

OKLAHOMA'S WOMEN LAWYERS

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There were women lawyers practicing law in the Oklahoma Territory in the 1800s. These women pioneers, along with their successors, had varying, fulfilling, and challenging experiences. Following the rigors of their education and legal training, they then had the challenge of attaining employment in their chosen field in a culture dominated by men. Only their determination, perseverance and intelligence lead to their successes at a time in history when women were second class citizens, deemed inferior and with, at best, a limited right to vote¹ or hold many elective offices.²

As women decided they wanted to enter the legal profession, they did encounter challenges. In February 1893, Minerva K. Elliott Lentz had to pass an examination conducted by a committee of lawyers to reportedly become the first woman admitted to the Oklahoma Territory Bar. Ms. Lentz, passing the grueling examination, proved to other women so inclined that it could be done, that they too had the intelligence and abilities to grasp the intricacies of the legal profession.³

Anabel Fleming Thomason's admission to the Oklahoma Territory Bar in 1899 was so significant to society that she received national recognition in *Munsey's Magazine* and *Harper's Bazaar*. *Harper's* was especially impressed that a young woman was willing to associate "with the bloody justice of the frontier" as noted by the fact that "on the day she was admitted to the bar she attested the death warrant of a man sentenced to be hanged."⁴

These early pioneer women lawyers were not only challenged by the male dominated profession, but they too did the challenging. When Kathryn Clyde Sturdevant sat for the 1912 three-day state bar examination mandated by the Oklahoma Supreme Court for admission to the bar, she, of 125 applicants, received the highest grade. In prior years, the person attaining the highest grade on the bar received a choice bird dog from the Supreme Court, but Ms. Sturdevant received a check because the Clerk of the Supreme Court did not want one of his dogs to go to someone who did not even know

how to hunt. Ms. Sturdevant provided further challenges when she sought membership in the Voluntary Bar Association in 1913. In the meeting to determine her eligibility for membership the question was posed, "Is she eligible under our constitution?" The response was, "I am unable to answer that question, for at the time we formed the organization, we were not aware we had this danger to confront." Ms. Sturdevant became the association's first woman member and was an active member for 75 years.⁵

Many of the pioneer women lawyers in Oklahoma Territory and Oklahoma began their legal careers as legal secretaries working for and with their husbands, studying law as they worked. Amelia Patterson Frye was working in her future husband's law office when she became very interested in actually becoming a lawyer. After graduating from Cumberland University Law School she was an attorney of record on five reported decisions, one of which was appealed to the 10th Circuit Court of Appeals. Ms. Frye went on to be the first woman in Oklahoma elected County Attorney.⁶

Ethel Maude Proffit Stephenson was a legal secretary for her future husband when she too decided she wanted to become a lawyer, eventually becoming the first female lawyer from Oklahoma licensed to practice before the United States Supreme Court.⁷

Mae Munger Burleson worked in her husband's law office, studying his law books, learning law on the job so she could take the bar examination and be admitted to the bar in 1928.⁸ Another female lawyer, practicing with her husband was Lena Husley who was admitted to the bar in 1921. The Hulseys of the Hulsey & Hulsey law firm were attorneys of record for a case that went before the United States Supreme Court with Justice William O. Douglas delivering the opinion, setting forth the "fundamental interest" doctrine stating that "certain matters of personal choice were so fundamental to human personality as to be presumed beyond government reach, except when a compelling state interest could be shown."⁹

Many of these female lawyers were influenced by their fathers to enter the legal profession. Priscilla Wooten Utterback began her legal education at the University of Oklahoma College of Law but finished her studies in her father's law office before being admitted to the bar in 1929. Beginning her practice in the Utterback & Stinson firm which later became Utterback, Stinson & Utterback, Ms. Utterback realized a childhood dream. As she said, "there were no televisions in those days, so the courtroom was my entertainment."¹⁰

Mirabeau Lamar Cole Looney's interest in the law surfaced when she was young. She could often be seen reading her father's tan calf law books or fictional accounts of trials. In 1912 she was elected registrar of deeds for Harmon County, "the first of a series of political triumphs that. . .distinguished her as one of the state's most successful women politicians." In her campaign for a seat in the State Senate, she won her county, Harmon County, and

carried her opponent's Greer County, two to one, spending a total of \$149.90 to win the seat that she would hold until she left the Senate in 1928. Her political career was so impressive that upon her death, the flags flew at half-staff over the State Capitol Building as her casket lay in state in the Capitol rotunda. A *Daily Oklahoman* article described her as “exhibiting complete devotion to the public interest. She has an unusually high conception of the duties of a legislator and she served her people with a fidelity that never faltered or weakened. She was never soiled by the sordid political currents which have soiled so many political officials. She was a womanly woman when she entered official life, and she was a womanly woman when she cast off her official cares.”¹¹

Another pioneer lawyer greatly influenced by her family of lawyers was Florence Adelia Tracy Revelle. Ms. Revelle's mother, aunt and father were all attorneys. Ms. Revelle received her law degree from Yale University Law School because Harvard Law School would not accept women. When practicing with her father in Massachusetts, Ms. Revelle would do the direct examination while her father did the cross examination in a trial. As she said, her father was a great trial lawyer who “could hold the jury in the palm of his hand.” Practicing in Ardmore, Oklahoma, Ms. Revelle encountered the prejudices of society towards women lawyers. She overheard a couple in her office one day discussing the fact that she was a lawyer. The wife said, “She may be a lawyer, but she ain't no lady.”¹²

In the early days of women seeking a career in the legal profession, they could study, “read for the law” in the offices where they worked and then become attorneys by taking the equivalent of what would become the bar examination. As time passed, women began seeking admission to law schools to receive a formal legal education. Many of these pioneers graduated from the University of Oklahoma College of Law, the University of Tulsa Law School, Yale University Law School, George Washington University Law School and many other law schools, receiving memberships in honors societies for academic excellence.

Ethel Nancy Adams Anderson graduated from the University of Oklahoma College of Law School in 1918, becoming a member of the Order of the Coif for exceptional academic achievements. After marrying a fellow law student, they received a letter from the Law School Dean Julien C. Monnet stating that he thought Ms. Anderson would be a great help to her husband because he regarded “her legal ability of an unusually high order compared with either men or women students.”¹³

Another University of Oklahoma College of Law School graduate, Louise Margaret Frisbie Black Baronian, graduated and practiced law during the economic hardships of the 1930s. She was often paid with produce and

once drove home with a cow tied to the back of her car—her payment from a grateful client.¹⁴

Bernice Dona Berry Beckham, also a University of Oklahoma College of Law School graduate, worked for the U.S. Department of Justice, practiced law in Oklahoma City and was Oklahoma City's first female assistant district attorney.¹⁵ Although she had no intention of becoming a lawyer, Hildred Barnard McCants Meinders was persuaded to attend a free law school started by Judge John B. Ogden. In a class of 125, Ms. Meinders went to class five nights a week for five years and was one of the five who graduated. Ms. Meinders would go on to become Garvin County Attorney and practice law out of her kitchen until she was ninety.¹⁶

As is true today, the legal careers of these pioneer female lawyers were quite varied. The impact of their practices, their political involvement and their efforts to acquire certain rights for women is still being felt today.

Freddie "Fred" Andrews studied law on the job, took correspondence courses and after taking the bar examination, was admitted to the bar in 1934. A "doer and not a spectator," Ms. Andrews practiced law, served as county attorney and was county and juvenile court judge in Pontotoc County.¹⁷

Ethel Kehrer Childers. practiced law and, after joining Kanatex Oil Company, she became their secretary, assistant treasurer and general counsel. She was greatly respected in the business world as a brilliant attorney with a very good business mind. Her advice to women entering the business world was, "Say your prayers and do your best, be honest and work hard. . .if you don't want to be criticized, do nothing, say nothing and be nothing."¹⁸

Florence Etheridge Cobb, graduated from Washington College of Law with a J.D. in 1911 and an LL.M. in 1912. After graduation she worked in the Federal Government and organized the inaugural suffrage parade in 1913. In addition to her impressive legal career, she had considerable literary ability and was greatly respected by her male counterparts in the Seminole County Bar Association who noted upon her death, that they had "lost an honored and distinguished member of the bar, a positive and dynamic thinker who had the courage of her convictions, whose place in our association will probably never be filled during the lifetime of any of its present members."¹⁹

Chloe Eunice Passly Dilday, after reading law with, and practicing law with, Judge Joseph Mitchell, became a court reporter, a position she held for 44 years. In 1977 she was appointed a special judge becoming the first female judge in Washington County.²⁰

Eula M. Erixon, after studying law at home, was admitted to the bar in 1926. She worked in the attorney general's office for 15 years and was appointed assistant attorney general in 1930. Perhaps her greatest claim to fame was her well-known Oklahoma City restaurant, Sleepy Hollow.²¹

Grace Elmore Gibson became a lawyer so she could be a good listener when her husband, Judge Gibson, told her about a case. Ms. Gibson felt her peers in the legal profession were always very courteous and gallant, perhaps more than she would have liked them to be. As she said, "I am here as a lawyer, not as a woman and I ask no odds because I am a woman." She saw a female lawyer as a "concrete vocation of interesting actualities." In 1930 Ms. Gibson became the first woman to serve in a county or district judgeship in Oklahoma. In 1936 she had a temporary appointment to the Criminal Court of Appeals and this led to Ms. Gibson writing the first opinion ever written by a female member in this court.²²

Kathryn Van Leuven, a product of six generations of lawyers on both sides of her family, began practicing law in Nowata County in 1913. In 1920 she became the first female assistant attorney general in the United States. While serving in this position, she was sent to Tulsa to address the vice conditions there. This assignment was to give Ms. Van Leuven "something to do" but her success led to her becoming Oklahoma's best known female attorney.²³

Jewell Russell Mann, along with Minnie L. Dettweiler, Nell W. Bracken, Maude Rounsaville, and Lou Etta Bellamy Dick worked on a case to protect the rights of a widow to an allowance during the administration of a deceased husband's estate. In 1951 Ms. Mann, Mildred Brooks Fitch, Norma Wheaton and Dorothy Young took on the state of Oklahoma to eliminate the disqualifications of women to serve on juries. The constitutionality of the bill was upheld saying that the "constitutional provision that says grand juries should be composed of 12 men used 'men' in its generic sense, and included women or females as well." Ms. Mann's role as advocate for women's rights, including the proposed Equal Rights Amendment, was so recognized that President Richard M. Nixon appointed her to an advisory commission on women's rights.²⁴

In 1942, Ms. Norma Wheaton "spearheaded legislation to amend the Oklahoma Constitution to grant women the right to hold the state offices of governor, lieutenant governor, secretary of state, auditor, attorney general, treasurer, superintendent of public instruction and state examiner and inspector." The legislation was adopted in a 1942 general election thanks to Ms. Wheaton's efforts. As Ms. Wheaton said, "It's not that I wanted to be governor, I just resented women not having the right to be."²⁵

Another pioneer whose influence was felt on not only the legal profession for women but also for all women was Jessie Elizabeth Randolph Moore. In 1914 she became deputy clerk of the Oklahoma Supreme Court and Criminal Court of Appeals. During this time, she studied law with Judge Doyle. In 1926, Ms. Moore became the first woman elected clerk of the Oklahoma Supreme Court and Criminal Court of Appeals and the second

woman in Oklahoma history elected to a state office. In a reelection campaign it was noted that Ms. Moore, an emancipated woman, was able “to grasp the opportunities offered by the political field” and made good proving that “a woman [could] fill a state office efficiently.” It was also stated that “she [had] made a success of her position because she was not afraid of hard work and responsibility.” Because of the caliber of her work, she had placed the “women of the state on firmer ground in holding public offices.”²⁶

It took until approximately 1935 for the first 100 women lawyers to be licensed in Oklahoma. In 1957, an article appeared in *The Oklahoman* discussing women on the bench. The article included the remark that “Oklahoma’s women lawyers could not be said to dominate the state judiciary—yet. But keep an eye on them. Seven have made a wedge in what until very recent times was considered strictly as a man’s field.”²⁷

At the 1921 Annual Meeting of the Oklahoma Bar Convention, Frank Lee of Muskogee remarked as he was leading the meeting, “One thing, I think, is worthy of note; we have ladies present and I can see in the future the time when these chairs will be filled with ladies and gentlemen, and when the Bar will be composed of ladies and gentlemen. . . .”²⁸

In 1934, a group of Oklahoma City women formed the Women’s Lawyer Club of Oklahoma. Norma Wheaton of Tulsa headed a monthly woman lawyer publication, *The Citator*. Wheaton was elected President of the Tulsa County Bar in 1946 and was the first woman to serve a term on the Oklahoma Bar Association Board of Governors.²⁹

It was not until the last third of the 20th century that the presence of women became a force in the Oklahoma Bar Association.

The 1970s brought on the explosion of women entering the professions and professional schools, including law. In 1961, 11,220 students graduated from law schools in the United States. Of those students only 316 were women.

In 1965, University of Oklahoma, University of Tulsa and Oklahoma City University, the three Oklahoma law schools, had no record of a women graduating from law school in that year. By 1979 approximately 25 percent of the classes at the three law schools were comprised of women.

It has been said that during the 1980s there was a revolution in the legal profession. The dramatic change was not taking place in the law itself or in how the law was practiced. The revolution was in who was practicing it.

By the end of the first 100 years of the Oklahoma Bar Association women have made their mark not only on the association but the practice of law and the administration of justice.

President Jimmy Carter appointed Tulsa’s Stephanie K. Seymour to the U. S Court of Appeals for the tenth circuit on November 2, 1979.³⁰

Robin Cauthron was the first woman to serve as a full-time United States Magistrate Judge in the six-state Tenth Circuit. In 1991, she was appointed to the Federal Bench as the first woman in that position in Oklahoma.³¹

Vicki Miles-LaGrange was the first African-American Federal Judge in the Tenth Circuit. She previously had been the first female U.S. Attorney in Oklahoma and was among the first in the nation.³²

Dana Rasure serves as a Chief Judge of the United States Bankruptcy Court for the Northern District of Oklahoma.³³

Claire Eagan became the first female United States District Judge for the Northern District of Oklahoma in October 2001. She had previously served as a United States Magistrate Judge in the same district since 1998.³⁴

Valerie Couch, Bana Roberts, and Kimberly West all serve as United States Magistrate Judges in Oklahoma districts.³⁵

In 1982, Governor George Nigh made history when he appointed Alma Wilson to be the first woman Justice of the Oklahoma Supreme Court. Voters retained her in 1984, 1986, 1992, and 1998. She was Chief Justice in 1995 and 1996.³⁶

In 1984, Governor Nigh appointed the second female Justice to the Oklahoma Supreme Court, Yvonne Kauger. She was Chief Justice in 1997 and 1998 and continues to serve as justice.³⁷

Rita M. Strubhar was the first woman to be appointed to the Oklahoma Court of Criminal Appeals since its formation. She was appointed to the Court in July of 1993 and served until 2004. Strubhar was presiding judge from 1999 to 2000.³⁸

Patricia MacGuigan served as the first female Judge on the Oklahoma Court of Civil Appeals from 1982 to 1991.³⁹

Carol Hansen was appointed in 1995 by Governor George Nigh to the Court of Civil Appeals, and continues to serve in that capacity.⁴⁰

Oklahoma has had one female Attorney General, Susan Brimer Loving. She served as Attorney General for Oklahoma from 1991 until January 1995. She was the first female Attorney General in Oklahoma and only the ninth woman in the United States to hold the office.⁴¹

Leadership in the Bar Association was slow to include women. Norma Wheaton of Tulsa served on the Board of Governors from 1966 to 1968, the first woman to do so.⁴²

Jayne Montgomery of Purcell was the Bar Association's first female elected office when she became Vice-President in 1978.⁴³ Only two years later, in 1980, Shirley Collier of Taloga was elected the second female Vice-President of the Bar Association.⁴⁴

Kathy Christensen of Oklahoma City served as Vice-President of the Bar Association in 1994 during Sidney Dunagan's term as President. Millie

Otey is the fourth woman that has served as Vice-President of the Oklahoma Bar Association when she did so in 2000. Previously she had been the second woman President of the Tulsa County Bar Association and the first woman President of the Tulsa Bar Foundation.⁴⁵

The Oklahoma Bar Association has had only two female Presidents during its first 100 years. In 1992, Mona Salyer Lambird was only the second woman elected to the Board of Governors for a three-year term. In 1994 she ran for president-elect of the Association in a contested election and was elected.⁴⁶

On January 19, 1996 Lambird took the oath of office to become the first woman to lead the Oklahoma Bar Association. She continued to be a leader in the association until her tragic death in 1999.⁴⁷

Melissa DeLacerda became the second female President of the Oklahoma Bar Association on January 17, 2003, in the 99th year of the Association, after serving on the Board of Governors in 1996-1998.⁴⁸

And women have begun to populate the Board of Governors in the mid 1990s.

The Young Lawyers Division of the OBA has had several female chairs. Kay Bridger-Riley was the first chair of the division.⁴⁹ In 1989 the chair of the Young Lawyer Division was added as a member of the Board of Governors.⁵⁰

Nancy Glisan Gourley served on the Board of Governors representing Tulsa County in 2000-2002. Betty O. Williams served on the Board in 1999-2001.⁵¹

Shelley Cundiff was a member of the Board of Governors, 2000-2003.⁵²

Linda S. Thomas is the latest woman elected to the Board of Governors and is currently the only woman serving in that capacity.⁵³

In the mid 1990s, Oklahoma Bar Association President William J. Baker created a Women in Law Committee to further the aims of women in the profession. The Committee created the Spotlight Award which has been given annually since 1996 to five women per year who have distinguished themselves in the legal profession and who have lighted the way for other women. In 1999 the award was named to honor Mona Lambird after her death. The award winners have been leaders of the Association and of the Profession and are honored each year at the Women in Law Conference.⁵⁴

In the latest survey of the membership of the Bar Association, the numbers showed that approximately 25 percent of Bar Association membership is made up of women. In the 2003-2004 school year over 50 percent of the entering classes at Oklahoma Law Schools were women.⁵⁵

Women have taken their rightful place at every level of the profession. Women populate the trial court bench, the corporate bar, government positions, and the trial court bar.

END NOTES

- ¹Women in Oklahoma Territory and early statehood period could vote in school elections. See R. Darcy. "Woman Suffrage in Oklahoma," in this volume.
- ²Women in the Territorial period could hold county office and some local offices. Women in the early statehood period could be, and were, elected to some statewide offices. See See R. Darcy. "Woman Suffrage in Oklahoma," in this volume.
- ³Patsy A. Trotter. 2003. *Leading the Way: A Look at Oklahoma's Pioneering Women Lawyers* (Oklahoma City: Oklahoma Bar Association): 48.
- ⁴Trotter, 2003: 88.
- ⁵Trotter. 2003: 85-87.
- ⁶Trotter. 2003: 36.
- ⁷Trotter 2003: 84
- ⁸Trotter 2003: 17-18.
- ⁹Trotter 2003: 45-46.
- ¹⁰Trotter 2003: 95-97.
- ¹¹Trotter 2003: 49-53.
- ¹²Trotter 2003: 74-77
- ¹³Trotter 2003:2-4.
- ¹⁴Trotter 2003: 9-11.
- ¹⁵Trotter 2003: 12-13.
- ¹⁶Trotter 2003: 62-63.
- ¹⁷Trotter 2003: 5-6.
- ¹⁸Trotter 2003: 20-22.
- ¹⁹Trotter 2003: 23-25.
- ²⁰Trotter 2003: 29-31.
- ²¹Trotter 2003: 33.
- ²²Trotter 2003: 38-40.
- ²³Trotter 2003: 98-100.
- ²⁴Trotter 2003: 55-57.
- ²⁵Trotter 2003: 103-106.
- ²⁶Trotter 2003: 64-67.

²⁷Georgia Nelson. "Seven Women Judges Win Place in Man's Profession." *The Oklahoman* October 13, 1957 page 1.

²⁸Orben J. Casey. *And Justice For All: The Legal Profession in Oklahoma, 1821-1989*. (Oklahoma City: Oklahoma Heritage Association): 154.

²⁹Trotter 2003: 105.

³⁰Trotter 2003: 116.

³¹Trotter 2003: 116.

³²Trotter 2003: 117.

³³Trotter 2003: 121.

³⁴Trotter 2003: 120.

³⁵Trotter 2003: 122.

³⁶Trotter 2003: 124.

³⁷Trotter 2003: 125.

³⁸Trotter 2003: 126.

³⁹Trotter 2003: 127.

⁴⁰Trotter 2003: 128.

⁴¹Trotter 2003: 130.

⁴²Trotter 2003: 105.

⁴³Trotter 2003: 138.

⁴⁴Trotter 2003: 139.

⁴⁵Trotter 2003: 140, 144.

⁴⁶Trotter 2003: 134.

⁴⁷Trotter 2003: 134.

⁴⁸Trotter 2003: 135-136.

⁴⁹1984. Phone conversation with Sandy Neal of the Oklahoma Bar Association, September 3, 2004.

⁵⁰Prior to 1989 the Chair of the Young Lawyer's Division was an ex-officio, non voting member.

⁵¹Trotter 2003: 142, 146

⁵²Trotter 2003: 147.

⁵³Trotter 2003: 150.

⁵⁴Trotter 2003: 151.

⁵⁵R. Darcy, Mark Payton, Kiana Adkisson, Carissa Champlin, Mary Henderson and Erik Motsinger. "2002 Oklahoma Bar Association Membership Survey Report." *The Oklahoma Bar Journal* December 7, 2002 pages 3402-3.



DID YOU KNOW?

Kathryn Van Leuven of Nowata became the first female assistant attorney general in the United States in 1920? (page 43)

Robin Cauthron became the first Oklahoma women Federal District Judge in 1991? (page 45)