

VIRGINIA

LAW SCHOOL REPORT

WINTER 1992

VOL. 16, NO. 2



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Published by the University of Virginia School of Law, Charlottesville, VA 22901, for alumni/ae, students, faculty, and friends. This publication is paid for with private funds.

*Editor: Eleanor H. Kett
Editorial Assistant: Jennifer Gennari Shepherd
Design: Marilyn Appleby
Printing: Schmitz Press*

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PIONEERING
WOMEN
AT VIRGINIA





I am glad I graduated from U.Va.," Elaine R. Jones '70, Deputy Director-Counsel

for the NAACP Legal Defense and Educational Fund, declares. Jones is one of the few women who braved the corridors of the University of Virginia School of Law when those halls were predominantly filled with male students. Although the Law School admitted women in 1920, it took five decades of pioneers like Jones to revise the vision of a woman's rightful place. They were not only forerunners of change at the Law School but have become leaders in the legal profession as well. These talented women, as their stories illustrate, have triumphed over countless obstacles to become alumnae of which any law school would be proud.

The decade of the sixties proved to be the beginning of change at Virginia. Jones remembers fondly her legal education and the professors who befriended her. "I found significant pockets of support," she said, citing Professors Thomas Bergin, Calvin Woodard and Walter Wadlington as particularly helpful to her. Jones, who arrived at law school after spending two years serving in the Peace Corps in Turkey, found the southern town of Charlottesville "a piece of cake" after working in a country where women are veiled.

A 1965 graduate of Howard University, Jones has distinguished herself as a civil rights litigator who

has won numerous awards and sits on many boards. She serves on the committee to select the winner of the prestigious John F. Kennedy Profile in Courage Award, and on the boards of the Mexican-American Legal Defense Fund and the National Women's Law Center. In 1989, she was the first African American and second woman elected to the Board of Governors of the American Bar Association. "It's very important not only as a woman but as a black," she said. "I was glad to be a part of that change."

Virginia's Deputy Attorney General for the Judicial Division Gail Starling Marshall '68 always "enjoyed being around men," and found her experience at Virginia positive. She was aware, however, that visibly she was an outsider. At first-year orientation, she and a black male classmate immediately gravitated toward one another, and he asked, "Is there only one of you, too?" Marshall thrived at Virginia and, after teaching law at U.Va. for four years, she began practicing law at Hogan & Hartson in 1972. She became a partner there in 1978, and left eight years later to join the office of Virginia's Attorney General Mary Sue Terry '73.

For the Honorable Diana Gribbon Motz '68, associate judge for the Court of Special Appeals of Maryland, her experience at Virginia was "like going to school with all men" after her women's prep school and college days. Even though Marshall was her class-

mate, Motz was frequently the only female in a class. Yet she never felt intimidated about speaking out in class because of the “nice Virginia tradition of being pleasant to each other.” Motz, who served on the Moot Court Board and on the editorial board of the *Virginia Law Review*, began practicing law with Piper & Marbury in 1968, then worked in varying capacities for the Office of the Attorney General of Maryland until 1986 when she became a partner at Frank Bernstein, Conaway & Goldman. In 1991, she assumed her current judicial post.

Like Motz, Gene D. Dahmen '67, a partner with Homans, Hamilton & Dahmen in Boston, found law school a dramatic change from her single-sex undergraduate and prep school experiences. “It was the first chance I ever had to have good male friends,” she remembers. “That was one of the best parts about it.” Although one professor banished her from the classroom so that he could tell bawdy jokes, she says she encountered more discrimination job searching after law school. Dahmen, who serves on the Law School Alumni Association Council, has “the highest regard and greatest affection for U.Va.” In 1987, she became the first woman president of the Boston Bar Association.

Although loyalty to the Law School prevails, the sixties were difficult for the handful of women. Nancy L. Buc '69, the managing partner of the Washington, D.C., firm of Weil, Gotshal & Manges, remembers law school with mixed



Elizabeth Nelson Tompkins '23

emotions. “I loved law school, loved working the tight little problems, loved the combination of ancient principles and modern imperatives,” she said. “I hated the constant harassment. You can’t imagine how hostile it was.” Many of the faculty were supportive although some should have behaved differently but “didn’t know any better.” Yet not every day was miserable. But is a strong supporter of Virginia and enjoys returning to see the diversity of students.

But has habitually been a pioneer for women. She became the first woman on the Law School Foundation Board, the first woman to hold various offices within the Federal Trade Commission, and the first female partner in 1977 at the New York office of Weil, Gotshal & Manges. “It’s not in my game plan to be always first,” she said. “I’d be happy to be second or tenth,” alluding to a belief that more women should have challenged barriers sooner.

Linda Fairstein '72, chief pros-

ecutor for the Sex Crimes Unit in the Manhattan District Attorney’s Office, remembers some of the trials that some faculty members put the first women law students through. “The professor would announce at the beginning of class that it was ladies’ day, and we would turn scarlet and be asked to stand and recite answers to all the cases for the next hour,” she remembered. “I recall vividly the sheer terror when I was called upon and I think there was probably no one in that room then (myself included) whoever dreamed that I would have a career as a litigator in a criminal courtroom.” She credits the education she received and many of the faculty for encouraging her ambitions.

The mixed experiences these women felt were not surprising. Despite the fact that women had been attending the Law School since 1920, they remember how a meeting place was sorely needed for the women even in the sixties. For lack of any other defined space, the women’s restroom in Clark Hall became the place where they congregated. Marshall and Motz recall how its outer room featured a sofa, refrigerator, table and mirror. “That was our clubhouse,” Marshall said. But remembers that restroom too, but for a different reason. “We were always hiding out in the ladies room and seeking comfort from the other [female] classmates,” she said.

Jones, who was the first African-American woman graduate, recalls finding solace from one another in that room as well. “The cama-

Three women enrolled in the Law School in 1920, among them Elizabeth Nelson Tompkins who three years later became the first woman graduate. . . . “It took them one semester to find out that I was not after a husband and another semester to find out that I could do the work,” she said.

raderie between the women was wonderful,” she said. “They all took the time to understand my personal, peculiar situation.” Although the women’s room was a haven for her peers, for Jones it was not entirely a refuge from racist comments. In her first week at the Law School, Jones remembers one of the secretaries approached her as she sat on the sofa perusing her new law text books and said, “I know you’re taking a break now, but when you get the chance could you clean the refrigerator.” Jones was too stunned to say anything but observes now, “It was not malevolent-it just shows you the assumptions that were made because there were no people of color at U.Va. It was a different day.”

Those days were a giant step from when the Law School opened its doors to women in 1920 with the rest of the graduate schools. Dean William Minor Lile remarked at a centennial celebration for the University that the Law School had only admitted women because they “clamored for it so vociferously.” The passing of the nineteenth amendment also played a role in the school’s decision. “Voters as they now are. . . their strident threats of forcing their way in by the legislative door . . . convinced us that discretion was the better part of valor,” Lile commented. Although women were permitted to enroll, the first few years they faced much stricter entrance requirements than men. At the time, men could enroll without a bachelor’s degree, yet women had to be at least 20 years old, and hold high

school and college diplomas. Dean Lile made clear that the differing requirements were necessary “to secure proper maturity of mind and manners, and the desired seriousness of purpose.”

Despite Lile’s reservations, three women enrolled in the Law School in 1920, among them Elizabeth Nelson Tompkins who three years later became the first woman graduate. A 1919 graduate of Westhampton College of the University of Richmond, she earned a master’s degree at Columbia University in 1920. According to a 1980 *Virginia law Weekly* interview with Tompkins, her father encouraged her to attend law school. Once here, she experienced little difficulty. “It took them one semester to find out that I was not after a husband and another semester to find out that I could do the work,” she said. “After that everything was fine.”

Tompkins’s success as a law student even made an impression on Dean Lile, who reflected in his diary on the graduating class of 1923. He noted that they were “an unusually fine body of men, with one exception-that of our first woman graduate,” he wrote, then continued, “The exception applies to her sex and not to her capacity, for she is an unusually capable person and stood very near the top of the class.” Tompkins had indeed graduated Phi Beta Kappa, but Lile was still doubtful about her dedication to law. “I predict that in spite of her legal ability, however, it will not be long before she deserts the profession of the law and takes up that of wife and mother, rolling a

baby carriage instead of wrangling in court, a much more suitable and seemly occupation for a woman.”

Tompkins proved him wrong. She practiced law for 54 years in Richmond after serving a two-year clerkship to Judge R. T. W. Duke in Charlottesville. She never married, and practiced real estate law with H. Carter Redd until his death in 1957 and with Carter Lee Refo until she retired in 1979, two years before her death. Over the years, she was president of the Westhampton College Alumnae Association, a member of the University of Richmond Board of Trustees, and the recipient of an honorary doctorate of laws from the University of Richmond.

In the decades that followed Tompkins’s arrival at the Law School, no class had more than eight women graduates until 1971. During the thirties, the numbers were few. Among them was Marianne Bell Gingell ’37 who enjoyed her years in law school. “Not everyone was happy to see us, but most were pleasant,” she said. She had more difficulty finding a job; she was offered numerous jobs as a legal secretary or told by firms that they would never hire women attorneys. When finally employed by the Antitrust Division of the Department of Justice in Washington, she was consistently passed over for a raise. “The raises were always given to men who had families to support,” she said. Eventually, she worked for the U.S. Immigration Appeals Board for twenty-five years and retired about fifteen years ago.

In 1970, the College went co-ed and the entering class of 295 at the Law School boasted twenty-two women. Dean of Admissions Albert Turnbull '62 recalls, "...women began to see law as a viable opportunity. It was a revolutionary movement that we were just a small part of."

In the forties, women enrolled in slightly larger numbers. In 1949, seventeen women registered at the Law School. Although female students could find companionship in the university-wide Women Students' Association, Ruth Taliaferro '50, who pursued a legal education after her children had grown, and her daughter, Elizabeth Taliaferro Allen '53, founded a chapter of Kappa Beta Pi, a legal sorority, at the Law School. "It was an early attempt to form an old girls network," Allen recently observed. "They didn't call it that then but that's what it was."

Joining the new sorority was one option for women, but a few others broke into the ranks of the male organizations. In 1950, Margaret Gordon Seiler '51 became the first woman on the managing board of the *Virginia Law Review* and served as articles editor in 1950-51. "I think in a sense women had a bit of an advantage then—there were so few of us," she said. "We were not much of a threat. We were a bit of a novelty."

Seiler also was a member of the *Law Weekly* staff and was the first woman inducted into the journalism fraternity, Pi Delta Epsilon. She had less luck with the legal fraternity Phi Delta Phi. Several friends proposed her as a member, but she recalled that they were "defeated by those who thought it wasn't appropriate to have a woman member." That doesn't dampen Seiler's enthusiasm for Virginia. "I thought it was intellectually challenging and the companionship was great." Upon gradua-

tion, she was elected to the Order of the Coif and went to work with what is now Cleary, Gottlieb, Steen & Hamilton in Washington D.C. before raising her children. She returned to work in the seventies, and for a year in 1974 taught torts and legal writing part time at the Law School.

Allen, who took some time off before completing her degree, loved Virginia as well. Her academic performance won her a spot on the Law Review. Later, when she moved to New York with her husband and interviewed for a job at Lord, Day & Lord, she was told there were no vacancies. Distraught, she asked if he really meant that he would never hire a woman. Allen recalls that the man was much offended and told her, "Mrs. Allen, we would never lightly turn away a University of Virginia Law Review member." Two weeks later they gave her a job.

From Tompkins in 1923 to such graduates as Jones and Fairstein, women remained a token minority in the sea of men. Only 151 women received law degrees from the Law School in the fifty-two years prior to 1975; now that number stands at 2,008. The shift occurred in 1970, when the College went co-ed and the entering class of 295 at the Law School boasted twenty-two women. Dean of Admissions Albert Tumbull '62 recalls how the Law School was caught up in a larger movement that was happening throughout society. "The counseling at the schools was changing—women began to see law as a

viable opportunity," he said. "It was a revolutionary movement that we were just a small part of."

Although one of only three African-American women in her class, Linda G. Howard '73 was a part of that change. In 1972, she was elected president of the Law School, the first woman and the first black to hold that position. She said that she never expected to win. "Everyone including all the people who voted for me were shocked when I won," she recalled. She campaigned on several issues including the need to recruit more female and minority students and faculty, to improve placement services for "the bottom 90 percent of the class," and to hold beer parties at the school. "The Law School was too solemn a place," she said. "I felt that people should be happy that they got their dream to be at the Law School at the University of Virginia." Howard is now administrative assistant for the Corporation Counsel in the Law Department of the City of New York where she serves in the executive division and is director of recruitment and training.

When Elizabeth Trimble '73, Assistant Attorney General for the State of Maryland, came to the Law School she remembers eating lunch at the table in the women's room but she decided to do more than meet in the restroom. In 1971, the Virginia Law Women was formed to bring women together. According to Trimble, who served as the first president, they were concerned with curriculum reform, discrimination in hiring, and re-

recruitment of female students and faculty. "We were more successful getting women students here than with women faculty," Trimble remembered.

Working with the Admissions office, the Law Women published a brochure, encouraging women to attend Virginia and to pursue legal careers. They made several trips to speak to undergraduates at Randolph-Macon, Sweet Briar and Mary Washington, and made an effort to communicate with all women who were accepted. "We wanted to let them know Virginia was an okay place for women to be," Trimble said.

At the same time, Dean Turnbull said the admissions committee also realized it needed to recruit with "equal intensity for students at single-sex female colleges" as they had been at single-sex male colleges. Marshall, who served on the admissions committee while a faculty member, remembers translating the kinds of things that were showing up on women's resumes and generally helping them toward change. One of the traits that the committee looked for in applicants was leadership, she said, and military service was often the form in which it took. "Unwittingly, their views of leadership were biased toward men," she said.

Recruitment efforts were successful and an influx of women came to Virginia, bringing change and awareness. In the 1970s, the Law Women circulated results of a survey of female graduates to prospective employers in an effort to counter hiring discrimination.

Women also drew attention to "blatant sexism" in textbooks and to curriculum shortfalls. In 1972, a curriculum change was made after women complained that no courses addressed the special legal problems of women. The Law School began offering "Women and the Law" taught by Dean Monrad G. Paulsen and Professor Wadlington.

Another issue addressed by the students was the need for women faculty. The sole female teacher was Marshall who left after four years in 1972 to work in private practice. At a meeting between faculty and students, Trimble explained that Professor Marshall had provided indispensable aid in assisting women students in job placement and counseling. Looking back, Marshall remembers the perception that she was more accessible to female students, but believes she may have helped more dramatically by simply being a female professor. "Several male students told me they had never encountered a female teacher in their lives," she said. "It was a

culture shock for some of the men."

By the mid 1970s, the Law School had transformed. Holly Fitzsimmons '76 remembers that women who were graduating when she entered told her she was fortunate to be in the first large class of women. "We were told there was a distinct difference in the way the Law School operated once our class came," she said. Women began to break into the top ranks of the traditional Law School organizations, activities and journals. In 1976, Fitzsimmons was the first woman to win the Lile Moot Court Competition. Becoming the first woman to win was "not a big deal," she said, noting that the other finalist team also included a woman. "No matter what, a woman would have been on the winning team," she said. Fitzsimmons is now assistant U.S. Attorney and Chief of Special Prosecution in the District Attorney's office of the District of Connecticut.

In that same year, Barbara Jeremiah '77, senior managing general attorney with Alcoa, was named



Gary Altier

Today, the presence of women is taken for granted at the Law School. Currently, 459 women of 1,141 students are studying for a law degree at Virginia.

managing editor of the *Virginia Journal of International Law*. “I enjoyed writing-I had both my case note and note published,” she said. Women serving on the editorial and managing board was not uncommon by then but “I did feel like it was a little bit of a breakthrough for a woman to become managing editor,” she said.

Virginia Dunmire ‘79, associate counsel for Commerce Bancshares, Inc. in Kansas City, remembers with embarrassment the headline announcing her as the first woman editor-in-chief of the *Virginia Law Weekly* in 1978. “I never really aspired to be the first woman editor,” she said. “It was a lot of fun and a lot of work.” Becoming editor-in-chief, like other women who took leadership positions, was just the natural course of events. “Women were a large part of the Law School and it was bound to happen eventually,” she said.

In 1979, the first woman to hold the position of editor-in-chief of the *Law Review* was Carol Stebbins ‘80, a graduate of Stanford and currently of counsel at Jones, Day, Reavis & Pogue in Columbus, Ohio. Receiving that top role surprised her, but she felt the milestone was long overdue. “It was somewhat ironic that we should be noticing those things in 1979,” she said. Stebbins, who said she learned a “tremendous amount” as editor-in-chief, believes Virginia “is the best legal education bargain in the country.”

The first African American to serve on the Law Review editorial board was Dayna Bowen Matthew

‘87, a Harvard-Radcliffe graduate. She also holds the honor as the first black woman to win the Lile Moot Court Competition. Matthew, who is highly competitive, believed it was time for change. (See following profile of Matthew in *New Faces*.)

Today, the presence of women is taken for granted at the Law School. Currently, 459 women of 1,141 students are studying for a law degree at Virginia. The number of women on the faculty is up to nine, including Matthew, and strides are continually made toward hiring more female legal scholars. Since 1980, 37 percent of the full-time teaching faculty hired have been women. Dean Robert E. Scott observed that although the integration of female and male students is largely complete, “it takes much longer for the faculty to reflect the demographics of the student body” because of the way faculty membership evolves. He hopes that someday soon “the number of women faculty will be as unremarkable as the number of women in each entering class.”

Henry L. and Grace Doherty Professor of Law Lillian BeVier, who came to Virginia in 1973, is enthusiastic about the increase in women faculty. Instead of just one female professor serving as a role model, there are numerous women holding a “wonderful range of views.” They specialize in a variety of fields including tax, voting rights issues, employment discrimination, local government law, constitutional freedoms, European legal systems, feminist jurisprudence, civil procedure, tort liability,

family law, and legal writing. In a subtle but real way, BeVier said, the diverse faculty makes Virginia Law School a more balanced place to be. “For all of us, it’s just wonderful,” she said.

It’s clear that women in today’s Law School have found their rightful place and are using their talents to the fullest. This year’s president of the Student Bar Association is Joan Woods, marking the second time an African-American woman has led the Law School, and the Law Review boasts seven women on the managing board. All four of the finalists in the last Moot Court Competition were women, and the Virginia Law Women were the force behind establishing a new student-run journal, the *Virginia Journal of Social Policy and the Law*, which was approved in April 1991.

Virginia’s integrated and talented student body of today has come a long way from the experiences of Tompkins, who dared to study law with men, Seiler, who persevered despite being told it was a “mistake for women to study law,” and Buc who spoke out in class even though the professor continually referred to the “gentlemen” in the room. Debra Sabatini Hennelly ‘88, a former president of the Student Bar Association and an attorney with Riker, Danzig, Scherer, Hyland & Perretti, believes Virginia is a better place because of the presence of women. “Whenever a minority brings its reasoning and perspectives to a group,” she said, “you expand the views of the majority.”

