
Coming of Age:

Women lawyers in Arkansas, 1960-1984

By Annabelle Davis Clinton

Over 450 women became licensed to practice law in Arkansas between the years 1960 and 1984.¹ This figure demonstrates the coming of age for women lawyers in Arkansas. Three times as many women entered the legal profession in the last twenty-five years as compared with the preceding forty year period (1918-1959) when only 150 women were admitted to the practice.² The majority (264) have been admitted in the last five years (1980-1984).³ Of the 380 women lawyers presently in the active practice of law in Arkansas, 227 are located in Pulaski County.⁴

The years 1960-1984 saw a continuation of firsts for Arkansas women in the legal profession: the Honorable Elsjane Trimble Roy was the first woman appointed to the circuit bench (1966); in 1974 the Honorable Bernice Lichty Kizer became Arkansas' first elected

woman judge; the Honorable Elsjane Trimble Roy also became the first woman appointed to serve on the Arkansas Supreme Court (1975) and the first woman appointed United States District Court judge in Arkansas (1977).

Perhaps the best way to illustrate the coming of age for women lawyers in Arkansas is to present the personal stories of a representative sample of women lawyers whose range of professional experience extends from two to 24 years and from a small town family practice to a large law firm Little Rock practice.

Judith Rogers

No women were admitted to the bar during the years 1957-1961. In 1962, Judith Rogers broke the drought and became licensed officially at the swearing-in ceremony for new admittees held at the Little Rock Club, an exclusive-male club at the time. Job offers



Judith Rogers

were not the order of the day even for a lawyer who graduated second in her class from Indiana University School of Law. Rogers entered into a space sharing agreement with attorney Byron Bogard - 50% of her gross income each year in return for office space. In the beginning her practice was limited to a poor female clientele with mainly domestic relations problems. Rogers admits that she assumed a tough stance partially as a result of her own perception that the world out there was hostile territory for women lawyers. Her reputation for being pro-female lingered for several years, even after her practice broadened into the areas of probate, bankruptcy, collection and workers' compensation. Rogers recalls that the practice of law was "gentlemanly"; that is, that attorneys treated each other courteously in matters such as postponements, scheduling of depositions, and in the sharing of advice and counsel. Eventually Rogers' law practice supported the purchase of a building, three full-time secretaries and a Mag Card II, grossing over \$100,000 each year. In 1977, Rogers agreed to temporarily assume the position of juvenile judge for Pulaski County. After about three months of balancing a law practice and Juvenile Court, Rogers decided to close down the law practice and devote her energies exclusively to

the juvenile system. Her tenure as juvenile judge brought Rogers in contact with more people, more pain and more unsolvable problems. In 1982, Rogers was elected to the Chancery bench in Pulaski County to serve out a remaining two-year term. In 1984 she was re-elected without opposition. Judge Rogers finds the chancellorship to be another challenge for further professional growth.

Idalee R. Hawkins

Idalee R. Hawkins, a native of Texarkana, went to law school for insurance in case she ever had to be self-supporting, but not necessarily to pursue a legal career immediately. She was licensed to practice law in 1966 and in 1968 began practicing law part-time with her father and husband in their family-owned law firm of Raffaelli & Hawkins at Texarkana, Texas. Hawkins' law practice in her family's firm was adjusted to coordinate with the raising of three children. Both as a result of her own choice and the prevailing attitude that a woman did not litigate, Hawkins pursued a non-adversarial office practice - examining abstracts, preparing wills and commercial contracts, probating estates, etc. In 1971, she was appointed United States magistrate for the Eastern District of Texas, which position she still holds. On January 1, 1985, she was appointed U.S. magistrate for the Western District of Arkansas. Her real desire is to become a specialist in family law — seeking solutions to the myriad problems encountered by spouses, parents and children in divorce and custody matters.

Josephine Linker Hart

Josephine Linker Hart grew up on a farm outside of Russellville, Arkansas, graduated from Arkansas Tech in 1965, and joined the United States Army for service in the Adjutant General's Corps. After four years in the United States Army doing quasi-legal work, including court martial experience while serving in Japan,



Idalee R. Hawkins

Hart enrolled in law school at the University of Arkansas and graduated in 1971. Although she had intended to eventually return to the army as a JAG officer, Hart decided to delay pursuing her legal career in the military and take advantage of an opportunity to clerk for the Honorable Frank Holt, associate justice of the Arkansas Supreme Court. In 1973, she again postponed returning to the army and accepted an offer of employment by the firm now known as Highsmith, Gregg, Hart, Ferris and Rutledge in Batesville, Arkansas. Hart wanted to be in the courtroom; she accepted appointments to represent indigents in criminal cases in order to get the courtroom experience. In fact, she accepted any type of case to get the trial experience. After one year with the law firm, she was made a junior partner and after three years, a full partner. Her practice now includes criminal defense, domestic relation cases (including child custody), insurance defense, workers' compensation, and some plaintiff's personal injury work. Hart's experience with the bench and bar has been positive. She found the Batesville bar to be extremely supportive. In the final analysis, Hart concluded that her status as a woman lawyer was neither an advantage nor a disadvantage - she was just another new lawyer in town, the basic pre-



Josephine Linker Hart

mise being that you can do whatever you want if you are willing to work.

Hillary Rodham Clinton

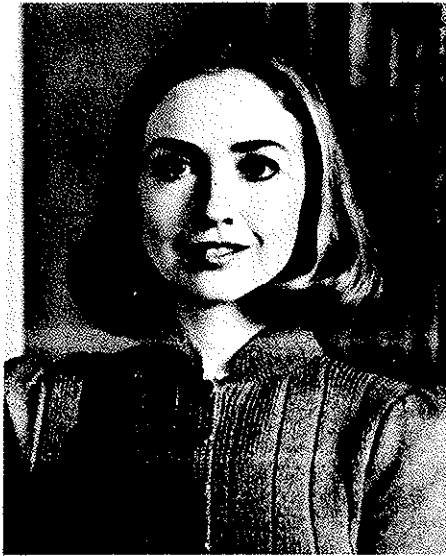
Hillary Rodham Clinton's experience may not be typical considering her status as the Governor's wife, but otherwise her professional career is fairly representative of women in the large Little Rock law firms. Before joining the Rose Law Firm in 1977, Clinton taught at the University of

Editor's Note:

Annabelle Davis Clinton, of Little Rock, is a member of the Wright, Lindsey and Jennings law firm. She is a former circuit judge of the Fifth Division, Sixth Judicial District and is in her third term as secretary of the Arkansas Bar Association. Clinton attended Bates College of Law and the University of Arkansas, receiving a J.D. in 1977. She is a former member of the Houston Law Review, and served as comments editor for the Arkansas Law Review.

"Coming of Age, Women Lawyers in Arkansas 1960-1984" is the final in a series of three articles celebrating the 100th anniversary of women in the law in Arkansas.

Our thanks to Clinton, Frances Ross and Jacqueline S. Wright for their research into the past of Arkansas' women lawyers.



Hillary Rodham Clinton

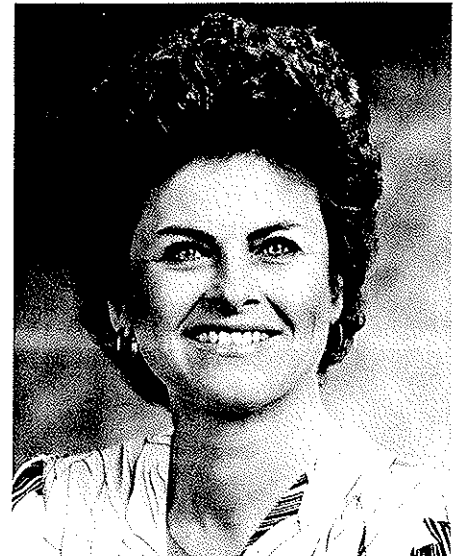
Arkansas law school in Fayetteville. As an adjunct to her teaching duties she instituted a legal clinic for the representation of indigents in domestic relations, landlord-tenant and credit matters. One particularly noteworthy case involved criminal charges against members of a religious cult for the "unlawful burial" of a child. As an associate at the Rose Law Firm, she handled a variety of matters ranging from anti-trust, securities and product liability litigation to adoption and custody cases. She was actively involved in overturning the state's rule that barred foster parents from adopting their foster children. Because of the demands that domestic relations cases entail, Clinton has limited that aspect of her practice and concentrated on commercial litigation. According to Clinton, she joined the Rose Law Firm to develop trial practice skills and found among her fellow lawyers support, collegiality and high standards. The firm also placed a premium on independence, allowing its members to pursue their individual interests such as her service as a board member and chair of the National Legal Services Corporation. In 1979, Clinton became the firm's first woman partner and the first in a large Little Rock law firm. Since then her practice has focused on complex matters that demand concentrated periods of work such as takeover challenges and suits for immediate injunctive

Georgia Elrod: No access to 'good ol' boy network

relief. This work also fits her schedule demands as First Lady. Both as a woman lawyer and as the Governor's wife, Clinton has been the object of curiosity by both bench and bar. She also has had to consider whether or not her political affiliation might present any conflicts of interest. As in the case of Josephine Linker Hart, being a woman has not been a significant factor in Clinton's perception of her professional career.

Georgia Elrod

For a number of years, Georgia Elrod was the only woman attorney in Benton County. Upon admission to the bar in 1974, Elrod went into practice with her husband and father-in-law in Siloam Springs. Over the years her practice has tended to concentrate in chancery court, in the areas of domestic relations, wills, trusts and real estate. Elrod has little interest in trying cases before a jury and in fact believes that her talents are better used in the person-to-person communications generic to chancery court practice. Elrod perceives the struggle to be one of youth and inexperience rather than gender. She readily admits that the establishment of a small town practice would have been significantly harder had she been without contacts and family in the local community. Elrod has felt no discrimination by either the bench or bar. Sometimes a fellow lawyer will comment that she is the best-looking lawyer in the county, which Elrod merely attributes to a particular style of communication that is not intended to be demeaning. She does not get as many male clients with business problems because as a woman in a small town she does



Georgia Elrod

not have access to the 'good ol' boy network, such as Rotary Club. The client's respect for her professional opinion is an individual matter, with little or no relation to her being a woman. However, on one occasion a new client appeared for an appointment and was chagrined to learn that Georgia was not George! Elrod finds her practice fulfilling and feels well-accepted in the community.

Andree Roaf

Andree Roaf's experience in the legal profession brings into focus factors which are not present in the experience of most women lawyers. After nearly 12 years as a research scientist, Roaf, who is female and black, decided to radically change her professional course. She enrolled at the University of Arkansas School of Law at Little Rock and began to commute from Pine Bluff, where she resides with her husband and four children. Upon graduation from law school in 1978, Roaf's initial quest for employment focussed on Pine Bluff law firms engaged in commercial law practice - without success.⁵ In 1979 Roaf joined the law firm of Woodson Walker & Associates in Little Rock, becoming the third member of that firm. The understanding was that her practice would be devoted to commercial matters with some probate and domestic relations prac-

tice. Since the firm had little commercial practice, Roaf began the task of developing the expertise necessary to handle commercial matters. Roaf has been impressed with the assistance offered by senior members of the Little Rock bar in response to her requests for advice and counsel. Occasionally a client will express discomfort with the idea of being represented by a woman lawyer. Six years later the goal of establishing a full service law firm is closer to becoming a reality. Roaf devotes 50% of her time to the commercial practice. The effort to attract more corporate clients, as opposed to individual clients, is proving to be successful. Compared to her experience as a research biologist with limited human contact in the laboratory, Roaf finds the law practice to be more rewarding - offering a greater opportunity to help people solve their problems.



Andree Roaf

Jo Ann Compton Maxey

The most junior member of this representative sample has been



Jo Ann Compton Maxey

practicing law for less than three years. Jo Ann Compton Maxey directed the funding activities for the Arkansas Community Foundation and clerked for the Little Rock law firm of Kaplan, Brewer &

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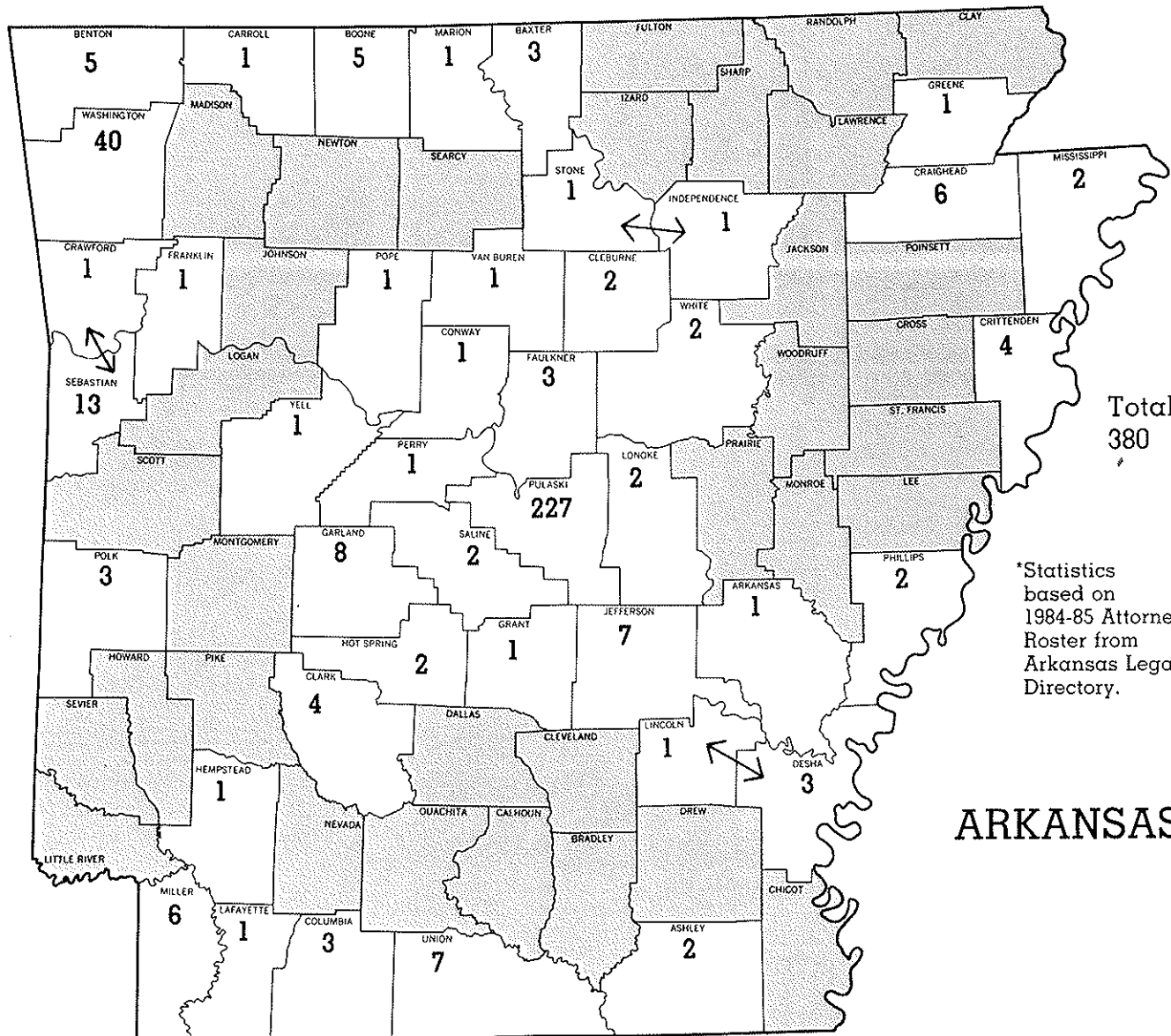
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*1984-85 Arkansas Women Attorneys



Total:
380

*Statistics based on 1984-85 Attorney Roster from Arkansas Legal Directory.

ARKANSAS

Miller, P.A., while attending the night division of the University of Arkansas School of Law at Little Rock. The clerkship experience with the Kaplan firm eventually evolved into full-time employment as an attorney after Maxey graduated from law school in 1982. Federal court has been Maxey's turf in the context of civil rights litigation and the hotly contested Little Rock School District consolidation case. She is also beginning to develop a general practice - some domestic relations, probate and commercial matters. As with most newly-licensed attorneys, Maxey has followed the maxim: prepare well to balance out lack of experience.

She echoes other women lawyers in observing that her experience with other members of the bar has been no different from that of any other new attorney. Male clients have been watchful in evaluating Maxey's professional competence. In contrast, Maxey senses that she has to work harder to convince female clients that she is capable, which may be merely a reflection of the female client's lack of confidence in herself. Maxey has also noticed that some women lawyers try to be too stalwart, possibly in an effort to present an impression of strength. In the second year of her practice, Maxey joined the increasing number of women lawyers who are

Female Participation in ABA Sections

Economics of Law Practice	10% (69/7)
Family Law Section	13% (234/30)
Labor Law Section	13% (69/9)
Probate Law Section	6% (168/10)
Real Estate Law Section	5% (153/7)
Savings & Loan Section	0 (44/0)
Section of Taxation	3% (148/4)
Workers' Compensation Section	5% (207/10)

Arkansas Supreme Court Licensed Female Attorneys 1960-1984

1960	1961	1962	1963	1964	1965	1966	1967	1968
0	0	1	1	1	4	1	3	1
1969	1970	1971	1972	1973	1974	1975	1976	1977
2	2	5+1?	6	10	5+1?	20+1?	25+1?	27+1?
1978	1979	1980	1981	1982	1983	1984	*Totals:	
46+3?	63+1?	59+1?	52	29+2?	65+2?	59+2?	487+16?	

*The 16? total represents those attorneys whose gender cannot be determined.

balancing motherhood with the practice of law. Since late night and weekend work can no longer be the rule, Maxey strives for greater efficiency and productivity during regular working hours. Professional organization work has been deferred for the foreseeable future. With the acceptance that she cannot be the best lawyer, wife and mother, Maxey endeavors to do a good job and is proud of her contribution to the legal system.

What conclusions can be drawn about the future for women lawyers in Arkansas? The groundwork laid by women licensed to practice law between 1918 and 1959 has made it possible for those entering the legal profession since 1960 to reap the rewards of unlimited opportunity. Unlimited opportunity brings hard decisions about career, marriage, children - a balancing effort that defies per-

fect answers and necessarily results in compromise.

There are still more firsts to be achieved in Arkansas: election of a woman to the (1) circuit court bench; (2) Arkansas Supreme Court; (3) Arkansas Court of Appeals; and (4) presidency of state and local bar associations, just to name a few. But the real task is not in the achievement of firsts but in what women have to offer to the legal profession in its effort to resolve disputes without resorting to violence. Women in this society have learned to be supportive, nurturing, and sensitive to the feelings of other human beings. The challenge to women lawyers is to integrate those interpersonal communication skills into the practice of law, and thereby make the resolution of legal disputes a healing, rather than divisive, process.

□

FOOTNOTES

¹Clerk of the Arkansas Supreme Court, Register of Attorneys licensed to practice law in Arkansas.

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⁴The *Arkansas Legal Directory, 1984-1985*. Women attorneys listed in the *Arkansas Legal Directory* were designated as being in the "active practice of law." By way of caveat, these statistics may include some errors in the determination of gender.

⁵According to the *Arkansas Legal Directory, 1984-1985*, seven women are presently in the active practice of law in Jefferson County, Arkansas.