.

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<sup>1235</sup> *Mikah Thompson*, UMKC SCH. L., <https://law.umkc.edu/profiles/faculty-directory/mikah-thompson.html> (last visited July 24, 2020).

<sup>1236</sup> *Del Wright*, UMKC SCH. L., <https://law.umkc.edu/profiles/faculty-directory/del-wright.html> (last visited Apr. 11, 2021).

<sup>1237</sup> *Id.*

<sup>1238</sup> *Id.*

<sup>1239</sup> E-mail from David Achtenberg, Law Foundation Scholar and Professor of Law, UMKC Sch. L., to author (July 28, 2020) (on file with author). “Gwendolyn Wells worked for the Federal Government in Washington for a number of years before returning to Kansas City to teach at the UMKC School of Law.” E-mail from Hon. Jon R. Gray (ret.), Partner, Shook, Hardy & Bacon, to author (July 30, 2020) (on file with author).

<sup>1240</sup> E-mail from Keith A. Cutler, Partner, James W. Tippin & Associates, to author (Jan. 31, 2021) (on file with author). See *Ibrahim Wani*, UNIV. OF SOUTH CAROLINA, [https://rolcsc.org/app\\_staff/ibrahim-wani/](https://rolcsc.org/app_staff/ibrahim-wani/) [https://perma.cc/6Y8F-VUSA].

<sup>1241</sup> Robert P. Sigman, *UMKC Law School at 100*, K.C. STAR, Mar. 29, 1996.

<sup>1242</sup> Tom Jackman, *New dean named at UMKC*, KAN. CITY STAR (Feb. 25, 1995).



Raised in Kansas City, one of six children, Dean Powell and his twin, Bernard, graduated from Central High School. Dean Powell attended UMKC, earning an undergraduate degree in education in 1970. His twin brother became a civil rights activist with the Congress of Racial Equality. Dean Powell earned his law degree at the University of Wisconsin in 1973, then moved to Boston to work as staff counsel for the U.S. Department of Housing and Urban Development for five years. Dean Powell studied two years at Harvard Law School, teaching graduates and earning a Master of Laws degree. “From there, Powell joined the faculty at North Carolina, where he spent a rotating, three-year stint as associate dean for academic affairs.”<sup>1243</sup>

Dean Powell served as Dean at UMKC from 1994 until 2003. He left to be Dean of Law and Miles and Ann Loadholt Professor of Law at the University of South Carolina School of Law from 2004 to 2014.<sup>1244</sup> “After a career spanning over thirty-five years in academia and government service, Professor Powell took emeritus status in 2014, and now works on continuing his scholarship and, nationally, as a legal consultant and expert witness on matters of legal ethics.”<sup>1245</sup>

#### 4. Washington University School of Law

Washington University School of Law has 31 tenured faculty members.<sup>1246</sup> Four are Black: Professors Kimberly J. Norwood, Adrienne Davis, Peggie R. Smith, and Trevor Gardner.<sup>1247</sup>

Professor Kimberly Norwood, the Henry H. Oberschelp Professor of Law, joined the faculty in 1990 and received tenure in 1996.<sup>1248</sup> A graduate of Fordham University and the University of Missouri School of Law, she clerked for U.S. District Judge Clifford Scott Green, who later married her to Ron Norwood.<sup>1249</sup> After clerking, Professor Norwood, whose birth name is Tillman, joined Bryan Cave as an associate. Shortly thereafter, St. Louis Circuit Judge Tillman became Norwood’s mentor after he called her (out of the blue) asking to meet for lunch, and due to the same last name, joked she might be his “long-lost daughter.”<sup>1250</sup> Norwood focuses her research on

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1243. *Id.* Dean Powell’s twin brother, Bernard, was killed in 1979. *Id.* “The loss of Bernard is the most fundamental loss that I have experienced in my life,” Dean Powell said. *Id.*

1244. Dean Powell was one of two finalists for the deanship at University of South Carolina School of Law, beating out Rodney Uphoff, then associate dean of the University of Missouri School of Law. *Id.*

1245. *Burnele Venable Powell*, S.C. SCH. L., [https://www.sc.edu/study/colleges\\_schools/law/faculty\\_and\\_staff/directory/powell\\_burnele.php](https://www.sc.edu/study/colleges_schools/law/faculty_and_staff/directory/powell_burnele.php) [https://perma.cc/DDQ4-AXTG] (last visited Oct. 24, 2020).

1246. E-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (July 27, 2020) (on file with author).

1247. *Id.*

1248. *Id.*

1249. *Id.*

1250. *Id.*

*Blackthink*, colorism, implicit bias, and the intersection of race, class, and public education in America.

Professor Adrienne Davis holds a dual appointment as William M. Van Cleve Professor of Law and Vice Provost of the University. Davis is a graduate of Yale College and Yale Law School, including serving on the Executive Committee of the Yale Law Journal.<sup>1251</sup> “She teaches Trusts & Estates, Contracts, and a variety of legal theory seminars, including ones on Slavery & the Law, Feminist Legal Theory, and Law & Literature.”<sup>1252</sup> She is celebrated for her scholarship and teaching on gender and race relations, theories of justice and reparations, feminist and critical race theory, and law and popular culture.<sup>1253</sup> “Professor Davis has written extensively on the gendered and private-law dimensions of American slavery, the legal regulation of intimacy, and how culture and law converge to distribute justice.”<sup>1254</sup>

Professor Peggie R. Smith is a leading scholar in the regulation of care work both inside and outside the home, including child care, home care, and elder care.<sup>1255</sup> She earned her B.A. in economics and political science at Yale College in 1987, M.A. in African American Studies at Yale University in 1990, and J.D. from Harvard Law School in 1993.<sup>1256</sup> She clerked for Judge Michael Boudin, U.S. Court of Appeals for the First Circuit; served as a Charles Hamilton Houston Fellow in Law Teaching at Harvard Law; and held several positions at other law schools.

Professor Trevor G. Gardner, II focuses on the relationship between American federalism and municipal police authority. He is developing research assessing disparate African American perspectives on the contemporary criminal justice reform movement.<sup>1257</sup> He earned his B.A. in sociology from the University of Michigan in 1999, J.D. from Harvard Law School in 2003, and Ph.D. in sociology from the University of California at Berkeley in 2014.<sup>1258</sup>

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<sup>1251</sup> *Adrienne Davis*, WASH U. SCH. L., <https://law.wustl.edu/faculty-staff-directory/profile/adrienne-davis/> (last visited Apr. 11, 2021).

<sup>1252</sup> *Id.*

<sup>1253</sup> *Id.*

<sup>1254</sup> *Id.*

<sup>1255</sup> *Peggie R. Smith*, WASH U. SCH. L., <https://law.wustl.edu/faculty-staff-directory/profile/peggie-r-smith/> [<https://perma.cc/6PMG-KVTE>] (last visited Oct. 24, 2020).

<sup>1256</sup> *Peggie R. Smith*, WASH U. SCH. L., [https://intranet.law.wustl.edu/wp-content/uploads/2018/09/CV-2021\\_Peggie-Smith.pdf](https://intranet.law.wustl.edu/wp-content/uploads/2018/09/CV-2021_Peggie-Smith.pdf) [] (Curriculum Vitae of Peggie R. Smith) (last visited July 24, 2020).

<sup>1257</sup> *Trevor G. Gardner*, WASH U. SCH. L., <https://law.wustl.edu/faculty-staff-directory/profile/trevor-g-gardner/> (last visited July 24, 2020).

<sup>1258</sup> *Trevor G. Gardner*, WASH U. SCH. L., [https://intranet.law.wustl.edu/wp-content/uploads/2020/04/Gardner\\_cv\\_2020.pdf](https://intranet.law.wustl.edu/wp-content/uploads/2020/04/Gardner_cv_2020.pdf) [<https://perma.cc/D4NH-2L24>] (Curriculum Vitae of Trevor G. Gardner) (last visited July 24, 2020).

Peter Mutharika became the first Black law professor at Washington University School of Law in 1972,<sup>1259</sup> attaining tenure in 1975.<sup>1260</sup> In 2008, he was named Malawi's Chief Advisor to the President on Constitutional, Legal and International Affairs.<sup>1261</sup> He retired from the University three years later – in 2011.<sup>1262</sup> In 2014, he became president of Malawi and served in that position until June 2020.<sup>1263</sup> He remains a key political figure in Malawi.<sup>1264</sup>

## V. THE BAR ASSOCIATIONS

“Let there be no illusions about the difficulty of forming . . . a national community. It's tough, difficult, not easy. But a spirit of harmony will survive in America only if each of us remembers that we share a common destiny.”

– U.S. Rep. Barbara Jordan<sup>1265</sup>

The evolution of bar associations, both nationally and in Missouri, offers telling insights into the status and treatment of Black lawyers. Part V focuses on bar associations as the legal landscape continually changed for Black attorneys. After a historical overview of national bar associations, this part examines the formation, history, and progress of Missouri's bar organizations.<sup>1266</sup>

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1259. E-mail from Kimberly J. Norwood, Professor of Law, Wash U. Sch. L., to author (July 27, 2020) (on file with author).

1260. *Id.*

1261. Jessica Martin, *Malawi President Appoints WUSTL Law Professor Mutharika to Senior Cabinet*, WASH. UNIV. ST. LOUIS (Jan. 9, 2008), <https://source.wustl.edu/2008/01/malawi-president-appoints-wustl-law-professor-mutharika-to-senior-cabinet/> [<https://perma.cc/U4LQ-26L5>].

1262. *A. Peter Mutharika*, WASH. U. SCH. L., <https://law.wustl.edu/faculty-staff-directory/profile/a-peter-mutharika/> [<https://perma.cc/MV7H-8TQM>] (last visited Oct. 24, 2020).

1263. *Lazarus Chakwera Sworn in as Malawi President After Historic Win*, BBC NEWS, <https://www.bbc.com/news/world-africa-53210473> [<https://perma.cc/L9SY-NNDA>] (last visited Oct. 24, 2020).

1264. *Id.*

1265. MAX SHERMAN, BARBARA JORDAN: SPEAKING THE TRUTH WITH ELOQUENT THUNDER 39 (2010).

1266. A 2006 report prepared by the Mound City Bar Association ultimately found issues concerning a lack of diversity and leadership with several other bar associations in Missouri. MOUND CITY B. ASS'N, INCLUSION OR ILLUSION: THE EXAMINATION OF A FACT OR FICTION 6 (2006), [http://www.moundcitybar.com/Downloads/Employment\\_Commission\\_Report.pdf](http://www.moundcitybar.com/Downloads/Employment_Commission_Report.pdf) [<https://perma.cc/8AQY-DWZA>]. The report outlined recommendations for the Mound City Bar Association and other bar associations. *Id.*

*A. American Bar Association*

The American Bar Association (ABA) is the largest voluntary bar association of lawyers and law students in the United States.<sup>1267</sup> It is multiracial, progressive, and inclusive, but it did not begin with those values and ideals.

At the ABA's founding in Saratoga Springs, New York on August 21, 1878,<sup>1268</sup> there were about 75 White male lawyers in attendance from 20 states and the District of Columbia.<sup>1269</sup> The stated purpose was "the advancement of the science of jurisprudence, the promotion of the administration of justice and a uniformity of legislation throughout the country."<sup>1270</sup> A Missourian, James Overton Broadhead, was elected the first President of the ABA.<sup>1271</sup>

In 1911, William H. Lewis was admitted as the first Black member of the ABA,<sup>1272</sup> though the ABA was unaware of his race.<sup>1273</sup> A graduate of Amherst College and Harvard Law School, Lewis was the first Black to serve as an Assistant United States Attorney in 1903.<sup>1274</sup> The same year he joined the ABA, Lewis was appointed United States Assistant Attorney General by President William Howard Taft – the first Black to hold this position. In 1912, learning of Lewis's race, the ABA rescinded his membership.<sup>1275</sup> More than three decades later, in 1943, the ABA reversed course, passing a resolution that "membership in the [ABA] is not dependent upon race, creed or color." Regardless, a Black lawyer was not admitted as a member until 1950.<sup>1276</sup>

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1267. *American Bar Association*, LAW. LEGION, <https://www.lawyerlegion.com/associations/american-bar-association>

[<https://perma.cc/D3SM-7CFV>] (last visited Oct. 25, 2020).

1268. *ABA Timeline*, A.B.A., [https://www.americanbar.org/about\\_the\\_aba/timeline/](https://www.americanbar.org/about_the_aba/timeline/) [<https://perma.cc/HM3L-5UQG>] (last visited July 24, 2020).

1269. *Id.*

1270. *History of the American Bar Association*, UPCOUNSEL, <https://www.upcounsel.com/lectl-history-of-the-american-bar-association> [<https://perma.cc/VQ7X-AUR6>] (last visited Oct. 25, 2020).

1271. D.H. Rule, *Provost Marshals*, CIV. WAR ST. LOUIS, <http://www.civilwarstlouis.com/History/ProvostMarshals.htm> [<https://perma.cc/8NUK-926V>] (last visited Oct. 25, 2020).

1272. *ABA Timeline*, *supra* note 1268.

1273. *Id.*

1274. WADE, *supra* note 349, at 19.

1275. *Id.* In 1912, women also were excluded from the ABA. *ABA Timeline*, *supra* note 1261. In 1918, Mary Florence Lathrop of Denver, Colorado and Mary Grossman of Cleveland, Ohio became the first two women admitted to the ABA. *Id.*

1276. Scovel Richardson, a St. Louis attorney and Dean of Lincoln University School of Law, was the first Black lawyer to successfully integrate the ABA. *See* Clarke, *supra* note 16, at 18; *ABA Timeline*, *supra* note 1268. In 1995, Roberta Cooper Ramo of New Mexico became the first woman to serve as president of the ABA. *ABA Timeline*, *supra* note 1261. In 2003, Dennis Archer, former mayor of Detroit and former Justice of the Supreme Court of Michigan, became the first African American

A Black would not be elected president of the ABA until 2003. Dennis W. Archer joined the ABA in 1970, when Black lawyers were still rare in the organization.<sup>1277</sup> A former justice of the Michigan Supreme Court, mayor of Detroit, and president of the National Bar Association, Archer was almost overqualified for the position.<sup>1278</sup>

On August 11, 2003, during the American Bar Association's Annual Meeting in San Francisco, the Honorable Dennis W. Archer became the first person of color to serve as ABA president. His one-year term began 125 years after the founding of the ABA, 60 years after the ABA ended its policy of excluding African-Americans, and 30 years after Archer attended his first ABA Annual Meeting and launched a plan to improve diversity in the ABA and the profession.<sup>1279</sup>

During Archer's tenure, the ABA encouraged major law firms to hire more Black attorneys.<sup>1280</sup>

### B. National Bar Association

Due to the ABA's systematic exclusion of Blacks until the 1950s, African American lawyers formed their own bar association to have national and international reach.<sup>1281</sup> The National Bar Association was founded in Des Moines, Iowa, in 1925 by eleven Black male lawyers and one Black female lawyer.<sup>1282</sup> Though most of the founders were from Iowa and Illinois, two

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president of the ABA. *Id.* In 2015, Paulette Brown of New Jersey became the first African American woman to serve as president of the ABA. *Id.*

1277. Terry Carter, *Dennis Archer Arrives*, A.B.A.J., Apr. 2003 at 62.

1278. *Id.*

1279. Willie J. Epps, Jr., *An Interview with Justice Dennis W. Archer*, 57 JUDGES' J., Spring 2018, at 4; see also Allan B. Head, *An Interview with American Bar Association President Dennis W. Archer*, JUDGES' J., Fall 2003 at 33.

1280. Martha Middleton, *Local Hero*, A.B.A., Sept. 2016 at 70.

1281. Walker, *supra* note 199, at 22.

Prior to the creation of a large scale Black bar association, efforts grew in southern states to recognize the need for association among African-American lawyers, including the forming of the Colored Bar Association of the State of Mississippi. These early efforts are often referred to as the Greenville Movement, based on its first meeting taking place in Greenville, Mississippi. In Iowa, the first convention of [B]lack lawyers occurred in 1924 as the Iowa Colored Bar Association.

*Id.*

1282. *Id.*

From the first 12 lawyers who formed the organization, the NBA is now recognized as the oldest and largest national association of predominately African-American lawyers, judges, educators and law students. From representation of the association in less than five cities, the organization now

were from Missouri: Charles H. Calloway and Amasa Knox, both of Kansas City.

In addition to Calloway, other Missourians have served as NBA president: Homer G. Phillips (1927-1928), Sidney R. Redmond (1941-1943), Scovel Richardson (1951-1953), Mavis T. Thompson (2009-2010), and Pamela J. Meanes (2014-2015).<sup>1283</sup> Phillips and Redmond have been discussed above in Part III. The remaining Missourian NBA presidents are examined below.

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boasts 84 affiliate chapters throughout the United States as well as in Canada, the United Kingdom, Africa, Morocco and the Caribbean. Much praise to the founders, many of whom boast Iowa as the birthplace of their professional roots, and their vision which has blossomed into an international organization of more than 60,000 members.

*Id.*

1283. *History*, NAT'L B. ASS'N, <https://www.nationalbar.org/NBAR/about/history/NBAR/content/history.aspx?hkey=dc876c1f-5004-418b-a8c9-25cee1c69668> (last visited June 28, 2020). Elmer C. Jackson of Kansas City, Kansas, served as NBA president from 1959 to 1961. Since the majority of his professional and civic activities took place on the Kansas side of the Kansas City metropolitan area, he is not included among the list of Missourians who have served as NBA presidents. Moreover, while not a past president, Richard E. Banks, a top St. Louis personal injury lawyer, has been active with National Bar and was the chair of the 30th Annual Gertrude E. Rush Award Dinner Committee in 2010. Joia Williamson, *National Bar Association Honors Legal Trailblazers in St. Louis*, ST. LOUIS AM. (Apr. 22, 2010), [http://www.stlamerican.com/business/national-bar-association-honors-legal-trailblazers-in-st-louis-conference/article\\_090b23a6-ccc6-5b32-80c4-1e3ac9bdc4e1.html](http://www.stlamerican.com/business/national-bar-association-honors-legal-trailblazers-in-st-louis-conference/article_090b23a6-ccc6-5b32-80c4-1e3ac9bdc4e1.html) (last visited Sept. 30, 2020). A graduate of Howard University and Texas Southern University School of Law, Banks began practicing law in St. Louis in 1988 and started his own firm, Banks & Associates P.C., a year later. *Richard E. Banks*, SUPER LAWS., <https://profiles.superlawyers.com/missouri/st-louis/lawyer/richard-e-banks/d490099a-88b2-473d-a101-333faf1ab9e4.html#:~:text=Injury%20%2D%20General%3A%20Plaintiff-,Richard%20E.,Injury%20%2D%20General%3A%20Plaintiff%20issues> [https://perma.cc/VE2E-CJ56] (last visited Sept. 30, 2020); Richard E. Banks, LINKEDIN, [https://www.linkedin.com/in/richard-edward-banks-b1608516?challengeId=AQHGINCO\\_kcVgwAAAXTfoi9UMUPcXVr1okUA79RTBKtgKKyjarXNMCNc3KcGhptiZrra368XhY5oIVgm95JRv-8eMIXKapPFmQ&submissionId=5d86ac65-6099-3916-ecd0-d8fd068d0a0e](https://www.linkedin.com/in/richard-edward-banks-b1608516?challengeId=AQHGINCO_kcVgwAAAXTfoi9UMUPcXVr1okUA79RTBKtgKKyjarXNMCNc3KcGhptiZrra368XhY5oIVgm95JRv-8eMIXKapPFmQ&submissionId=5d86ac65-6099-3916-ecd0-d8fd068d0a0e) (last visited Sept. 30, 2020). He has received many awards for his work in the courtroom and community, including being named a Super Lawyer from 2016-2020. *About, BANKS LEGAL OFFICE*, <https://www.bankslegaloffice.com/about> [https://perma.cc/AQD6-FVUU] (last visited Sept. 30, 2020).

## 1. Scovel Richardson

Scovel Richardson served as President of the NBA from 1951 to 1953,<sup>1284</sup> part of a storied legal career. Born in Nashville, Tennessee, he attended the University of Illinois before earning his law degree from Howard University School of Law. During the Second World War, Richardson served as staff attorney to the Office of Price Administration.<sup>1285</sup> He then moved to Missouri in 1939 to join the faculty of Lincoln University School of Law,<sup>1286</sup> leading the school as dean from 1944 to 1953.<sup>1287</sup> In 1953, Richardson became the first Black member of the Bar Association of St. Louis.<sup>1288</sup> That same year, President Dwight D. Eisenhower appointed him to the United States Parole Board, where he served as chair from 1954 to 1957.<sup>1289</sup> In 1957, Eisenhower named Richardson to the United States Court for International Trade, where he served as a judge on the court until his death in 1982.

## 2. Mavis Thompson

A graduate of the University of Missouri (B.S. and J.D.) and Harvard's John F. Kennedy School of Government program, Mavis Thompson was NBA President from 2009 to 2010.<sup>1290</sup> As president, she stressed "collective unity" as the vehicle to maximize the impact of Black lawyers on the world.<sup>1291</sup> She told NBA members "[a]s we are living in a new era of national leadership and global influence, it is especially important for us as attorneys to be committed to leaving our legacy of leadership through service programs

1284. *History*, *supra* note 1283.

1285. *Scovel Richardson, 70, Dies*, WASH. POST, <https://www.washingtonpost.com/archive/local/1982/04/01/scovel-richardson-70-dies/96a9e86d-7b75-4689-bb25-aeafade061e1/> [<https://perma.cc/VZP5-Z8JX>] (last visited June 28, 2020).

1286. *Richardson, Scovel*, ENCYCLOPEDIA.COM, <https://www.encyclopedia.com/african-american-focus/news-wires-White-papers-and-books/richardson-scovel> [<https://perma.cc/LKY2-M5BV>] (last visited June 28, 2020).

1287. Longa, *supra* note 266, at 97.

1288. Three years later, Richardson was admitted to the American Bar Association. See Clarke, *supra* note 16, at 18; *Richardson, Scovel*, *supra* note 1286.

1289. *Scovel Richardson, 70, Dies*, *supra* note 1285. *Richardson, Scovel*, ENCYCLOPEDIA.COM, <https://www.encyclopedia.com/african-american-focus/news-wires-White-papers-and-books/richardson-scovel> [<https://perma.cc/4LQU-7MU6>] (last visited June 28, 2020).

1290. *Mavis Thompson*, ST. LOUIS-MO GOV., <https://www.stlouis-mo.gov/government/departments/license/profiles/Mavis-T-Thompson-Esq.cfm> [<https://perma.cc/X8HW-FAA4>] (last visited June 28, 2020); *History*, *supra* note 1276.

1291. *Mavis Thompson is new president of black bar association*, ST. LOUIS AM. (Mar. 2, 2010), [http://www.stlamerican.com/news/columnists/mavis-thompson-is-new-president-of-black-bar-association/article\\_79d2475e-2639-11df-a4fe-001cc4c03286.html](http://www.stlamerican.com/news/columnists/mavis-thompson-is-new-president-of-black-bar-association/article_79d2475e-2639-11df-a4fe-001cc4c03286.html).

and successful partnerships with other professional and civic organizations.”<sup>1292</sup>

Thompson’s career includes stints at various county prosecutors’ offices in Missouri, the Missouri Attorney General’s Office, and private practice at Sandberg, Phoenix, & von Gontard P.C.<sup>1293</sup> The first Black woman to hold two different citywide elected offices, Thompson was elected as Circuit Clerk for the Twenty-Second Judicial Circuit before Governor Jay Nixon appointed her License Collector for the City of St. Louis in 2013<sup>1294</sup> – a position she continues to hold due to re-election.<sup>1295</sup>

#### 4. Pamela J. Meanes

The first Black woman partner at Thompson Coburn, Pamela J. Meanes served as NBA President from 2014 to 2015. During her tenure, she and the NBA focused on education, “the new civil right”; voter protection, restoring the Voting Rights Act, and advancing democracy; judicial equality and dismantling the barriers that prohibit a diverse bench; and fighting against police brutality.<sup>1296</sup>

[Members of the NBA are] blessed to be in a position from which we can make a real, sustained change. Just as we saw during the Civil Rights era, one committed, focused and hard-working generation can change the world for the next generation. We can do it, we have to do it. We owe it to not only ourselves, but to our children.<sup>1297</sup>

#### C. *The Missouri Bar*

The Missouri Bar was created by order of the Supreme Court of Missouri in 1944.<sup>1298</sup> But it originated in 1880 as a voluntary organization that admitted no Black lawyers<sup>1299</sup> until it was replaced by the new mandatory Missouri Bar.<sup>1300</sup> The bar president then stated that “all lawyers of the state of Missouri – not a mere fraction thereof – are members of the organization.”<sup>1301</sup> Black attorneys were not only members of the new organization, but also played other important roles. Two prominent Black attorneys were appointed to standing committees: Silas Garner to the Legal Aid Committee, and George

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1292. *Id.*

1293. *Id.*

1294. *Id.*

1295. *Id.*

1296. Pamela J. Meanes, *Ferguson: Putting the Pieces Together is the Key*, NAT’L B. ASS’N MAG., Dec. 2014, at 8, 9.

1297. *Id.* at 11.

1298. Joseph Fred Benson, *Missouri’s Evolving Jurisprudence: A Brief History of the Supreme Court of Missouri, 1821 to 2008*, 65 J. Mo. B. 22, 27 (2009).

1299. Clarke, *supra* note 16, at 20.

1300. *Id.* at 22.

1301. *Id.*



Vaughn to the Civil Rights Committee.<sup>1302</sup> The Jackson County Bar Association and the Mound City Bar Association were included, along with their White-only counterparts, as local affiliates of the new Missouri Bar.<sup>1303</sup>

Today, The Missouri Bar has nearly 30,000 members – all attorneys licensed in Missouri.<sup>1304</sup> With a budget of about \$10 million and a staff of 45, the Bar’s “mission is to improve the legal profession, the administration of justice, and the law on behalf of the public.”<sup>1305</sup> The Missouri Bar’s Black presidents and staff are profiled below.

### 1. Charlie J. Harris, Jr.

In 2005, The Missouri Bar Board of Governors made history by electing Black Kansas City attorney Charlie Harris as vice president over White Kansas City attorney John Johnston.<sup>1306</sup> Harris thus was President during the 2007-2008 bar year.<sup>1307</sup> Harris was only the eleventh Black president of any state bar association in the country.<sup>1308</sup>

Compared to Missouri’s history of race relations in general, and the legal community in particular, leaders of the Bar recognized this giant step forward. “The significance isn’t lost on me . . . . There’s always historical significance to being first. But I’ve always looked at it as a responsibility to be the best I can be at all times for all people. I will continue to do that,” said Harris.<sup>1309</sup> Dana Tippin Cutler, a Black lawyer in Kansas City who had nominated her friend, Johnston, for vice president, stated just before the historic vote that The Bar

should be proud of itself . . . . We have candidates of different races being supported by every variation possible. Who would have thought 25 years ago that a Black man would be in the position to run for The Missouri Bar president and some of his staunchest supporters would be from Springfield? Or that a White man from a major firm would be nominated by a Black female who owns her own firm? That is progress for The Missouri Bar, and if that isn’t a testament to where we’ve come from, I don’t know what is. And regardless of how this

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1302. *Id.*

1303. *Id.* at 23.

1304. *Frequently Asked Questions About The Missouri Bar*, MO. BAR., <https://mobar.org/site/content/About/FAQ.aspx> (last visited June 28, 2020).

1305. *Id.*

1306. Donna Walter, *First African-American in Line to Be MoBar President*, ST. LOUIS COUNTIAN, Sept. 28, 2005; Scott Lauck, *KC Attorney Charlie Harris Finds the Funk in Music, Law*, MO. LAWYERS. WKLY. (June 18, 2018), <https://molawyersmedia.com/2018/06/18/kc-attorney-charlie-harris-finds-the-funk-in-music-law/> [<https://perma.cc/C72S-44SX>].

1307. Walter, *supra* note 1306.

1308. E-mail from Charlie Harris, Jr., Partner, Seyferth Blumenthal & Harris LLC, to author (July 22, 2020) (on file with author).

1309. Walter, *supra* note 1306.

election comes out, those are the things we should point out to our constituents—to show where we’ve come from and hopefully where we’re headed.<sup>1310</sup>

Harris, a graduate of Tarkio College, held corporate positions in management and human resources. He then attended the University of Missouri-Kansas City School of Law, serving as an editor of the *Law Review* and vice president of the Black Law Students Association. He recalls five other Black classmates in law school.<sup>1311</sup> Graduating in 1995 and clerking for U.S. District Judge Fernando J. Gaitan, Jr., Harris stated he was the first Black law clerk on the U.S. District Court for the Western District of Missouri, as well as the first Black federal law clerk hired from the University of Missouri-Kansas City School of Law.<sup>1312</sup>

Harris then practiced general litigation and employment law at Shook, Hardy & Bacon L.L.P., and later at Berkowitz Oliver Williams Shaw & Eisenbrandt L.L.P. On March 1, 2008, Harris, during his year as Bar President, joined the law firm formerly known as Seyferth Knittig & Blumenthal LLC (now Seyferth Blumenthal & Harris LLC).

## 2. Reuben A. Shelton

Reuben Shelton was elected Vice President of The Missouri Bar on October 17, 2012,<sup>1313</sup> serving as President in 2014-2015, the second Black in that capacity. Nominated by Dana Tippin Cutler, Shelton defeated two White attorneys from St. Louis, Nancy Mogab and Mark Levison, to win the election after two rounds of balloting.<sup>1314</sup>

Shelton came from humble beginnings on the north side of St. Louis with nine other siblings, his “father pulling double duty as a cab driver and auto worker for forty years to make ends meet.”<sup>1315</sup> His father once “had to file a workers’ compensation claim,” which piqued Shelton’s interest in the law.<sup>1316</sup> “We ran into issues that lawyers helped us overcome . . . I always felt that was pretty cool.”<sup>1317</sup> Asked why he chose law, Shelton chuckled. “In my life I saw that the folks who made the most change in society were either lawyers or preachers . . . I knew I probably wasn’t going to be a preacher.” Shelton graduated from Saint Louis University’s law school and clerked for U.S. District Judge Clyde Cahill.<sup>1318</sup>

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1310. *Id.*

1311. E-mail from Charlie Harris, Jr., Partner, Seyferth Blumenthal & Harris LLC, to author (July 22, 2020) (on file with author).

1312. *Id.*

1313. Donna Walter, *Reuben A. Shelton wins MoBar VP election*, MO. LAWYERS. MEDIA (Oct. 17, 2012).

1314. *Id.*

1315. *Id.*

1316. *Id.*

1317. *Id.*

1318. *Id.*

When elected as the Missouri Bar's Vice President, Sheldon was

the senior counsel of litigation at Monsanto Co., managing intellectual property, environmental and antitrust litigation. He also serve[d] as general counsel to the Monsanto governmental affairs business unit, and he [wa]s responsible for strategic planning for Monsanto's worldwide Freedom to Operate initiatives.

Shelton joined Monsanto in 1999, after a year at the Missouri Attorney General's Office, where he was special chief counsel of litigation. In that role, he was the lead in-house attorney (over a team of 43 attorneys) in *State v. American Tobacco Co. et al.*, which settled for \$6.7 billion. He also was the state's chief civil rights enforcement officer and general counsel for the Missouri Commission on Human Rights.<sup>1319</sup>

Shelton served as President of the Bar Association of Metropolitan St. Louis and Regional Director of the National Bar Association. He also "served on numerous governing boards including the Urban League of Metropolitan St. Louis, the Bi-State Development Agency, Children's Hospital and others."<sup>1320</sup> He was elected Grand Polemarch (president and CEO) of Kappa Alpha Psi Fraternity, Inc. in 2019.<sup>1321</sup> Unsurprisingly, he has compiled numerous awards throughout his storied career.<sup>1322</sup>

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1319. *Id.*

1320. David Bauger, *Reuben A. Shelton - Monsanto Company*, MO. LAWYERS WKLY. (Aug. 22, 2018), <https://molawyersmedia.com/2018/08/22/reuben-a-shelton-monsanto-company/> [<https://perma.cc/SNT9-ZFGB>].

In the late 1990s, Shelton became the first African-American elected to serve as president of the Bar Association of Metropolitan St. Louis. In addition to his work for The Missouri Bar, Shelton [wa]s a member of the board of trustees of Antioch Baptist Church, of the national board of directors of Kappa Alpha Psi and of the Missouri Development Finance Board.

Walter, *supra* note 1313.

1321. John N. Mitchell, *Kappa Alpha Psi Elects St. Louis Native Reuben Shelton, III as New Grand Polemarch*, ST. LOUIS AM. (Aug. 4, 2019), [http://www.stlamerican.com/news/local\\_news/kappa-alpha-psi-elects-st-louis-native-reuben-shelton-iii-as-new-grand-polemarch/article\\_5a1d0374-b67e-11e9-93ce-c37f10abbf94.html](http://www.stlamerican.com/news/local_news/kappa-alpha-psi-elects-st-louis-native-reuben-shelton-iii-as-new-grand-polemarch/article_5a1d0374-b67e-11e9-93ce-c37f10abbf94.html).

1322. Bauger, *supra* note 1320.

Shelton's list of honors and accolades include recognitions from entities ranging from legal groups to magazines. He's been named among 10 outstanding St. Louisans by the Junior Chamber of Commerce and one of 100 most inspiring St. Louisans by the NAACP. Declared a "Legal Legend" by the St. Louis Argus, he also has been recognized as one of the best corporate in-house lawyers in the state by Missouri Lawyers Media.

Shelton, as president, discussed the challenges of his position. “Certainly the job of Missouri Bar president is a daunting one. It is fraught with meetings, issues, challenges, endless appointments and events you can never predict. What happens to the best laid plans of mice and men? - LIFE.”<sup>1323</sup> He suggested that the most a president can do is “set a course for the team for the Bar year and execute it to the best of his or her ability around the myriad of surprises that surely come along.”<sup>1324</sup> Near the end of his presidency, he believed that he and a very talented team of Board members and Bar staff had accomplished that goal. Shelton and his team ultimately addressed an impressive litany of issues during his term as President.<sup>1325</sup>

### 3. Dana Tippin Cutler

After supporting roles in the history-making elections of Charlie Harris and Reuben Shelton, Dana Tippin Cutler made her own history when the Board of Governors elected her Vice President on September 10, 2014.<sup>1326</sup> She became the first Black woman elected Vice President, making her President in 2016-2017. “‘It gives you pause,’ Cutler said of being the first Black woman elected as vice president. ‘It’s good Missouri checked that box, and I just look forward to having the opportunity to serve in a meaningful way.’”<sup>1327</sup>

During her year as President, Cutler spearheaded the Courageous Collaboration initiative to foster dialogue within law firms about race, gender, disability, age, and sexual orientation.<sup>1328</sup> Her efforts earned her the Partnership Award from the ABA.<sup>1329</sup>

### 4. Mischa Buford Epps

Mischa Buford Epps was named Executive Director of The Missouri Bar on March 6, 2020, by a unanimous vote.<sup>1330</sup> She is the bar’s fifth executive director and first Black in its 77-year history.

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*Id.*

1323. Reuben A. Shelton, *The President’s Page: What a Ride*, 71 J. MO. B. 181, 181 (2015).

1324. *Id.*

1325. *Id.*

1326. Catherine Martin, *Missouri Bar elections include historic VP choice*, MO. LAWYERS MEDIA, Sept. 10, 2014.

1327. *Id.*

1328. *Dana Tippin Cutler*, MO. LAWYERS WKLY., <https://molawyersmedia.com/2018/04/30/dana-tippin-cutler/> [<https://perma.cc/PG4Q-B7M8>] (last visited June 28, 2020).

1329. *Id.*

1330. *Mischa Buford Epps Approved as Executive Director of The Missouri Bar*, MO. TIMES (Mar. 6, 2020), <https://themissouritimes.com/mischa-buford-epps-approved-as-executive-director-of-the-missouri->

Epps was a “partner at Shook, Hardy & Bacon LLP, where she practiced for more than 20 years . . . While there, she was a founding member and past chair of the firm’s diversity committee and provided leadership in several bar organizations.”<sup>1331</sup> She compiled an impressive record of awards and community service while at the firm.<sup>1332</sup>

Epps graduated from “Washington University in St. Louis and obtained her J.D. from the University of Texas at Austin School of Law.”<sup>1333</sup> She now “lives in Columbia with her husband Hon. Willie J. Epps, Jr., and their young daughter.”<sup>1334</sup>

### 5. Delores “Dee” Shepherd

Delores “Dee” Shepherd became the first full-time Black employee of The Missouri Bar in 1993.<sup>1335</sup> She was hired to wear two hats: Legislative Counsel – second-chair lobbyist for the Bar’s legislative activities – and CLE Programs Attorney – to create Continuing Legal Education (CLE) content and plan and produce the actual programs. There were 30 to 35 full-time employees then.<sup>1336</sup> She was also a hearing examiner for the Missouri Commission on Human Rights. In that role, she held hearings on complaints of alleged discrimination in employment, housing, and public accommodations, made findings of fact and conclusions of law, and recommended a decision for the Commission. Her last role at the Bar was as Director of CLE Programs. During the first 22 of her 25 years of service to the lawyers of Missouri, she was the only Black employee at the Bar. In 2015, Shepherd hired Deirdea Mason, an African American, as CLE Program Registrar, mentoring her until Shepherd retired in 2018.

Raised in Mexico, Missouri, Shepherd, a graduate of Mexico Senior High School, attended University of Missouri-Kansas City. After marrying Eric Shepherd, an active-duty Marine, she moved with him to Washington,

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bar/#:~:text=%E2%80%94%20The%20Missouri%20Bar%2C%20a%20statewide,state%20bar’s%20next%20executive%20director [https://perma.cc/2E8N-FJLZ].

1331. *Id.*

1332. *Id.*

Epps . . . has a long history of volunteering for community and service groups, including as legal counsel to a police board and serving on the board of Legal Aid of Western Missouri. She has been recognized for her service many times, including the Missouri Lawyers Media Mentor of the Year Award and Women’s Justice Award, the Jackson County Bar Association’s Judge Lewis W. Clymer Award, and the William G. Zimmerman Pro Bono Award.

*Id.*

1333. *Id.*

1334. *Id.*

1335. Interview with Dee Shepherd, Director of CLE Programs (ret.), The Missouri Bar (July 20, 2020). It appears Mischa Buford Epps is the third African American ever employed full-time by The Missouri Bar.

1336. *Id.*

D.C., attending Howard University while he served in the Marine Corps. She finished her degree in Criminal Justice at Lincoln University in Jefferson City in 1981, graduating from the University of Missouri School of Law in 1988.<sup>1337</sup> She passed the Illinois bar and then worked as a staff attorney for Land of Lincoln Legal Assistance Foundation in Alton, Illinois.<sup>1338</sup> Six months later, Shepherd passed the Missouri bar.

Shepherd said it was an honor and a privilege to work for the Bar, where she was treated well by the staff and various Boards of Governors. Keith Birkes, Executive Director, was incredibly supportive.<sup>1339</sup> “There were obviously times I felt isolated, but it was never overwhelming or I would have left.”<sup>1340</sup>

Shepherd hand-picked Black lawyers to serve as speakers and moderators for CLE programs and created minority business development conferences to make Black lawyers more visible within the bar. She stated her greatest accomplishment at the Bar was getting Blacks more involved with its activities.<sup>1341</sup>

#### *D. Metropolitan Bar Associations*

##### 1. Kansas City Metropolitan Bar Association

Founded in 1884, the Kansas City Metropolitan Bar Association (KCMBA) is the oldest and largest voluntary bar association in the Kansas City area, with almost 5000 members in a nine-county area in Missouri and Kansas.<sup>1342</sup> KCMBA’s mission is “to serve its members and its community by promoting justice, professional excellence and respect for the law.”

KCMBA excluded Black lawyers for decades. It was not until December 1955 that the first Black members were admitted: Lewis W. Clymer, Harold Holliday, and Carl R. Johnson.<sup>1343</sup> Forty years later, in 1995,

1337. *Id.* Eric Shepherd graduated a year later from Lincoln University.

1338. *Id.* Approaching graduation, Shepherd had job opportunities in both Missouri and Illinois. She chose Land of Lincoln because it was the only opportunity that would allow her to handle her own cases and be in the courtroom. She commuted between Alton and Jefferson City during this time and had a small apartment in Alton.

1339. “In 1985, a major change occurred in mid-Missouri that vibrated throughout the entire state when Keith Birkes became the Executive Director of The Missouri Bar. In his very quiet and unassuming manner, he made it known that The Missouri Bar was for all Missouri attorneys.” James W. Tippin, *A Father’s Historical Perspective: The Pillars Beneath My Daughter*, 72 J. Mo. B. 238, 239 (2016).

1340. Interview with Dee Shepherd, Director of CLE Programs (ret.), The Missouri Bar (July 20, 2020).

1341. *Id.*

1342. *About Us*, KCMBA, [https://www.kcmba.org/web/About\\_Us/web/KCMBA\\_Website/About\\_Us/About\\_Us.aspx?hkey=6e19ec78-c8f4-4de3-b722-b0a4ceae847](https://www.kcmba.org/web/About_Us/web/KCMBA_Website/About_Us/About_Us.aspx?hkey=6e19ec78-c8f4-4de3-b722-b0a4ceae847) (last visited July 24, 2020).

1343. *K.C. Lawyers End Racial Bar, Admit 3 After ‘Hot’ Controversy*, THE CALL (Kansas City, Mo.), Dec. 9, 1955, at 1, 4.

William T. Session<sup>1344</sup> became the first Black to serve as KCMBA president.<sup>1345</sup> In 2003, Sly James<sup>1346</sup> became the only other Black KCMBA president.<sup>1347</sup>

Desegregating KCMBA in 1955 was the idea of Irving Achtenberg, a White civil rights attorney, and his friend, Harold Holliday, Sr., the first Black graduate of the Kansas City School of Law (now UMKC School of Law).<sup>1348</sup> Holliday recruited two other Blacks, Lewis Clymer and Carl R. Johnson (a recently-elected judge of the Kansas City Municipal Court).<sup>1349</sup> In April 1955, Achtenberg sent the three applications for membership to the Executive Committee with the proper fees and letters of recommendation.<sup>1350</sup> The Executive Committee failed to act.

In June 1955, Austin Shute, a White Bostonian and newly minted editor of the *Kansas City Bar Journal*, wrote an article entitled, “A Profession or Club?” Shute, with a distinguished career in criminal defense, “argued that professionals have a duty to recognize their prejudices as such and not to let them interfere with professional behavior.”<sup>1351</sup> He wrote that “no lawyer has the right to discriminate against fellow lawyers on a professional level” and that it was past time that members show by action that “we are more interested in the moral character and ability of our fellow attorneys than in their color.”<sup>1352</sup> That editorial was followed by Achtenberg’s letters to each member of the Executive Committee urging them to admit the three applicants. Again, no action.

1344. William T. Session received his Juris Doctor degree from the University of Missouri School of Law in 1977. He also received a M.B.A. from the University of Missouri School of Business in 1974. He was the first Black partner at majority law firm in Kansas City and had one of the first paperless offices in Kansas City. Session concentrates his practice in the area of environmental law and is a Fellow of the American College of Environmental Lawyers. E-mail from William Session, The Session Law Firm, PC, to author (Aug. 7, 2020) (on file with author).

1345. *Past Presidents*, KCMBA, [https://www.kcmba.org/web/About\\_Us/Leadership\\_\\_\\_Governance/Past\\_Presidents/web/KCMBA\\_Website/About\\_Us/Past\\_Presidents.aspx?hkey=d8fedf84-e061-42c6-8bbc-47ad6ef4a273](https://www.kcmba.org/web/About_Us/Leadership___Governance/Past_Presidents/web/KCMBA_Website/About_Us/Past_Presidents.aspx?hkey=d8fedf84-e061-42c6-8bbc-47ad6ef4a273) (last visited Jan. 3, 2021); Tippin, *supra* note 1332, at 239.

1346. Sylvester “Sly” James, Jr. served as the 54<sup>th</sup> mayor of Kansas City, Missouri from 2011 to 2019. *Sly James*, WICKHAM JAMES, <https://wickhamjames.com/who-we-are/sly-james/> [https://perma.cc/CQ2G-62KJ] (last visited Oct. 25, 2020).

1347. *Past Presidents*, *supra* note 1345.

1348. Fred Slough, *Pioneers in Civil Rights*, K.C. COUNS., Dec. 1998, at 10.

1349. *Id.* “[Former Kansas City Mayor Pro Tem] Alvin Brooks loves to tell the story of how it was that many people said Kansas City became a big league city when the Chiefs came to Kansas City. Alvin says that Kansas City became a big league city when Carl R. Johnson was appointed to the Kansas City Municipal Court.” E-mail from John W. Kurtz, Partner, Hubbard & Kurtz, L.L.P., to author (July 10, 2020) (on file with author).

1350. Fred Slough, *supra* note 1348, at 10.

1351. *Id.* at 11.

1352. *Id.*

Achtenberg then decided to seek to amend KCMBA's Constitution so applications went directly to the membership. In November 1955, a group of lawyers mapped a strategy for a constitutional amendment.<sup>1353</sup> The group also wrote every member urging their attendance at the next meeting.<sup>1354</sup> On December 1, 1955, during a contentious meeting, the membership approved the Constitutional amendment and voted to admit Judge Carl R. Johnson, Lewis W. Clymer, and Harold Holliday.<sup>1355</sup>

## 2. Jackson County Bar Association

Paralleling the National Bar Association in Kansas City, Black lawyers in the mid-1920s formed the Jackson County Bar Association. JCBA was established when Black lawyers were not allowed to join the ABA or the KCMBA. The JCBA is a voluntary bar association comprising primarily Black attorneys from the Kansas City metropolitan area.

JCBA attorneys helped found and lead the NBA.<sup>1356</sup> Its attorneys, including Carl R. Johnson, Almer T. Adair, and L. Amasa Knox, fought the segregation of public facilities and schools.<sup>1357</sup> JCBA attorneys have held elected office in the State legislature and citywide offices, including mayor. JCBA continues as an influential advocate for professional development among members and pro-bono representation in the community. Its leaders have promoted integrity within the legal system and throughout the metropolitan area.<sup>1358</sup>

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1353. *Id.*

1354. *Id.* Signatories of the letter included "Irving Achtenberg, William D. Cosgrove, Theodore C. DeFeo, Lyman Field, N.R. Fischer, Henry H. Fox, Jr., Sam Mandell, John J. Manning, John J. McFadden, Anthony P. Nugent, Jr., John Oliver, Frank J. O'Leary, James Patrick Quinn, Howard Sachs, Austin F. Shute, and Roscoe C. Van Valkenburgh." *Id.* Howard Sachs, a Senior U.S. District Judge, is the only survivor of these agents of change.

1355. *Id.*

1356. Leland Ware, *supra* note 16, at 43.

1357. *See State ex rel. Bluford v. Canada*, 153 S.W.2d 12 (Mo. 1941); *Kansas City v. Williams*, 205 F.2d 47 (8th Cir. 1953).

1358. JCBA current and past presidents include: Ebonie S. Davis, 2021; Shaun Stallworth, 2019, 2020; Anthony McDaniel, 2018; Marcos Barbosa, 2017; Tiffany Hogan, 2014, 2015; Alissia Canady, 2014; Jalilah Otto, 2014 (resigned to take the bench); Kendra Mosley Ayuk, 2012, 2013; Kelly Connor-Wilson, 2010, 2011; Kori Carew, 2008, 2009; Keith Cutler, 2006, 2007; Vanita Massey, 2004, 2005; Carla Fields, 2002, 2003; Mischa Buford, 2000, 2001; Lajuana Counts, 1998, 1999; Anthony Bush, 1996, 1997; Ulysses "Deke" Clayborn, 1994, 1995; Deborah Neal, 1992-1994; Basil North, Jr., 1989-1992; ; Joe James 1987-1989; E. Beth Cox, 1986, 1987; Kit Carson Roque; Grover Hankins; Kamau King, 1980; and James Tippin, 1977-1979. E-mail from Keith A. Cutler, Partner, James Tippin & Associates, to author (Sept. 28, 2020) (on file with author). Past recipients of the Judge Lewis W. Clymer Award include Hon. Thomas H. Newton, 2019; Hon. Lajuana M. Counts, 2018; Hon. Jalilah Otto, 2017; Hon. Lisa White Hardwick, 2016; Ulysses "Deke" Clayborne, 2015; Hon. Fernando J. Gaitan, Jr., 2014; Keith A. Cutler, 2013; Gilbert



The purpose of the JCBA, then and now, is to be a resource for its members, work to ensure “justice and equal opportunity for the African-American community,” improve the administration of justice, preserve the “independence of the judiciary,” improve the “economic conditions of all citizens of Missouri,” uphold the honor of the legal profession, and “protect the civil and political rights of the citizens and residents of the State of Missouri.”<sup>1359</sup>

### 3. Bar Association of Metropolitan St. Louis

The Bar Association of St. Louis, now the Bar Association of Metropolitan St. Louis, was founded on March 16, 1874, by over 100 White lawyers and judges at the Old Courthouse.<sup>1360</sup> Today, BAMSL has a membership of more than 5,000.

James O. Broadhead and Henry Hitchcock, two of the earliest BAMSL presidents, met with other lawyers in Saratoga, New York, in 1878, to form the ABA.<sup>1361</sup> BAMSL members were “instrumental in the formation of The Missouri Bar Association in 1880, the precursor to the present integrated Missouri Bar of which all state lawyers and judges are automatically members.”

In its role as a civic advocate, BAMSL brought change to both the bar and bench. After nearly four decades of effort by BAMSL, the Missouri Constitution was amended in 1940 to adopt the Missouri Plan for judicial selection. BAMSL also established the Legal Aid Society during the tenure of Daniel G. Taylor, who led the organization from 1909 to 1910. In the 1920s and 1930s, BAMSL led the fight to create the St. Louis Public Defender’s Bureau.

Yet BAMSL remained a Whites-only institution until the second half of the twentieth century. In 1953, Scovel Richardson, Dean of Lincoln Law

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R. “Mickey” Dean, III, 2012; Dana Tippin Cutler, 2011; Delanora “Debbie” Brooks, 2010; Ronald E. Finley, 2009; Mischa Buford Epps, 2008; Hon. Jon R. Gray, 2007; Hon. Cordell D. Meeks, Jr.\*, 2006; I. Pearl Fain, 2005; Basil L. North, Jr., 2004; James W. Tippin, 2003; Willis L. Toney, 2002; Taylor Fields, 2001; Hon. Jesse H. Butler, 2000; and Elmer C. Jackson, Jr.,\* 1999; \*Denotes award received posthumously. E-mail correspondence from Shaun Stallworth, Of Counsel, Holman Schiavone, LLC, to author (Sept. 27, 2020) (on file with author).

1359. *About JCBA*, JCBA, <https://www.jacksoncountybar.com/about-jcba/> [<https://perma.cc/D6B8-M4S4>] (last visited Oct. 25, 2020).

1360. *BAMSL History*, B.A. METROPOLITAN ST. LOUIS, <https://www.bamsl.org/index.cfm?pg=History> [<https://perma.cc/F33R-XUUT>] (last visited July 24, 2020). The Old Courthouse was one venue for the Dred Scott case.

1361. Broadhead became the first president of the ABA; Hitchcock was its twelfth in 1889. Five other BAMSL presidents have headed the ABA: James Hagerman (1903); Frederick W. Lehman (1908); Guy A. Thompson (1931); Jacob M. Lashly (1940) and John Shepherd (1986). *Id.*

School, became the first Black to join BAMSL.<sup>1362</sup> Reuben Shelton became the first – and to date, only – Black president of BAMSL, in 1998-99.<sup>1363</sup>

Although diversity, equity and inclusion have progressed since Shelton first began practicing, “he has been surprised to discover how little the conversation has changed” on racial issues in the field of law.<sup>1364</sup> “I guess we have gotten better, but some of those same issues continue to rise in the discussion,” he said. “It was kind of weird” that we have not made more progress.<sup>1365</sup>

#### 4. Mound City Bar Association

The Mound City Bar Association (MCBA) claims to be the oldest African American bar association west of the Mississippi River, “organized as the St. Louis Negro Bar Association on January 7, 1922, at a time when Black lawyers were not allowed to join the all-White St. Louis Bar Association.”<sup>1366</sup> To gather Black lawyers, the St. Louis *Argus* published a notice on December 23, 1921, and on January 6, 1922:

Believing that a closer relationship of the members of the Bar will redound to the benefit of the race and the profession, and with a view of bringing about this much needed result, the undersigned attorneys hereby cordially invite all Negro members of the bar to meet at Pythian Hall, 3137 Pine Street on January 7, 1922, at 8:00 p.m. for the purpose of perfecting a Bar Association. Geo. L. Vaughn, Daniel W. Bowles, Homer G. Phillips, S.E. Garner, Geo. B. Jones, W.R. Hill, Jos. A. Smith, Robert N. Owens, Emanuel Williams, N.A. Mitchell, E.H. Taylor, Hutchins Inge, J.H. Roberts and Freeman L. Martin.<sup>1367</sup>

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1362. *Richardson, Scovel*, [ENCYCLOPEDIA.COM, https://www.encyclopedia.com/african-american-focus/news-wires-White-papers-and-books/richardson-scovel](https://www.encyclopedia.com/african-american-focus/news-wires-White-papers-and-books/richardson-scovel) [<https://perma.cc/H5QK-KZ9K>] (last visited June 28, 2020). Just four years prior, Sidney Redmond was denied membership in BAMSL. *See Benson, supra* note 1298, at 27.

1363. Reuben Shelton was the second African American to serve as The Missouri Bar President in 2014-2015. Former BAMSL president Ed Dowd says he is aware that at one point in time the Bar Association of Metropolitan St. Louis did not permit African American lawyers to be members. “I find this shocking as well but now BAMSL is very committed to diversity in leadership and membership. Judge Richard Webber, Zoe Linza and I have worked closely together with the other officers to make certain that we have diversity in race and gender.” E-mail from Edward L. Dowd, Jr., Partner, Dowd Bennett, to author (July 20, 2020) (on file with author).

1364. Bauger, *supra* note 1320.

1365. *Id.*

1366. *About Us: The History and Legacy of Mound City Bar Association*, MOUND CITY B.A., <http://www.moundcitybar.com/about.html> [<https://perma.cc/8XU8-XU>] (last visited June 28, 2020).

1367. Clarke, *supra* note 16, at 18.

On January 13, 1922, Blacks formed the St. Louis Negro Bar Association and elected the first officers: George L. Vaughn, President; Robert Owens, Vice-President; Albert Burgess, Treasurer; and George R. Jones, Secretary.<sup>1368</sup>

A Black attorney in St. Louis was automatically a member of the Mound City Bar Association. (The name changed probably around 1926 to Mound City; this was to remain consistent with the other professional association for Blacks – Mound City Dental, Mound City Medical, Mound City Pharmaceutical Society and Mound City Press Club. The name was chosen because of the Indian mounds in north St. Louis.)<sup>1369</sup>

Like BAMSL, MCBA's impact extends beyond Missouri. Attorneys from Mound City helped found and lead the NBA.<sup>1370</sup> "Mound City attorneys fought the segregation of public facilities and schools, the exclusion of Blacks from jury duty, and racially restrictive covenants."<sup>1371</sup> Sidney Redmond and Henry Espy worked on behalf of Lloyd Gaines to defeat "separate but equal" in a lawsuit that ushered in a generation of publicly funded Black law schools.<sup>1372</sup> When the St. Louis Real Estate Exchange sued to enforce a racial covenant against Scovel Richardson, fellow Mound City attorneys, Joseph McLemore and Robert Witherspoon, defended him.<sup>1373</sup> Former MCBA president George Vaughn, along with Charles Hamilton Houston, successfully argued against judicial enforcement of racial covenants before the United States Supreme Court in *Shelley v. Kraemer*.<sup>1374</sup> MCBA continues as an influential advocate for professional development among members and pro-bono representation in the community.<sup>1375</sup>

MCBA objectives today are "to advance the professional interests of our members; to improve the administration of justice; to uphold the honor of the legal profession; to promote the professional development of our members; and to provide service to the community, including pro-bono representation." The past presidents<sup>1376</sup> of MCBA have contributed to the community

1368. *Id.* at 19.

1369. *Id.*

1370. Ware, *supra* note 16, at 43. In addition to Homer G. Phillips, four other St. Louisans have served as president of the NBA, including former Mound City Bar Association presidents Pamela Meanes and Mavis Thompson.

1371. Longa, *supra* note 266, at 97.

1372. *Id.* at 104 n.160; Ware, *supra* note 16, at 45.

1373. Longa, *supra* note 266, at n.160.

1374. *Id.*; Ware, *supra* note 16, at 47–48; *Shelley v. Kraemer*, OYEZ, <https://www.oyez.org/cases/1940-1955/334us1> [<https://perma.cc/M8EH-X4UV>] (last visited Aug 7, 2020).

1375. *About Us: The History and Legacy of Mound City Bar Association*, MOUND CITY B.A., <http://www.moundcitybar.com/about.html> [<https://perma.cc/JP62-86YH>] (last visited June 28, 2020).

1376. MCBA current and past president include: Steven Harmon, 2020-2021; Shira Truitt, 2019-2020; J. Danielle Carr, 2018-2019; Monique D. Abby, 2017-2018;

immeasurably. Many MCBA trailblazers made contributions that have gone unrecognized. As a result, MCBA established the Legal Legend Award to thank and pay homage to those who make outstanding contributions to the St. Louis legal profession and/or are historical supporters of Black attorneys.<sup>1377</sup>

## VI. CONCLUSION

“I wish I could say that racism and prejudice were only distant memories. We must dissent from the indifference. We must dissent from the apathy. We must dissent from the fear, the hatred and the mistrust . . . We must dissent because America can do better, because America has no choice but to do better.”

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Annette Slack, 2016-2017; L. Jared Boyd, 2015-2016; Kendra R. Howard, 2014-2015; Nicole Colbert-Botchway, 2013-2014; Michael L. Walton, 2012-2013; Micah D. Hall, 2011-2012; Ebony M. McCain, 2010-2011; Ronda F. Williams, 2009-2010; Robert S. Kenney, 2008-2009; Rufus J. Tate, Jr., 2007-2008; Pamela J. Meanes, 2006-2007; Marvin Teer, 2005-2006; Kimberly Franks, 2004-2005; Hope Whitehead, 2003-2004; Jerryl Christmas, 2002-2003; Freeman Bosley, Jr., 2001-2002; Lee Goodman, 2000-2001; Mavis Thompson, 1999-2000; Mildred Motley, 1998-1999; Donald L. McCullin, 1997-1998; Luther Rollins, Jr., 1996-1997; Michael T. Jamison, 1995-1996; Mary E. Nelson, 1994-1995; Lloyd J. Jordan, 1993-1994; Elaine Harris Spearman, 1992-1993; Thomas Carter, II, 1991-1992; Dorothy White-Coleman, 1990-1991; Donald L. McCullin, 1989-1990; Jimmie M. Edwards, 1988-1989; Loretta W. Moore, 1987-1988; Freida L. Wheaton, 1986-1987; Reuben A. Shelton, 1985-1986; Morgan Stewart, 1983-1985; Anne-Marie Clarke, 1981-1983; Charles Willis, 1980-1981; Charles Kirksey, 1978-1980; Harold Whitfield, 1976-1978; William Russell, 1974-1976; Harold Fullwood, 1972-1974; Ira Young, 1970-1972; William Russell, 1968-1970; Joseph McDuffie, 1966-1968; David Grant; Virgil Lucas; Alphonso Lynch, c. 1959; Wilson Gray, c. 1957-1958; Lula Howard, c. 1953-1956; Robert L. Witherspoon; Freeman Martin, 1933; Harvey Tucker; Daniel W. Bowles; and George L. Vaughn, 1922. *Past Presidents*, MOUND CITY B. A., <http://www.moundcitybar.com/PastPres.html> [<https://perma.cc/HQ2A-PE9A>] (last visited Oct. 25, 2020)

1377. MCBA Legal Legends: Ira M. Young, Rita Montgomery Hollie, Harold L. Whitfield, Hon. Michael B. Calvin, Hon. Evelyn M. Baker, and Hon. Ronnie L. White (2006-2007); Hon. Leslie E. H. Brown and Wayne C. Harvey (2007-2008); Thad Hollie, Jr. and Hon. Anne-Marie Clarke (2008-2009); Hon. Booker T. Shaw, Hon. Charles A. Shaw, Hon. Freeman R. Bosley, Jr., and Hon. Sandra Farragut-Hemphill (2009-2010); Raymond Howard and James R. Neely, Jr. (2011-2012); Worsham “Chuck” Caldwell, Jr., Wayman Smith, III, Hon. David Lee Vincent, III, and Keith H. Williamson (2012-2013); Jerry M. Hunter and Hon. Donald L. McCullin (2013-2014); Hon. Angela Turner Quigless and Reuben A. Shelton (2014-2015); Hon. Jimmie Edwards and Larry Deskins (2015-2016); Larry Hale, Veo Peoples, Dorothy White-Coleman (2017-2018); Frankie Muse-Freeman (posthumously) (2018); Mary E. Nelson and Mark C. Darrell (2019); and Hon. Kathy Surratt-States (2020). *Legal Legends*, MOUND CITY B.A., <http://www.moundcitybar.com/LegalLegends.html> [<https://perma.cc/DAN5-M886>] (last visited Oct. 25, 2020).

– Justice Thurgood Marshall<sup>1378</sup>

Between 1871 and 1971, Black lawyers in Missouri struggled. While the constitutions of the United States and State of Missouri professed equality, racism and discrimination ruled. Blacks were barred from the best-funded public schools, colleges, universities, and graduate schools, including law schools. These restrictions prevented many Black Missourians from pursuing a high-quality education and becoming attorneys. Ultimately, the dedication and perseverance of Black lawyers helped achieve a string of civil rights victories that set the stage for today's gains. During the last 50 years, Black attorneys have made incredible strides. With increased opportunities at great schools, law firms, businesses, and in government, Blacks in much greater numbers have pursued higher education, achieving varied and successful careers. It is my hope the next 50 years will witness even greater diversity, equity, and inclusion, and a narrowing of the racial gap that still exists in the practice of law. Perhaps one day soon, today's gains will themselves seem paltry.

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1378. Charles Ogletree, Jr., *We Must be Vigilant and Fight for Justice*, 31 CHAMPION 59, 60 (2007).

**Appendix A: List of Firsts**

<b><i>First Black ...</i></b>	Name	Year
Missouri Lawyer	John H. Johnson	1871
Missouri Lawyer, Full-Time Practice	Albert Burgess	1877
Student, Washington University School of Law	Hale G. Parker	1881
Graduate, Washington University School of Law	Walter Moran Farmer	1889
To Argue Before Missouri Supreme Court	Walter Moran Farmer	1893
To Serve in Judicial Capacity in Missouri	Judge Walter Moran Farmer (Special Judge in the St. Louis Municipal Court)	1900
Bar Association West of the Mississippi	Mound City Bar Association	1922
President, Mound City Bar Association	George L. Vaughn	1922
Justice of the Peace, in Missouri	Judge Crittenden Clark	1922
State Representative (Lawyer)	L. Amasa Knox	1928
State Representative, Jackson County, Missouri	L. Amasa Knox	1928
Woman Graduate, Lincoln University School of Law	Dorothy L. Freeman	1942
Woman Attorney, Missouri	Dorothy L. Freeman	1942
Woman Practicing, Kansas City	Leona Pouncey Thurman	1949
Graduate, University of Missouri-Kansas City School of Law	Harold L. Holliday	1952

Woman President, Mound City Bar Association	Lula M. Howard	1953
Member, Bar Association of Metropolitan St. Louis	Scovel Richardson	1953
Judge, Kansas City	Judge Carl Roman Johnson	1955
Members, Kansas City Metropolitan Bar Association	Lewis W. Clymer, Harold Holliday, Carl R. Johnson	1955
State Court Judge, Missouri	Theodore "Ted" McMillian (City of St. Louis, Circuit Judge)	1956
Assistant United States Attorney, Western District of Missouri	Clifford M. Spottsville	1961
Judge, St. Louis Municipal Court	Judge Nathan B. "Ben" Young	1965
Assigned First Assistant, Jackson County Prosecutor's Office	Clifford M. Spottsville	1967
Graduate, University of Missouri School of Law	Harold L. "Doc" Holliday, Jr.	1968
Law Professor, University of Missouri-Kansas City School of Law	Gwendolyn Wells	1970s
Judge, Circuit Court, Jackson County	Judge Lewis W. Clymer	1970
Law Professor, Washington University School of Law	Professor Peter Mutharika	1972
Judge, Missouri Court of Appeals	Judge Theodore "Ted" McMillian (Eastern District)	1972

In-House Counsel, Major Kansas City-based Company	Fernando J. Gaitan, Jr.	1974
Lawyer, Large St. Louis-based Law Firm (Thompson Mitchell, now Thompson Coburn)	Carol E. Jackson	1976
Judge, U.S. Court of Appeals, Eighth Circuit	Judge Theodore "Ted" McMillian	1978
Lawyer, Large Kansas City-based Law Firm (Linde Thomas, now defunct)	William T. "Bill" Session	1978
Member, Board of Bar Examiners, Missouri Supreme Court	Ira M. Young	1979
Woman Graduate, University of Missouri School of Law	Irene J. Smith	1979
Member, Anheuser-Busch Corporate Affairs Department	Wayman F. Smith, III	1980
Federal Trial Judge, St. Louis (U.S. District Court, Eastern District of Missouri)	Judge Clyde S. Cahill, Jr.	1980
Lawyer Hired, Bryan Cave in St. Louis	Deborah Bell Yates	1980
Lawyer, Stinson, Mag & Fizzell (Stinson)	Perry Hooks	1980
Lawyer, Armstrong Teasdale	Steven N. Cousins	1980
Lawyer, Partner at a Majority White Kansas City Law Firm (Linde Thomson)	William T. "Bill" Session	1981
Circuit Clerk, City of St. Louis	Freeman R. Bosley, Jr.	1982



Full-Time Associate, Husch & Eppenberger (Husch Blackwell)	Dorothy White- Coleman	1982
Attorney & Employee Hired, Blackwell Sanders (Husch Blackwell)	Sylvester “Sly” James, Jr.	1983
Woman Judge, Missouri Circuit Court	Judge Evelyn Marie Baker	1983
Woman in Judicial Position, Jackson County	Commissioner Mildred L. Watson (Family Court Commission)	1984
Law Professor, University of Missouri School of Law	Professor Michael A. Middleton	1985
Partner, Majority White St. Louis Law Firm	Larry L. Deskins (Lewis Rice)	1985
Partner, Armstrong Teasdale	Steven N. Cousins	1985
Member, Missouri Bar Board of Governors	Anne-Marie Clarke	1986
Lawyer, Shook, Hardy & Bacon	Lisa White Hardwick	1986
U.S. Magistrate Judge, Missouri	Judge Carol E. Jackson (Eastern District of Missouri)	1986
Judge, Missouri Court of Appeals, Western District	Judge Fernando J. Gaitan, Jr.	1986
Partner, Stinson, Mag & Fizzell (Stinson)	Francois Henriques	1987
Tenured Law Professor, Saint Louis University School of Law	Professor Leland Ware	1987

Lawyer, Polsinelli	William “Bill” Session	1989
Family-Owned Law Firm, Missouri	James W. Tippin & Associates	1989
Woman Assistant U.S. Attorney, Western District of Missouri	Lajuana M. Counts	1989
Partner, Blackwell, Sanders, Matheny, Weary & Lombardi	Sylvester “Sly” James, Jr.	1990
Missouri Lawyer, U.S. Supreme Court	Justice Clarence Thomas	1991
Judge, U.S. District Court, Western District of Missouri	Judge Fernando J. Gaitan, Jr. (U.S. District Judge)	1991
Judge, Circuit Court, St. Louis County	Judge Sandra Farragut-Hemphill	1991
Woman Partner, Majority White St. Louis Law Firm	Mary E. Nelson	1992
Woman Judge, U.S. District Court, Eastern District of Missouri	Judge Carol E. Jackson	1992
Woman member, Board of Police Commissioners, City of St. Louis	Anne-Marie Clarke	1993
Mayor, City of St. Louis	Mayor Freeman R. Bosley, Jr.	1993
Full-Time Employee, The Missouri Bar	Delores “Dee” Shepherd	1993
Woman President, Board of Police Commissioners, City of St. Louis	Anne-Marie Clarke	1994
Partner, Bryan Cave	Jerry M. Hunter	1994
Law Clerk, U.S. District Court,	Charlie J. Harris, Jr.	1995

Western District of Missouri		
Dean, Missouri Law School (four majority schools)	Dean Burnele Venable Powell (University of Missouri-Kansas City School of Law)	1995
Shareholder, Polsinelli White Vardeman & Shalton	Mark Bryant	1995
Judge, Supreme Court of Missouri	Judge Ronnie L. White	1995
President, Kansas City Metropolitan Bar Association	William T. Session	1995
Judge, Circuit Court, St. Louis County	Judge David Lee Vincent, III	1997
President, Missouri Association of Probate and Associate Circuit Judges	Judge Sandra Farragut-Hemphill	1998
President, Bar Association of Metropolitan St. Louis	Rueben Shelton	1998
Presiding Judge, Circuit Court, City of St. Louis	Presiding Judge Michael B. Calvin	1999
Recipient, Lon Hocker Memorial Trial Award (The Missouri Bar)	Keith A. Cutler	1999
Partner, Thompson Coburn	Charles R. Saulsberry	2000
Partner, Husch & Eppenberger (Husch Blackwell)	Kathy Surratt-States	2000
Woman Law Professor, University of Missouri School of Law	Professor Pamela J. Smith	2001
Partner, Lathrop GPM	L.J. Buckner, Jr.	2001

Woman Judge, Missouri Court of Appeals	Judge Lisa White Hardwick (Western District)	2001
Summer Associate to- advance-to Partner, Shook, Hardy & Bacon	Mischa Buford Epps	2001
Chief Judge, U.S. District Court, Eastern District of Missouri	Chief Judge Carol E. Jackson	2002
Chief Justice, Supreme Court of Missouri	Chief Justice Ronnie L. White, Sr.	2003
U.S. Bankruptcy Judge, Eighth Circuit	Judge Kathy Surratt- States	2003
General Counsel, Publicly-Traded Company in St. Louis (Spire)	Mark C. Darrell	2004
Woman Associate to- advance-to Partner, Thompson Coburn	Pamela J. Meanes	2005
Chief Judge, Missouri Court of Appeals, Eastern District	Chief Judge George W. Draper, III	2005
Recipient, Dean of the Trial Bar Award (KMBA)	James W. Tippin	2006
President, The Missouri Bar	Charlie J. Harris, Jr.	2007
Chief Judge, U.S. District Court, Western District of Missouri	Chief Judge Fernando J. Gaitan, Jr.	2007
Judge, Administrative Hearing Commission	Nimord T. "Rod" Chapel, Jr.	2007
Woman Chief Judge, Missouri Court of Appeals, Eastern District	Chief Judge Nannette A. Baker	2008

Chief Judge, Missouri Court of Appeals, Western District	Chief Judge Thomas H. Newton	2008
Chief Prosecutor, a Missouri County	Shayne Healea	2010
Partner, Dowd Bennett LLP	Gabriel E. Gore	2010
Recipient, Purcell Award for Professionalism (The Missouri Bar)	James W. Tippin	2011
Chair, Majority Law Firm	Maurice A. Watson (Husch Blackwell LLP)	2012
Woman Elected to Two Different Citywide Offices (Circuit Clerk and License Collector)	Mavis Thompson	2013
General Counsel, Edward Jones (and on Edward Jones Executive Committee)	Chris Lewis	2015
Inductee, American College of Trial Lawyers	Harold Lee Whitfield	2015
Woman President, The Missouri Bar	Dana Tippin Cutler	2016
Missouri Hosts, National Televised Court Show	Dana Tippin Cutler and Keith Cutler	2017
U.S. Magistrate Judge, Western District of Missouri	Judge Willie J. Epps, Jr.	2017
Circuit Attorney, City of St. Louis	Kim Gardner	2017
Woman President, Missouri Municipal and Associate Circuit Judges Association	Judge Renée Hardin-Tammons	2018

Woman Partner, Lathrop GPM	Jehan Kamil Moore	2018
Woman Judge, U.S. District Court, Western District of Missouri	Judge Lajuana M. Counts (U.S. Magistrate Judge)	2018
Presiding Judge, Circuit Court, St. Louis County	Presiding Judge Gloria Clark Reno	2019
Prosecuting Attorney, St. Louis County	Wesley Bell	2019
Judicial Administrator, Circuit Court, St. Louis County	Hope E. Whitehead	2019
Member, Executive Committee, Shook, Hardy & Bacon	Leonard Searcy	2020
Executive Director, The Missouri Bar	Mischa Buford Epps	2020
Woman Judge, Supreme Court of Missouri	Judge Robin Ransom	2021

## Appendix B: Black Judges of Missouri

Judge	Judicial Position	Other Service	Judicial
<b>Supreme Court of the United States</b>			
Hon. Clarence Thomas	Associate Justice, 1991 to Present	Chair, Employment Opportunity Commission, 1982 to 1990; Judge, U.S. Court of Appeals for the D.C. Circuit, 1990 to 1991	Equal
<b>U.S. Court of Appeals for the Eighth Circuit</b>			
Hon. Theodore McMillian	Circuit Judge, 1978 to 2003; Senior Circuit Judge, 2003 to 2006	Circuit Judge, City of St. Louis Circuit Court, 1956 to 1972; Judge, Missouri Court of Appeals, Eastern District, 1972 to 1978	
<b>Supreme Court of Missouri</b>			
Hon. Ronnie Lee White	Judge, 1995 to 2007; Chief Justice, 2003 to 2005	Judge, Missouri Court of Appeals, Eastern District, 1994 to 1995; U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 2014 to Present	
Hon. Justice George W. Draper, III	Judge, 2011 to Present Chief Justice, 2019 to present	Associate Circuit Judge, St. Louis County Circuit Court, 1994 to 1998; Circuit Judge, St. Louis County Circuit Court, 1998 to 2000; Judge, Missouri Court of	

		Appeals, Eastern District, 2000 to 2011; Chief Judge, Missouri Court of Appeals, Eastern District, 2004 to 2005 Municipal Judge, Bellefontaine Neighbors Municipal Court, 2019 to Present
Hon. Robin Ransom	Judge, 2021 to present	Family Court Commissioner, City of St. Louis Circuit Court, 2002 to 2008; Circuit Judge, City of St. Louis Circuit Court, 2008 to 2019; Judge, Missouri Court of Appeals, Eastern District, 2019 to 2021
<b>U.S. Court for International Trade</b>		
Hon. Scovel Richardson	Judge, 1957 to 1982	Chair, U.S. Parole Board, 1954 to 1957
<b>U.S. District Court for the Eastern District of Missouri</b>		
Hon. Clyde S. Cahill, Jr.	District Judge, 1980 to 1992; Senior Judge, 1992 to 2004	Circuit Judge, City of St. Louis Circuit Court, 1975 to 1980
Hon. Carol E. Jackson	Magistrate Judge, 1986 to 1992; District Judge, 1992 to 2017; Chief District Judge, 2002 to 2009	
Hon. Charles Alexander Shaw	District Judge, 1993 to 2009;	Circuit Judge, City of St. Louis Circuit Court, 1987 to 1993



	Senior Judge 2009 to 2020	
Hon. Henry Edward Autrey	District Judge, 2002 to Present	Associate Circuit Judge, City of St. Louis Circuit Court, 1986 to 1997; Circuit Judge, City of St. Louis Circuit Court, 1997 to 2002
Hon. Ronnie Lee White	District Judge, 2014 to Present	Judge, Missouri Court of Appeals, Eastern District, 1994 to 1995; Judge, Supreme Court of Missouri, 1995 to 2007; Chief Justice, Supreme Court of Missouri, 2003 to 2005
Hon. Nannette A. Baker	Magistrate Judge, 2011 to Present; Chief Magistrate Judge, 2017 to 2020	Circuit Judge, City of St. Louis Circuit Court, 1999 to 2004; Judge, Missouri Court of Appeals, Eastern District, 2004 to 2011; Chief Judge, Missouri Court of Appeals, Eastern District, 2008 to 2009
Hon. Shirley A. Padmore Mensah	Magistrate Judge, 2012 to Present; Chief Magistrate Judge, 2021 to present	
Hon. Noelle C. Collins	Magistrate Judge, 2013 to Present	
<b>U.S. Bankruptcy Court for the Eastern District of Missouri</b>		
Hon. Kathy A. Surratt-States	Bankruptcy Judge, 2003 to Present; Chief Bankruptcy	

	Judge, 2013 to Present	
<b>U.S. District Court for the Western District of Missouri</b>		
Hon. Fernando J. Gaitan, Jr.	District Judge, 1991 to 2014; Chief District Judge, 2007 to 2014; Senior District Judge, 2014 to Present	Circuit Judge, Jackson County Circuit Court, 1980 to 1986; Judge, Missouri Court of Appeals, Western District, 1986 to 1991
Hon. Brian C. Wimes*	District Judge (for both the Eastern and Western Districts of Missouri by statutory designation), 2012 to Present	Jackson County Drug Court Commissioner, 2001 to 2007; Circuit Judge, Jackson County Circuit Court, 2007 to 2012
Hon. Willie J. Epps, Jr.	Magistrate Judge, 2017 to Present	
Hon. Lajuana M. Counts	Magistrate Judge, 2018 to Present	
<b>Missouri Court of Appeals, Eastern District</b>		
Hon. Ronnie Lee White	Judge, 1994 to 1995	Judge, Supreme Court of Missouri, 1995 to 2007; Chief Justice, Supreme Court of Missouri, 2003 to 2005; U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 2014 to Present
Hon. Booker T. Shaw	Judge, 2002 to 2009;	Associate Circuit Judge, City of St. Louis Circuit Court, 1983 to 1995;

	Chief Judge, 2006 to 2007	Circuit Judge, City of St. Louis Circuit Court, 1995 to 2002
Hon. Angela Turner Quigless	Judge, 2012 to Present; Chief Judge, 2014 to 2015	Associate Circuit Judge, City of St. Louis Circuit Court, 1996 to 2003; Circuit Judge, City of St. Louis Circuit Court, 2003 to 2012
Hon. Robin Ransom	Judge, 2019 to 2021	Family Court Commissioner, City of St. Louis Circuit Court, 2002 to 2008; Circuit Judge, City of St. Louis Circuit Court, 2008 to 2019; Judge, Supreme Court Missouri, 2021 to present
<b>Missouri Court of Appeals, Western District</b>		
Hon. Fernando J. Gaitan, Jr.	Judge, 1986 to 1991	Circuit Judge, Jackson County Circuit Court, 1980 to 1986; U.S. District Judge, U.S. District Court for the Western District of Missouri, 1991 to 2014; Chief U.S. District Judge, U.S. District Court for the Western District of Missouri, 2007 to 2014 Senior U.S. District Judge, U.S. District Court for the Western District of Missouri 2014 to Present
Hon. Thomas H. Newton	Judge, 1999 to Present;	Circuit Judge, Jackson County Circuit Court, 1993 to 1999

	Chief Judge, 2008 to 2010	
Hon. Lisa White Hardwick	Judge, 2001 to Present; Chief Judge, 2010 to 2012	Circuit Judge, Jackson County Circuit Court, 2000 to 2001
<b>City of St. Louis Circuit Court</b>		
Hon. Daniel T. Tillman	Circuit Judge, 1970 to 1997	
Hon. Clyde S. Cahill, Jr.	Circuit Judge, 1975 to 1980	U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 1980 to 1992; Senior U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 1992 to 2004
Hon. Evelyn Marie Baker	Circuit Judge, 1983 to 2008	
Hon. Charles Alexander Shaw	Circuit Judge, 1987 to 1993	U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 1993 to 2009; Senior U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 2009 to 2020
Hon. Michael B. Calvin	Magistrate Judge, 1978 to 1979; Associate Circuit Judge, 1979 to 1988; Circuit Judge, 1988 to 2008;	

	Presiding Judge, 1999 to 2000	
Hon. David C. Mason	Circuit Judge, 1991 to Present	
Hon. Jimmie M. Edwards	Circuit Judge, 1992 to 2017	
Hon. Booker T. Shaw	Associate Circuit Judge, 1983 to 1995; Circuit Judge, 1995 to 2002	Judge, Missouri Court of Appeals, Eastern District, 2002 to 2009; Chief Judge, Missouri Court of Appeals, Eastern District, 2006 to 2007
Hon. Henry Edward Autrey	Associate Circuit Judge, 1986 to 1997; Circuit Judge, 1997 to 2002	U.S. District Judge, U.S. District Court for the Eastern District of Missouri, 2002 to present
Hon. Nannette A. Baker	Circuit Judge, 1999 to 2004	Judge, Missouri Court of Appeals, Eastern District, 2004 to 2011; Chief Judge, Missouri Court of Appeals, Eastern District, 2008 to 2009; U.S. Magistrate Judge, U.S. District Court for the Eastern District of Missouri, 2011 to Present; Chief U.S. Magistrate Judge, U.S. District Court for the Eastern District of Missouri, 2017 to 2020
Hon. Donald McCullin	Circuit Judge, 1999 to 2011	Municipal Judge, Ferguson Municipal Court, 2015 to 2016

Hon. Angela Turner Quigless	Associate Circuit Judge, 1996 to 2003; Circuit Judge, 2003 to 2012	Judge, Missouri Court of Appeals, Eastern District, 2012 to Present; Chief Judge, Missouri Court of Appeals, Eastern District 2014 to 2015
Hon. Robin Ransom	Family Court Commissioner, 2002 to 2008; Circuit Judge, 2008 to 2019	Judge, Missouri Court of Appeals, Eastern District, 2019 to 2021; Judge, Supreme Court of Missouri, 2021 to present
Hon. Michael Noble	Drug Court Commissioner, 2007 to 2013; Associate Circuit Judge, 2013 to 2015; Circuit Judge, 2015 to Present	
Hon. Paula P. Bryant	Associate Circuit Judge, 2004 to 2016; Circuit Judge, 2016 to Present	
Hon. Annette Llewellyn	Circuit Judge, 2018 to Present	
Hon. Calea Stovall-Reid	Associate Circuit Judge, 2003 to 2019; Circuit Judge, 2019 to Present	
Hon. Virgil Lucas	Magistrate Judge, 1978 to 1982	

Hon. Harold F. Fullwood	Magistrate Judge, 1978 to 1979; Associate Circuit Judge, 1979 to 1986	Police Judge, 1973 to 1978;
Hon. Iris J. Goliday Ferguson	Associate Circuit Judge, 1993 to 2006	Municipal Judge, Kinloch Municipal Court, Municipal Judge, Pagedale Municipal Court
Hon. Barbara T. Peebles	Drug Court Commissioner, 1998 to 2000 Associate Circuit Judge, 2000 to Present	
Hon. Nicole Colbert-Botchway	Associate Circuit Judge, 2015 to Present	
Hon. Lynne R. Perkins	Associate Circuit Judge, 2017 to Present	
Hon. Craig K. Higgins	Associate Circuit Judge, 2019 to Present	
Hon. Anne-Marie Clarke	Juvenile Division Hearing Officer, 1986 to 1998; Family Court Commissioner, 1998 to 2019	
Hon. Rochelle M. Woodiest	Drug Court Commissioner, 2013 to Present	
<b>St. Louis County Circuit Court</b>		
Hon. David Lee Vincent, III	Circuit Judge, 1997 to Present	

Hon. Michael Jamison	Associate Circuit Judge, 1997 to 2005; Circuit Judge, 2005 to 2019	
Hon. Gloria Clark Reno	Associate Circuit Judge, 2002 to 2009; Circuit Judge, 2009 to 2020; Presiding Judge, 2018	Municipal Judge, Northwoods Municipal Court, 1994 to 2002
Hon. Sandra Farragut-Hemphill	Associate Circuit Judge, 1991 to 2014; Circuit Judge, 2014 to Present	
Hon. Renée Hardin-Tammons	Associate Circuit Judge, 2017 to 2019; Circuit Judge, 2019 to Present	Municipal Judge, City of Berkeley, 1999-2003; Municipal Judge, St. Louis County-North Division, 2002-2015; Provisional Municipal Judge, Moline Acres, Woodson Terrace, and Berkeley 2015-2017
Hon. Brenda Stith Loftin	Associate Circuit Judge, 1995 to 2013	
Hon. Judy P. Draper	Associate Circuit Judge, 2004 to 2018	
Hon. Heather R. Cunningham	Family Court Commissioner, Juvenile Division; Associate Circuit Judge, 2020 to Present	



Jackson County Circuit Court		
Hon. Lewis W. Clymer	Circuit Judge, 1970 to 1980	Municipal Judge, Kansas City Municipal Court, 1963 to 1970
Hon. Fernando J. Gaitan, Jr.	Circuit Judge, 1980 to 1986	Judge, Missouri Court of Appeals, Western District, 1986 to 1991; U.S. District Judge, U.S. District Court for the Western District of Missouri, 1991 to 2014; Chief U.S. District Judge, U.S. District Court for the Western District of Missouri, 2007 to 2014; Senior U.S. District Judge, U.S. District Court for the Western District of Missouri 2014 to Present
Hon. Jon R. Gray	Circuit Judge, 1987 to 2007	
Hon. Thomas H. Newton	Circuit Judge, 1993 to 1999	Judge, Missouri Court of Appeals, Western District, 1999 to Present; Chief Judge, Missouri Court of Appeals, Western District, 2008 to 2010
Hon. Lisa White Hardwick	Circuit Judge, 2000 to 2001	Judge, Missouri Court of Appeals, Western District, 2001 to Present; Chief Judge, Missouri Court of Appeals, Western District, 2010 to 2012

Hon. Brian C. Wimes	Drug Court Commissioner, 2001 to 2007; Circuit Judge, 2007 to 2012	U.S. District Judge for the Western District of Missouri and Eastern District of Missouri, 2012 to Present
Hon. Kevin D. Harrell	Circuit Judge, 2012 to Present	
Hon. Kenneth R. Garrett, III	Associate Circuit Judge, 2010 to 2013 Circuit Judge, 2013 to Present	
Hon. Mark A. Styles, Jr.	Deputy Probate Commissioner, 2014 to 2016 Circuit Judge, 2016 to Present	
Hon. Jalilah Otto	Associate Circuit Judge, 2014 to 2017 Circuit Judge, 2017 to Present	
Hon. Leonard S. Hughes, Jr.	Magistrate Judge, 1974 to 1977	Municipal Judge, Kansas City Municipal Court, 1977 to 1986
Hon. Harold Holliday, Sr.	Magistrate Judge, 1977 to 1979	
Hon. Leonard S. Hughes, III	Associate Circuit Judge, 1979 to 1995	Municipal Judge, Kansas City Municipal Court, 1995 to 2014
Hon. Gregory B. Gillis	Drug Court Commissioner, 1999 to 2001 Associate Circuit Judge, 2001 to 2019	

Hon. Kea S. Bird-Riley	Family Court Commissioner, 2018 to 2020 Associate Circuit Judge, 2020 to Present	
Hon. Edward Pendleton	Family Court Commissioner, 1979 to 1984	
Hon. Mildred L. Watson	Family Court Commissioner, 1985 to 1992	
Hon. John F. Payne	Family Court Commissioner, 1992 to 2008	
Hon. Martina Peterson	Family Court Commissioner, 2009 to 2018	Municipal Judge, Kansas City Municipal Court, 2018 to Present
<b>17th Judicial Circuit (Johnson and Cass Counties)</b>		
Hon. Mary Ellen Young	Circuit Judge, 1994 to 2000	
<b>City of St. Louis Municipal Court</b>		
Hon. Walter Moran Farmer	Special Judge, 1900	
Hon. Crittenden Clark	Justice of the Peace, 1922	
Hon. Nathan B. Young, Jr.	Municipal Judge, 1965 to 1972	
Hon. Wayman F. Smith, III	Municipal Judge, 1970 to 1975	
Hon. Rita Montgomery	Municipal Judge, 1977 to 1981	

Hon. William J. McHugh, Sr.	Municipal Judge, 1981 to 1985, 1993 to 2005	Municipal Judge, Northwoods Municipal Court, 1992 to 1993
Hon. Lisl Williams	Municipal Judge, 1999 to 2009	
Hon. Marvin O. Teer, Jr.	Municipal Judge	Administrative Law Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, St. Louis Division, 2016 to 2020
<b>St. Louis County Municipal Court</b>		
Hon. Renée Hardin-Tammons	Municipal Judge, 2002-2015	Municipal Judge, City of Berkeley, 1999-2003; Provisional Municipal Judge, Moline Acres, Woodson Terrace, and Berkeley 2015-2017; Associate Circuit Judge, 2017 to 2019; Circuit Judge, 2019 to Present
Hon. Daniel R. Brown	Municipal Judge, 2015 to Present	
<b>Kansas City Municipal Court</b>		
Hon. Carl Roman Johnson	Municipal Judge, 1955 to 1960	
Hon. Lewis W. Clymer	Municipal Judge, 1963 to 1970	Circuit Judge, Jackson County Circuit Court, 1970 to 1980
Hon. Clifford M. Spottsville	Municipal Judge, 1970 to 1977	

Hon. Leonard S. Hughes, Jr.	Municipal Judge, 1977 to 1986	Magistrate Judge, Jackson County Circuit Court, 1974 to 1977
Hon. James M. Reed II	Municipal Judge, 1986 to 2007	
Hon. Kit Carson Roque, Jr.	Municipal Judge, 1992 to 1995	
Hon. Leonard S. Hughes, III	Municipal Judge, 1995 to 2014	Associate Circuit Judge, Jackson County Circuit Court, 1979 to 1995
Hon. Deborah A. Neal	Municipal Judge, 1996 to 2004	
Hon. Ardie A. Bland	Municipal Judge, 2008 to Present; Presiding Judge, 2012 to 2013	
Hon. Corey A. Carter	Municipal Judge, 2015 to Present; Presiding Judge, 2019 to Present	
Hon. Martina Peterson	Municipal Judge, 2018 to Present	Family Court Commissioner, Jackson County Circuit Court, 2009 to 2018
<b>Dellwood Municipal Court</b>		
Hon. Donnell Smith	Municipal Judge	Municipal Judge, Greendale Municipal Court
<b>Grandview Municipal Court</b>		
Hon. Ronald E. Johnson	Municipal Judge, 2015 to Present	
<b>Hillsdale Municipal Court</b>		
Hon. Victor Thompson	Municipal Judge	

Howardville Municipal Court		
Hon. Andrew Mosby	Police Judge	
Normandy Municipal Court		
Hon. Jennifer H. Fisher	Municipal Judge, 2015 to Present	Municipal Judge, Berkeley Municipal Court Municipal Judge, Moline Acres Municipal Court Municipal Judge, St. Ann Consolidated Municipal Courts
Olivette Municipal Court		
Hon. Krista Peyton	Provisional Municipal Judge, 2018 to Present	
Pinelawn Municipal Court		
Hon. Felica Ezell-Gillespie	Municipal Judge, 2015 to Present	Municipal Judge, Jennings Municipal Court, 2019 to Present Municipal Judge, Greendale Municipal Court, 2017 to Present Municipal Judge, Bel-Ridge Municipal Court, 2016 to Present
Uplands Park Municipal Court		
Hon. Brandi Herndon-Miller	Provisional Municipal Judge	
Velda City Municipal Court		
Hon. Raphael Morris	Municipal Judge	Municipal Judge, Northwoods Municipal Court

Hon. Wesley Bell	Municipal Judge	
<b>U.S. Equal Employment Opportunity Commission</b>		
Hon. Sandra Moore	Administrative Judge, 1983 to 1994	
Hon. Kendra Howard	Regional Chief Administrative Law Judge, 2010 to Present	
<b>U.S. Social Security Administration</b>		
Hon. William Horne	Hearing Office Chief Administrative Law Judge	
Hon. Evelyn Gunn	Hearing Office Chief Administrative Law Judge	
Hon. Jesse H. Butler	Regional Chief Administrative Law Judge, 1990 to 2007	
Hon. Mattie Harvin-Woode	Hearing Office Chief Administrative Law Judge, 2008 to Present	
Hon. Joan Deans	Administrative Law Judge, 2010 to Present	
Hon. Pearline R. Hardy	Administrative Law Judge, 2010 to Present	

Hon. Janice Barnes-Williams	Administrative Law Judge, 2011 to Present	
Hon. Harvey McCormick	Regional Chief Administrative Law Judge	
Hon. Trina Mengesha-Brown	Supervisory Administrative Law Judge, 2017 to Present	
Hon. Eve M. Riley	Administrative Law Judge	
<b>Missouri Administrative Courts</b>		
Hon. Karen E. Bosley	Administrative Law Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, St. Louis Division, 1999 to date unknown	Legal Advisor, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation
Hon. Leslie H. Brown	Chief Administrative Law Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, St. Charles Division, 1991 to 2008	Legal Advisor, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, 1988 to 1991
Hon. Kenneth J. Cain	Administrative Law Judge, Missouri	Legal Advisor and Associate Administrative Law



	<p>Department of Labor and Industrial Relations, Division of Workers' Compensation, Kansas City Division, 1988 to Present</p> <p>Chief Administrative Law Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, Kansas City Division, dates unknown</p>	<p>Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, 1985 to 1987</p>
Hon. Suzette Carlisle	<p>Administrative Law Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, St. Louis Division, 2005 to Present</p>	<p>Legal Advisor, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, 1998 to 2005</p>
Hon. Marvin O. Teer, Jr.	<p>Administrative Law Judge, Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation, St. Louis Division, 2005 to Present</p>	<p>Municipal Judge, City of St. Louis Municipal Court</p>

	Compensation, St. Louis Division, 2016 to 2020	
Hon. Nimrod T. "Rod" Chapel, Jr.	Administrative Hearing Commissioner, Administrative Hearing Commission, 2007 to 2013	Municipal Judge, City of Ashland, 2016
Hon. Mary E. Nelson	Administrative Hearing Commissioner, Administrative Hearing Commission, 2010 to 2014	
Hon. Kennard L. Jones	Administrative Law Judge, Public Service Commission, 2006 to 2012	