

UW School of Law

Transcript - Law Women's Caucus 2009

Annie Vithayathil: Hello, my name is Annie Vithayathil. I'm one of the co-presidents of the UW Law Women's Caucus. It is my great pleasure to welcome you to our Fourth Annual Alumni Recognition Reception. I would like to thank you so much for taking time out of your busy day to help us celebrate two outstanding women in the UW Law community. Today, we will be recognizing the Honorable Carolyn Dimmick, Class of 1953, as our distinguished alumna. Also, Ms. Sara Ainsworth, Class of 1996, for her outstanding contributions to women and the law.

I hope you enjoy the program this evening, and that you can join us for the reception afterward in room 115.

And now it is my pleasure to introduce a 2007 Honoree, the Honorable Bobbe Bridge, who will provide an introduction to Judge Dimmick. Thank you.

[applause]

Bobbe Bridge: Thank you so much, and thank you all for being here on this glorious Spring day. It's my pleasure to introduce my friend and your honoree, as Alumna of the Year, the Honorable Carolyn Dimmick.

I admired Judge Dimmick before I even met her. She was a pioneer in the legal community, and a hero to those of us as we were slogging through law school, law practice, and even judgeships, while balancing the roles of our professional lives, and our lives as mothers and wives.

We looked to her for advice, and that advice was delivered with candor and basic common sense, as we all faced, and she faced, stupid prejudices and thoughtless condescension from colleagues and clients who ought to know better. Well, after guidance from Judge Dimmick, there was no ambiguity.

Judge Dimmick's bio is an amazing story of hard work, determination, intelligence, and savvy. She is, as your program indicates, a Law School graduate, and an undergraduate from the University of Washington. She was an assistant state attorney general, on to becoming a deputy prosecuting attorney in King County, and finally to the private practice of law in the early '60s. So she really had, before she went on the bench, an immense level of experience in just about every aspect of the law that she was to confront as a judge.

She was first a judge to the Northeast District Court in King County, Washington, then the Superior Court judge in King County. Then, the first female justice of the Washington State Supreme Court. There, finding it more satisfactory to be close to the real work of the courts, she returned to the trial court. And I really also share that with her, quite frankly, although it was a great honor to be on the Supreme Court, I think both she and I agree that it's a lot more fun to be in the trenches, as it were, working with real people.

She was confirmed by the United States Senate in 1985, receiving her commission in April of 1985, to serve as a judge on the District Court for the Western District of Washington. She also served on that court as its chief judge and, ultimately, took senior status about ten years ago, now -- seven years ago. How come '97...? Well, anyway, awhile ago. But not before she oversaw the building of a new federal courthouse, a project on time and on budget, with few complaints from tenants. A new career, maybe, in construction management, is what's going to follow her.

Carolyn Dimmick is about paying dues, and paying it forward. Doing it her way, but teaching us all about knowing yourself. She faced gender stereotypes, heard head-on, maintaining with integrity, and having fun along the way.

From an excellent lawyer, to an excellent judge, she enjoyed working in the trenches, as I mentioned. And when she was there, she conducted her work with fairness and straightforward professionalism - and not without the occasional wry humor - earning her enormous respect from colleagues, litigants, and the community alike.

Judge Dimmick is the subject of a new oral history, which is published by the Secretary of State's office. The title of that oral history is "A Judge for All Seasons." That's wrong. Judge Dimmick is a woman for all seasons. And with a little help from some of her friends, she's going to now reflect on those seasons.

Brava, Judge Dimmick.

[applause]

Carolyn Dimmick: I bet you thought I was too old to walk across the street in high heels, didn't you? [laughs] [audience laughter]

Carolyn: Well, it's hard to listen to that. But thank you, Bobbe. It's all true, of course. [laughs]

Bobbe: [inaudible 4:57]

Carolyn: Yeah. [laughs] It was a pleasure for me to accept this award.

I certainly appreciate the Washington women lawyers, who were the only people we knew. You now have your Women's Law Caucus, which is in the Law School, for the students while they're here. That's important. We did not have any of that.

I was going to tell you a bit about - and I will tell you a bit about - how it was in the '50s, when I went to law school. First of all, it was easy to get in. It was. [laughs] You just had to have, I don't know what the grade point average was, somewhere 2.5 to 3.0, or something.

But it was hard to stay in. The dropout rate was terrific. You always looked after every test, "I wonder if that person's going to be here?" Because if you flunked, like, a Contracts test, you had to get out of school and wait until it was taught again, and then come and take the test. You couldn't stay in law school. You were out once you flunked one subject, and you had to wait until it came around again.

All of our classes were required. We had no electives until the last year; you had one elective. I could not take that elective because one of the professors who had befriended me

warned me that the teacher teaching that class had the habit of flunking out all minorities, and I was a minority. And they already got Jack Tanner. [laughs] So I didn't take the class, and it was Prac and Pro. I wish I'd had it. Instead I took Estate Planning - well, I used that too, I guess, for my own self.

But it was fun in law school, in that we were all in the pit together. We had Saturday classes, and we had to go to summer school between the first and second year. I went under the six-year plan. That was three years Pre-Law, then you could go one year to law school and you'd get a degree, a BA in Law, with a major in Law. Then you go two more years, and you got your, in those days, LLB, which has now been changed to JD. They took our wonderful old diplomas and gave us another one that didn't have quite the history to go along with it.

We did not have study aides like you do. We did not have computers - in fact, typewriters were a rarity. They would allow some tests to be taken by a typewriter in a special room, if you had special needs. The rest of us wrote longhand in blue books, and our study habits were to race to the library and get the book before somebody else took it.

Some of us were lucky that... You've heard of Canned Briefs? I don't know if they still have such things. It's a company that would do the briefing for you, and sell you the Canned Brief, and then you supposedly read the case and put your own notes on the file. Some of the boys ahead of me had Canned Briefs a year ahead, so they gave me theirs, and it's amazing how there weren't any notes on the Canned Briefs. [laughs] I don't know if they ever read the cases or not.

But then when I got through going to school, I wondered, now what? And the issue was, were there job opportunities?

I'm talking in the '50s. There were no job opportunities for women. There were three women who graduated with me. One of them went to work for the federal government in the Small Business Loans Administration, one of them went into private practice with her husband, and I was fortunate enough to become a law clerk in the Attorney General's office.

I got \$250 a month. Then, when the bar results were announced, I got \$350 a month and I was an Assistant Attorney General. That was good. I stayed there for a while, and as Bobbe has told you and I'm sure you all knew, I went from there to the prosecutor's office off and on. I would stay home two years with each child. And let me tell you, I was surprised when somebody told me you have a parent's room up here. Or, if you have a child, you get to bring your child and not miss your classes. I was blown away by that wonderful development that you have in this school.

There was nothing like that in the '50s. In fact, we had the one woman got pregnant, the married one, of course...

[laughter]

Carolyn: I didn't see you back there! Bad eyes, you know. That comes with age. Gone for like a weekend and then went back to work. OK. The other one was Dulcie Young and, as I said, she went to work for Small Business. We did not have babies in law school to talk about. Job opportunities, there were no law firms hiring. There was no reason even to apply. You could get a job for the government. That was good work. Or, you could go in with your husband which was generally the procedure. Betty Fletcher, who you honored last year, was

one of the first to get, and that was two or three years after us, she was the first to get a job with a big law firm downtown. She broke the glass ceiling from then on.

Of course, the law firms got bigger, too. They had more room. They were pretty small when we were getting out of school. Vogels was the biggest one, and it's not even in business anymore. We have such other giant firms. So, you know pretty much all about my career. It was pretty easy. All of my appointments were by the county commissioner or Dan Evans, when he was governor. Dixie Lee Ray decided to put a woman on, and she interviewed all of us, and got the lucky straw so I was on the Supreme Court.

I liked it better in Seattle, and I liked the trial bench, and I was very fortunate to have the opportunity to be on the federal bench. So I magnanimously accepted the appointment for the federal district court, and that's where I am today. Bobbe mentioned that I took senior status, and I took it to work on the federal courthouse, pretty much.

If you don't know what that is, you have so many years and you're of such an age that you can take senior status which means you can work as little or as much as you want. So I had a lot of time to work on the courthouse, which was the crowning glory of my career, I will say that. Right now, I'm working as little as I want, but I do go down to the office and I do have some business.

You've heard all about the '50s. You've seen on the ads where people say, "I have my people." Well, I brought a couple of people with me. And I would like Ann and Suzanne to come up here and tell you a little bit about how it was in the '80s when they went to school as contrasted to the '50s and as contrasted to the 2000s.

[pause]

Carolyn: Well, one of you is going to talk about the '80s, or both of you are.

Suzanne Michael: Hi, I'm Suzanne Michael and I am a private practitioner. I have an employment law firm in Seattle. This is my friend, Ann Brenner. Some of you may recognize her from television, Court TV and the like. Ann and I were law school classmates, and we graduated in, we'll call it the mid-80s.

Ann: Yeah, we'll call it that.

Suzanne: Relatively loosely, the mid-80s. I met Carolyn Dimmick. Should I talk about you now, or do you want us to talk about law school?

Carolyn: I want you to talk about law school.

Suzanne: All right. We'll talk about law school. In the mid-80s, they did not have fax machines. Certainly there were no computers, as Judge Dimmick mentioned, everything was done in handwriting. I remember taking the bar exam when a friend of mine who was a smoker convinced me that we should sit in the smoking room because it would be a small, sort of isolated room. It was nothing but chain smokers and whoa. What do you remember about law school? I remember trying to find the books. There wasn't much computer research, so everybody would have the same project. Of course, there was one library. Everybody would go to the library and the people that were not particularly ethical would take the books that we needed so you couldn't get them.

Ann: I love to talk, everyone knows that. I do want to say how honored both Suzanne and I are to be here with Carolyn Dimmick. She's been an icon and an idol to a lot of women lawyers, including us. She's fabulous. She's done tremendous things.

Carolyn: Talk about the law.

Ann: Talk about the law. I don't know about the law. OK, I'll talk about it a little bit. About the '80s, I know that growing up and becoming a lawyer in the '80s, the two people that I watched on TV and aspired to be were Mary Tyler Moore and that girl. My dad called me Princess when I was growing up, and I made him call me Sport because I didn't want to be the princess. Although I do, now, want to be the princess. But, it was that whole growing up, my brothers wanted to go to Stanford. I applied secretly. They didn't get in, I did. When the envelope came and I showed it to my parents, they said, Annie's not going to go to Stanford.

They had a cocktail party that night. I announced it to all of their friends and then I went. It was that same thing that the boys were supposed to go, but not the girls. And this is having become a lawyer in the '80s.

Coming out of law school, I went to the prosecutor's office. I worked for a judge who only hired women lawyers, Judge Dixon, who was wonderful. He was a very smart man. He only hired women. And the prosecutor's office was about half women by the time that I came out of law school, when Suzanne and I did.

But, we didn't have email, we didn't have fax machines, we had phone messages. When we had Speedy Memos in the prosecutor's office where I would write, "Why don't you plead your guy?" and I would send it to the defense lawyer and they'd write back, "Why don't you dismiss the case?"

That was the extent of our communication. There were times as a young lawyer where I had a Judge have me babysit the defendant's kids in the hallway, which was a big mistake, me with anyone's kids. I was like, forget it. When I was married, my husband who had a son said, "Do you want to have any more kids?" He said, "Why would I? I already have two," meaning me and his son, Eli.

But it was a little bit different than, a lot different than Carolyn's experience, but in a lot of ways, I'm sure, different than a lot of yours will be. As a woman lawyer going into court, I wore cowboy boots with Laura Ashley dresses because I thought it looked really cool. I had a judge tell me I couldn't do that, and I had to wear a suit. That was Judge Elston. Not a dress with a jacket, but actually a suit.

Carolyn: Tell us about, right now, about your career. I want you to be role models for what all of you can aspire to be.

Ann: I'm on TV. And it's fun. I always wanted to be in media, and be a broadcaster. I ended up becoming a lawyer, and now I do television. It's just a hoot. I got involved at the Mary Kay Letourneau civil case. Remember Mary Kay Letourneau in love with the sixth grader? She always said, "He's the smartest person in the world, and I'm second smartest." And I thought, "Oh, heaven help us all." But, I got involved with television from that trial. It was covered by Court TV, and they said, "When you're in New York, why don't you come see us?"

So Suzanne had a business trip, and I said I'm going with you to New York. And then I called Court TV and said, "Hey, I just happen to be in New York." They said, "OK, we'll put you on the air." So I went to St. John, bought the most expensive outfit ever, and could barely walk in the shoes; the whole nine yards. And I went on TV, and we took the tape back, remember, to the business center at the Drake Hotel and watched it. And then after that it was, you know; MSNBC and Fox News, and CNN.

Suzanne: Actually, they sent a car to pick her up at the hotel. I was so impressed, like "OK, they're coming to pick you up!" [laughter]

Ann: Anyways, the TV has been great, and I still practice law, but it's been really rewarding. And it's been something we've only done in the last six or seven years. And I've practiced for 26, so anyway... But Suzanne has been with me every step of the way.

Suzanne: Every step of the way.

Carolyn: I want Suzanne to tell us about her career at some point.

Ann: I know; she's fantastic!

Suzanne: No, it's not nearly as flamboyant as either of these two ladies, I'm humbled to be in the same room with the two of you, it is true. One of the differences I think is that when I started out as a new lawyer, to make partner I worked in a large law firm almost initially out of law school. And as a woman, you didn't have options like part time if you were going to be a partner in a large law firm. You had to do it just as hard as the men did. You couldn't take time off to have children, or any of that sort of thing. And one of the great things now I think is that almost all firms that I can think of are really allowing alternative lifestyles, and people can still become a partner if that's what they want to do.

I ended up becoming a partner in a large law firm, and then started my own firm, doing employment law. And it's just great; I mean being your own boss is just great. She's been her own boss for years, and she's been everybody else's boss for years [laughter]

Ann: As it should be!

Suzanne: My first experience with Carolyn Dimmick as a lawyer -- she doesn't remember this, but I remember it so vividly, because I had tried a number of cases, and I had an employment law case in front of her. And I thought it had gone really well, in fact, the plaintiff's attorney was a male -- it was a sexual harassment case -- the plaintiff's attorney was a man, and during his closing he cried and said, "You know sexual harassment occurred!" And I'm thinking, "No we don't, we don't think it did, actually." But anyway, I finished the closing, and I'm thinking it went really well. And Judge Dimmick was the trial judge, and the jury gets excused, and she looks at both me and the plaintiff's attorney; a fellow we'd gone to law school with and says, "Counsel, don't go far, this jury won't be out long."

And for those of you that have gotten senior enough in law school, you'd know that that means generally for a civil case, it's going to be a defense verdict, and I was like, "Yes! She reads it the same way I do!" And fortunately she was right, they came back; in fact, I think you predicted 30 minutes, and after 45 minutes I was starting to sweat.

And they came out like 55 minutes later or something and it was a defense verdict. What I remember about Judge Dimmick then is, first of all, total command of the law, ran a very tight courtroom but with humor, was fair to both sides. She was the epitome of what a good judge should be. She is the epitome of what a good judge should be.

I'm sorry she's senior status, because that means I don't get to try cases; well, I wouldn't now, because of our friendship. But she truly is one of the best judges I've been in front of, and I'm honored to be here.

[laughter]

Carolyn: That's enough! In conclusion, don't you love that word? [laughter]

Carolyn: I used to love that word when somebody was arguing in front of me, or when I was listening to a speech. In conclusion, and you know oh; it's going to be over pretty soon! [laughter]

Carolyn: My summary is that a law degree is empowering. You can do anything you want to do. You can be in charge of yourself for the rest of your life. You can be a real estate agent, you can be a litigator, you can be a judge, you can stay home and do good deeds and take care of children. There's anything you can do, but you always know, "No one's going to take advantage of me. I'm a lawyer." And when people say, "Oh, she's a lawyer" they don't try to take advantage of you. They know you're smart, you're the best of the best; you've gotten into this law school, you stayed in this law school, you get your degree, you're empowered. Thanks very much.

[applause]

Annie: Just on behalf of the Law Women's Caucus, we are more than pleased to honor you as our distinguished alumni this year. And thank you for being here, and bringing all of your wonderful friends, and sharing your stories with us.

Carolyn: I had to walk twice across this stage!

Annie: Sorry! I know! You made it! [laughter and applause]

Lisa: Good afternoon. I'm honored to be here, both in Judge Dimmick's company, and particularly to have the pleasure of presenting Sara Ainsworth with this award. Sara is an extraordinary person, and an amazing lawyer; one of the two or three best lawyers that I know. She's proud of a lot of things in her career, a lot of things in her life. Among them is cofounding PILA, so that many of you have the opportunity to work in public interest; to follow your passion. And that is what Sara has done for her entire career. She wanted to make sure that the opportunity she did not have because of economics, was not foreclosed to the students who came after her. And she has succeeded extraordinarily in that.

Sara has worked at most of the legal services and legal aid organizations in the community, I think; either for pay or as a volunteer. Including clinics, Snohomish County Legal Services, the Disabilities Law Project, Northwest Justice Project, and of course, Legal Voice.

She is, and always has been, a leader. And one of the things that strikes me most about Sara is the leadership she shows, even to those senior than her. I graduated from law school 13

years, 15, 12 years before Sara did, and I learn from her every day. She teaches me things either by example, or by walking into my office and saying, "Did you not think about this?" And telling me something I needed to know.

She brings to all of her work an analysis of poverty issues, of race issues, the gender lens, of course, violence, reproductive justice. Somehow, she brings all of those things together to her work, on behalf of women's rights. She's particularly astute at identifying potential tensions between rights. And that's something we don't always think about.

We think we're in favor of women's rights, we're in favor of the rights of poor people, and we're in favor of the rights of lesbian/gay/bisexual and transgendered people. But the fact is, in our legal system, sometimes those rights are at odds with each other, or could be.

And Sara spots those issues before almost anyone does, and then tries to figure out a way to make them work together, so that the rights of all of those people can be furthered. She thinks about things like, where do the rights of disabled people intersect with reproductive freedom? How can we protect both sets of people in a way that honors the Constitution, honors our laws, and honors those people?

She is always, always thinking about real people's lives, and what it would be like to be that person in the clinic, to be that person in the day care, to be that rape victim, to be that person seeking an abortion, to be that transgender person presenting at a hospital.

It's always in the back of her mind, and in the front of her mind, and in her analysis. She's always looking for a new angle, a new way to approach problems, and to bring diverse communities together. In particular, Sara's levelheadedness is always impressive. The work we do at Legal Voice can be difficult, and people sometimes say, "How do you do it day after day, after day? How do you think about the rights of domestic violence victims and rape victims?" Sara does think about it and she never loses her cool. She brings passion. She brings acute judgment to everything she does. Sara shows us how a lawyer can be a fabulous partner to her husband, Matt. A stupendous mother to two little boys who are going to be the most kick-ass feminists you will ever meet.

[laughter]

And still give everything she has to the causes of women's rights and justice. I am very pleased and proud to present Sara with the Contributions to Women and the Law Award.

[applause]

Sara Ainsworth: I'm really grateful for it and I'm really grateful it didn't break! [laughter] Thank you, Lisa. That was lovely and kind of embarrassing. I'm with Judge Demmick. Thank you. This is such an unbelievable honor and it's also an unbelievable honor to be given this award as Judge Demmick gets an award. Your career is so inspiring and your trailblazing in law school for all of us who are here and came after you is so appreciative. So, thank you. I'm also really grateful to get this honor because I found law school hard and challenging. It wasn't so much the academics, which definitely were challenging, but the environment was tough for me. I didn't see myself ever as joining a law firm. I didn't aspire to being a great trial attorney. I came here with the goal of finding a tool to affect change. But when I got here I found the culture difficult to find a place to fit in.

Luckily, I've had a lot of wonderful mentors here. Some who are still here like Michele Storms, like Mary Whisner, Mary Hotchkiss, Jackie McMurtrie. And then great friends in the law school community who helped me get through and survive those years.

The biggest problem I had in law school, I think, was that in class when I found a case interesting it was often the story behind it that I found the most interesting. The legal aspect of it was important. Obviously, we need to learn that. But, I always wanted to know who are the people behind this case, how did they get in this mess, and what happened after this legal ruling came down? That's why I want to tell you three short stories about women who I've worked with who've inspired me and found some measure of justice along the way.

All three of the women were victims of domestic violence at the hands of their husbands. Connie was denied housing by a landlord just because she had a restraining order against her ex-husband. Ramona was fired from her job because she took time off from work after her husband physically assaulted their 13-year-old son. He beat him so bad that the child was hospitalized. Cherry was denied all of her property in a divorce just because she got a restraining order when he held a gun to her head and threatened to kill her. He happened to be a police officer. So, after she got the restraining order he was fired. The trial judge said, "Well, it's your fault that he lost his job. So, I'm going to give him all of your marital property in the divorce."

But, none of these women accepted the unfairness and the injustice of the actions taken against them. All three of them were willing to stand up for their own rights and the rights of other women. Each one sued for her rights in court. And both Connie - the one who was denied housing, and Ramona, the one who lost her job, both testified to the Washington State Legislature in support of new laws that would make these kinds of actions impossible.

Now, because of Connie it is illegal in Washington State to deny housing to a victim of domestic violence just because she's a victim. Because of Ramona every employer in Washington State has to give victims of domestic violence, sexual assault, and stalking time off from work to deal with the violence that they've experienced. And they have to give them as much time as they need to deal with that. And now because of Cherry it's an abusive discretion for a trial judge to issue an order blaming an abuse victim for the loss of their husband's job and punishing her the way the trial judge did there.

But, the story didn't end there. The three women really didn't get all the justice they were entitled to. Connie, though she helped change the law through legislation, had to give up her court settlement to a bankruptcy trustee because her ex-husband declared bankruptcy. Ramona lost the job she loved and she'll never get that job back. And Cherry got a court order granting her all the property she was really entitled to, but to this day she's never been able to enforce it. So, she's never actually gotten any of the money she needed after she got divorced.

But, what's important about their stories, I think, is that each one refused to give up. Each one expressed both to me, to the public, and really to anyone who would listen that the reason they continued to fight is because they didn't want any other women to experience what had happened to them. So, in that way they each succeeded.

What's important about those stories for you all is each one of those successes came because they got legal help. Legal help is so important. It's so important to people who can't afford it and it's important even to those who can. So many of the injustices that we see happen because there's a gap in the law that somebody falls through - like these three

women. And that can be changed, but often a legal mind is necessary to figure out how to right a law to make this injustice end. On how to argue to a court that this injustice should end. This fight for justice is why it is so important you are here.

It's not that we lawyers are the only force for social change. Sometimes we're not even the most critical and most powerful. But, at the same time we have enormous access to and understanding of the source of power. As Judge Demmick pointed out, we are empowered by the degree that we have here.

Even though legislators are not always lawyers, lawyers write the laws on the books. There's some lawyer working in the legislature that is the one doing the drafting. Lawyers are the ones who challenge the laws. And lawyers become the judges that rule on the laws.

While that work is critical to achieving justice, I don't think that each one of you representing individual people is necessarily the key to getting there. It's our work as a community of lawyers. It's when we stand up for the most marginalized people, the most vulnerable people. When we realize that we can do that in every phase of our career that we actually achieve change.

Most importantly, you don't have to be a public interest lawyer to do any of this. All you have to do is find the cause that moves you, and lend your legal skills to that cause. The skills that you learn here are an understanding of the significance of language. You learn about how to analyze complex systems. You learn to be comfortable with public speaking, and you have a tendency to leadership that brought you here in the first place. Each of those things you can draw upon to affect change. Maybe it's trite and obvious. But, it is apt, I think, to say that this place gives you good tools. So, put them to good use when you leave. Thank you.

[applause]

Caitlin Morray: And in conclusion, my name is Caitlin Morray. I'm one of the co-presidents of the Law Women's Caucus and I wanted to extend our sincere thanks, not only to our honorees, but to everyone for taking time out from their busy schedules in helping us celebrate these two incredible women who have done so much to open doors for all of us sitting here today. We really do appreciate it and we hope that you'll join us in room 115 for some refreshments. Thank you, again. [applause]