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# Profiles

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## Judge Elsjane Trimble Roy

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# Breaking the Barriers

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## A Precedent Setting Career

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By Ruth Williams

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When things get tough for Judge Elsjane Trimble Roy a quick glance across the courtroom lets her know she's not alone. On the wall opposite her bench hangs a photograph of her father, the late Judge Thomas C. Trimble, who occupied the same room more than 28 years ago.

Perhaps columnist Ernest Dumas, with the *Arkansas Gazette*, described her background best when writing that "she came from a family steeped in jurisprudence."

Judge Roy's father served on the bench from 1937 to 1956, as a district judge and later chief judge for the Eastern District. Her grandfather was active in the Trimble, Robinson & Trimble firm in Lonoke until his late 80's and her mother's father, though not an attorney, was active in law enforcement as a United States marshal. Her uncle is the late Senator Joe T. Robinson of the Trimble, Robinson & Trimble law firm.

"When I was a little girl, up until I was in the fourth grade, I wanted to be an aviatrix. Then, after that, I decided that I wanted to be a law-

yer and I never changed my mind from the fourth grade," Judge Roy, a Lonoke native said. "I just wanted to be a lawyer."

In 1939, Judge Roy, now U. S. District judge for the Eastern and Western Districts of Arkansas, achieved her goal and was admitted to the Arkansas bar. She was the only woman in her graduating class.

"My first year, there were three women in my class. The other two dropped out after the first year, but no professor, no individual ever told me I couldn't be a lawyer," she said. "If you've got a father, a grandfather, and even further back, a greatgrandfather in law, then you're going to think that way."

She recently sat at her desk in her chambers, dressed in red jacket, tie and brown slacks, surrounded by mementos of the accomplishments of her life. Family photographs abound, as do plaques commemorating the many barriers she has broken for women in Arkansas.

The items behind her desk include a plaque marking her 1966 appointment as circuit court judge, of the sixth judicial district, by Governor Orval E. Faubus when she became, at age 50, the

state's first woman circuit judge. Across the room, another first for women is Governor David Pryor's commission naming her to the Arkansas Supreme Court in 1975. In 1977, she became the first woman federal judge in Arkansas when President Jimmy Carter named her to the bench for the Eastern and Western Districts. At that time, she was the sixth woman sitting as a federal district judge and was strongly backed by Senators Dale Bumpers and John L. McClellan.

Judge Roy was born and reared in Lonoke, and, after receiving her law degree, she practiced there a short time. In 1940, she became associated with the firm of Rose, Loughborough, Dobyms & House in Little Rock. After the War, she associated with the firm of Reid, Evrard and Roy in Blytheville and went into practice with her husband in the firm of Roy & Roy in 1954. She was serving as a law clerk to Supreme Court Justice J. Frank Holt when named a circuit court judge by Gov. Faubus.

"When Gov. Faubus called me to come to his office, I said, 'Well, aren't you sort of brave? You don't even know me.' I'd never even met Gov. Faubus. I had campaigned against him in the Hardin campaign. (Joe C. Hardin, of Grady, opposed Faubus in the 1960 Democratic primary.) No one could have been more shocked when Gov. Faubus called me," she said.

Judge Roy points out that her appointments are from various political spectrums.

"On the one side, I have an appointment from Orval Faubus and on the other, one from Win Rockefeller and who could have two more divergent governors appoint you to positions," she said. (Rockefeller named Judge Roy in 1967 to the Constitutional Revision Study Commission.)

It took faith, luck, good friends and professional loyalty and dedication for her to succeed, she said,



Photo by John Cary

Surrounded by family photographs and plaques marking the many barriers she has broken for women in Arkansas, Judge ElsiJane Trimble Roy sees the federal bench as her "last plateau." A "born again, deep water, loud-shouting Baptist," she said this is "what the Lord wants me to be."

adding that she had never asked for any of her appointments and in each case had been called "out of the clear blue sky."

She has never run for public office and has a reputation for "meticulous research and crisp opinions" and, according to Dumas of the *Gazette*, her ap-

pointment to the Supreme Court was "the most uniformly praised in the legal fraternity, where Mrs. Roy is esteemed for her intellect and her singular background for the job."

Prior to being appointed to the Arkansas Supreme Court she was an assistant state attorney general

and, later, was senior law clerk to U.S. District Court Judge Paul X. Williams. She said she thought she had reached her last plateau as Judge Williams' law clerk.

"I took two senior law school students to lunch and told them, 'Well, now, you girls, the world's open to you. You're following

along 20 to 30 years after my time in law school and you can just do anything you want. Now, I'm satisfied with my job and Judge Williams wants me to stay with him as long as he's judge and I am going to stay and don't expect to do any great things. But, I'm expecting you two girls to do great things," she said. The next week she was appointed to the Supreme Court.

"It may be more difficult for a woman to succeed," she said, "but the same requisites apply for both men and women." She named enthusiasm, enjoyment of your job, hard work and luck. "I think I was lucky," she said.

Judge Roy considers herself neither a "booster nor detractor" of the women's liberation movement. She is "certainly for equal opportunity" and thought the Equal Rights Amendment would pass in Arkansas.

"I attributed that loss to the women of Arkansas and not to the men. It was defeated by Phyllis Shafley and the women that lobbied against it and I think that they are misguided. It means exactly what it says—no more, no less. And, all it says is that all citizens shall have equal rights and appropriate laws will be enacted to see that they do," she said.

Of her success, Judge Roy said, "The Lord has blessed me richly. I just think that I've had the most wonderful opportunities."

Roy recalled her confirmation hearing before the U.S. Senate on being appointed to the federal bench.

"You know in the campaign, Ed Bethune (Republican senatorial candidate in the 1984 general election) made an issue of the fact that judges should be asked questions and so forth and stated that was the method which Sen. McClellan followed. I was talking to one of the other judges who was named when Sen. McClellan was in the Senate, and we both agreed that Sen. McClellan never asked either one of us a question. However, when I was in his office prior to appearing before the Senate Committee, he said, 'Elsijane, they're going to ask you some questions

and I know one question they're going to ask. You want me to tell you what it is?'

"I said, 'Yes sir, I'll think of a good answer.'

"Well, they're going to ask you if you're a born again Baptist,' and I replied, 'Well Senator, I have the perfect answer to that. I'll say, 'Yes, indeed. I'm a born again, deep water, loud-shouting Baptist,' " she said.

She added, "I think that these doors have opened because this is what the Lord wants me to be."

On the issue of judicial selection, Judge Roy said, "I'm not concerned about any major changes in the manner in which they (federal judges) are selected."

This appointment is her "last plateau," she said. "I hope to do as well as I can right where I am. It's a lifetime appointment, unless Judy Petty and Tommy Robinson get it changed."

Her free time is spent collecting music boxes, rooting for the Ark-

ansas Razorbacks, swimming, and playing kick ball and t-ball with her grandson, Tommy. "He thinks I'm his age and its just a little difficult at 68 to keep up with a seven-year-old," she said. She describes her granddaughter, Allyson, as a "beautiful, lovely, sweet, intelligent lady" of nine years, and her son Jimmy as an "outstanding" Springdale attorney.

"About two years ago, they were at my house and Tommy picked up my father's gavel which he used on the bench for 20 years and started waving it around. Jimmy went over and explained to him what it was. By that time Allyson was holding the gavel and looking at it and I said, 'Maybe Allyson will want to be a judge some day,' She said, 'No way, I'm going to be a nurse or a teacher.' Tommy immediately grabbed the gavel and said, 'I'll be the judge.' "

"I think one of them will go into law," Judge Roy said.

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## Ruth Husky Brunson

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# Building from a Dream to Accreditation

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She shelved the first book and now, 20 years later, an institution stands with 100,000 books and microfilm to her credit. Ruth Husky Brunson sees a dream fulfilled—an accredited law school stands on the University of Arkansas at Little Rock campus.

"I begged, I took books from anybody that would give them to us, we bought books from a book dealer. Do you understand what it means for someone to carry your debt?" she said.

A smile crosses her face as she recalls a book dealer who came to visit her one day.

"He came when I was shelving books from the Pulaski County Law Library over into the Gay Building and somebody else had made the appointment for me. And, he kept saying, 'I'm so and so and so and so, I have an appointment with you.'

"I said, 'I'm sorry, sir, but I have some help today to help me shelve books and they won't be here tomorrow so we've got to go do it. We've got to go shelve.'

"And, he said, 'But, I told you, I'm from so and so.'

"And, I said, 'I don't give a hoot in hell who you are, or where you came from. I've got to shelve these books.'

"Well, that guy turned out to be one of the best friends we ever had. He sold us books, he sent us invoices that were not dated and when we would get money at the end of a fiscal year, we would date the invoices, send him a copy and pay him," she said.

Mrs. Brunson took the job as law librarian at the UALR-Pulaski County Law Library in 1965. She had graduated from law school 24 years earlier, was 49 years old, a widow and the sole support of her mother, Ollie.

Her husband, John, also an attorney, had died in Charlottesville, Va., at the close of nearly 10 years of military service.

"My mother and I decided to come back to Arkansas because we were two widows, and, that after all, is home and that's where family is. When I went around trying to get a job, people said, 'What do you want?' I said, 'I want a job where the premises are attractive, the level of conversation is above

the seventh grade and the people with whom I'm associated have broader horizons than from Lonoke to Benton,'" she said.

Personnel people told her she'd never find that job because she was "too old."

"I was too educated and I had too much experience," she said. "I almost educated myself out of Arkansas as it was."

Her first struggle was to become a lawyer, a profession she strove for long before her enrollment in night classes at the Arkansas Law School in Little Rock.

A native of Prescott, Mrs. Brunson received an Associate Arts Degree in 1935 from Central College in Conway and sought work.

"I did what all ladies did at that time, I taught school," she said. She recalls one student by the name of Will Carl.

"He came to school one day and said, 'Mrs. Husky, I ain't got my 'rithmetic because I ain't got no pencil to get it with.' And, I decided I could never teach them," she said.

Her father was known as "a leader of the community in the farm program," and her mother, selected master farm homemaker one year, acted as county nurse, visiting the sick with the area's country doctor.

"I'd hear her tales that this is old lady so and so's last day, probably. I just couldn't stand the thought of that so I knew I couldn't do anything for humanity that way," she said. "I couldn't stand the sight of blood."

However, "I thought if I could go to law school I might could do something for my fellow man," she said. "I thought maybe I would either learn to draft laws to be passed, be influential enough to get them passed or perhaps interpret the law so that we could all do better."

Her father "gave me a little lecture that girls don't go to law school," she said. Her brother had just come home from the Univer-



Photo by John Cary

As one of four women in her entering class at the Arkansas Law School, Ruth Husky Brunson was not welcome, but she persevered. "You're hooked if that's where you belong. It's a field that's never ending. And, you're not going to leave it because you're going to stay in there and fight," she said. After a 20 year career at the University of Arkansas at Little Rock Law Library, a glance at the Brunson Post, to her left, lets Mrs. Brunson know her fight has made a difference.

sity of Arkansas at Fayetteville believing in evolution and "daddy thought that Fayetteville was no place for his daughter."

Instead, he encouraged her to attend the Draughons School of Business in Little Rock and she received a General Business Certificate from there in 1938.

"Before I got out of Draughons I had made a deal with Judge Carmichael (dean of Arkansas Law School) to work part-time in his

office for part of my tuition," she said.

She was one of four women in her class and not welcome at the law school. "The fellows let me know from the beginning that I was not welcome."

With one fellow student she learned to "stand up flat-footed and spell out the words for s.o.b. and called him that."

But, she persevered. "You're hooked if that's where you belong.

It's a field that's never ending. And, you're not going to leave it because you're going to stay in there and fight," she said.

She graduated in 1941 with honors. But, she had obtained a degree from an unaccredited law school. Whether she knew it at the time or not, a second struggle was underway.

She married John during World War II. When he got out of the Army and wanted to go to law

school, she persuaded him to attend the U of A at Fayetteville campus—an accredited school.

"Well, where do you suppose I worked" while he was in school? "I worked as Dean Leflar's secretary because there was no place for a woman lawyer," she said. "I was a good secretary and I loved and admired Dean Leflar."

In 1950, she and John set up the Brunson & Brunson law firm in Prescott. Soon after, he was called to the military.

John died in 1959 and she returned to Little Rock with Ollie, where she held different jobs unrelated to law. In 1961, she was hired as a law clerk to Arkansas Supreme Court Justice Paul Ward.

"The nicest thing that Judge Ward ever said to me when I worked for him is, 'Now, you're thinking like a man.' Not, 'Now you're thinking like a lawyer.' 'Now, you're thinking like a man.'" she said.

She was offered a job to work as the dean's secretary at the U of A night law school campus in Little Rock and turned it down because the salary was low. Then, in 1965, when the law librarian for the Little Rock campus did not show up for work, she was called again. This time with an offer of more money.

"I took it for more money, and, I wanted there to be an accredited law school in Little Rock," she said. "That's why I have worked so hard. As a woman, I still make less money."

Mrs. Brunson began as one of the library's first three employees. Today, there are 12. The library is a joint venture between the Pulaski County Bar Association and the UALR School of Law. The two operate as one library.

"It's the Pulaski County Law Library that made our school possible," she said.

"What the lawyers in Little Rock said, 'If you'll build an accredited law school—let us phase out the Arkansas Law School—then we

will spend our fee money on books,'" she said.

More than 100,000 books and microfilm belong to the UALR Law School library. The Pulaski County Law Library Fund pays rent to the Arkansas Bar Foundation for its part. And, between 30,000 to 40,000 books, nearly all the cassette tapes, the library tables, shelving and some office furnishings belong to the Pulaski County Law Library.

The Governor's Quality Higher Education Study Committee has proposed that out-of-state experts survey the law school situation in Arkansas to ascertain the need for two campuses. The Arkansas Bar Association's Law School Committee is also studying the situation at the request of the U of A Board of Trustees.

The law school's future is a problem which concerns her. "I just ask everybody, 'Please don't get me into the fight between the law schools. And, I do think there is a place for both. But, there's going to have to be better provisions, money-wise,'" she said. "I think there is a place for a law school in Little Rock so long as people are going to have to work and go to night school."

A second problem she said, is that appropriations have not kept up with the price of books and she fears "we'll be one of the first libraries to experience bankruptcy."

"We don't know how long the accreditation people will go along with our sad story, 'Arkansas is poor.' Now, apparently, Arkansas is not poor. Because, I understand there is a lot of money here. Tall buildings are being built and money is being made. But, it is not flowing into the law school," she said.

She proudly adds, however, that "Nobody (at the UALR School of Law) will have to apologize for their degree."

Mrs. Brunson's law library training came from seminars held by the American Association of Law

Libraries and "I learned as I went." For the seminars, "we read for months and months, went to school all week, and studied cataloging, management, acquisitions, legal bibliography, civil law," she said. Between 1965 and 1972, she received four certificates from the AALL. In 1976, she received law librarian certification from the Association.

During the 10 years that Mrs. Brunson taught Legal Bibliography at the UALR School of Law, she kept her eye on the number of females in her classes, watching for female enrollment figures to increase.

"I know when I would teach, my mother would say, 'How many black students do you have?' And, I would say, 'I don't know but I can tell you how many girls I have.'"

The number did increase, especially over the last ten years.

"We'd go to women lawyers (meetings) and the women would say, 'How many do we have this year?' and I know we were so excited to have as many as three," she said. (The 1984 entering class at the law school is 52 percent female to 48 percent male.)

She recalls one female graduate who told her she would have quit "many a time" but she kept saying to herself, "Mrs. Brunson won't let me."

Standing somewhat regal in the law library is the "Brunson Post." On it are several awards, including the John H. Brunson Memorial Award, given each year to the person who has contributed the most time to the UALR Law Review. Also on the post are a special Award of Merit from the Pulaski County Bar Association to Mrs. Brunson for her exemplary service to the legal profession and the community, an award recognizing her outstanding lawyer-service from the Association and Arkansas Bar Foundation, and an Outstanding Alumnus Award from the UALR School of Law.

"I'm not sure that with all my

efforts I've made any difference. I look at that post and I guess I did," she said.

On July 1, 1986, she will retire at age 70, with 21 years of service to the law library.

She looks back, when asked how the library grew and remembers: "There used to be a cafeteria in the Worthen Bank Building where all the faculty used to eat . . . There's a little area out around there that has shrubs built where people sometimes sit on the concrete and we were coming out and there was the **Arkansas Democrat**. I looked all around, nobody was there, and I picked it up.'

"Dean Walsh said, 'What are you gonna do with that **Democrat**.' "And, I said, 'I'm gonna take it back and put it in the library.'

"He said, 'Ruth, is that the way you've built the library?'

"And, I said, 'Yes.' " □

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