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Three women who found courage in the face of tall hurdles

Recently, I picked up a copy of Sheryl Sandberg's best-selling book, "Lean In: Women, Work and the Will to Lead."

Sandberg, the outspoken chief operating officer at Facebook, has created extensive buzz with her memoir, in which she advises women to "lean in" at work and assert themselves more. Sandberg observes that, too often, women do not sit at the table, raise their hands and let their voices be heard — essentially, they have "leaned back" and missed opportunities.

Shifting the conversation from what women can't do to all that we can accomplish, her book serves as a rallying cry to join together to promote more female leadership, which, in turn, will result in fairer treatment for all women.

Reflecting on how these principles apply to the legal profession, my thoughts ran to three trailblazing women in the judiciary who, long ago, "leaned in" to pave the way for us to follow: U.S. Supreme Court Justices Sandra Day O'Connor and Ruth Bader Ginsburg and Illinois' own late Justice Mary Ann G. McMorrow.

Their stories of courage and strength in overcoming monumental barriers inspire us to "lean in" and continue their work in achieving equality.

In 1952, Sandra Day graduated at the top of her class at Stanford Law School. Eager to start her new career, she contacted all of the California law firms which recruited at the school. Each and every one of those 40 firms turned her down because she was a woman.

Upon hearing that the San Mateo County's chief attorney had hired a woman lawyer, she wrote him a letter offering to work without compensation. She was hired as a deputy county attorney and shared desk space with the secretaries.

After marrying her law school classmate, John O'Connor, the couple moved to Arizona, where he secured a position with a firm. She, however, was once again rejected due to her gender. Deciding to hang out her own shingle, she

opened a neighborhood law office. In 1965, she became an assistant attorney general of Arizona and served in that role until 1969.

She was appointed to fill a vacancy in the Arizona state Senate. In 1973, she was re-elected and became the first female majority leader of a state legislature in the United States. She examined every law of Arizona which discriminated against women and caused the legislature to amend them all to make them fair.

O'Connor's judicial career began in 1975 as a state court judge. Six years later, she was appointed by President Ronald Reagan as the first female justice to sit on the U.S. Supreme Court. She initially feared she was unequipped to do the job, noting that it "was wonderful to be the first, but [she] did not want to be the last," as her failure could prevent other women from ascending to the bench.

Her fears were unfounded and over her 25-year career she played a pivotal role on the court, frequently casting the deciding vote — including two cases upholding *Roe v. Wade*. In 2006, when her husband developed Alzheimer's disease, she retired, leaving a legacy which forever changed the face of the judiciary.

In 1956, Ruth Bader Ginsburg was the mother of a 14-month-old daughter and one of nine women students in her class of 500 at the Harvard Law School. When the women received invitations to join the dean for dinner at his home, they were thrilled.

Their joy quickly turned to shock when during the meal he asked them to explain why they were occupying a seat which could have been held by a man. She explained that the women "felt they were under a microscope and if they failed they did not just fail themselves, but were failing all women."

Although she was ranked first in her class at both Harvard and Columbia, where she transferred in her senior year, upon graduation she was unable to find employment due to her gender. Ginsburg became a law professor, first at Rutgers and then at Columbia.

LAW FROM
A DIFFERENT
PERSPECTIVE

MICHELE M.
JOCHNER



Michele M. Jochner is a partner at Schiller, DuCanto & Fleck LLP, after previously serving as a judicial law clerk to Illinois Supreme Court Justices Charles E. Freeman and Mary Ann G. McMorrow. She serves in leadership positions with a number of bar associations and community organizations, is a frequent lecturer and author on a variety of legal issues, and has been an adjunct professor at DePaul University College of Law and The John Marshall Law School. She can be reached at mjochner@sdflaw.com.

In 1972, she founded the Women's Rights Project at the ACLU to challenge laws which discriminated against women.

As the project's chief litigator, she briefed and argued several landmark cases before the Supreme Court and her victories heralded the end of gender discrimination in many areas of the law.

In 1980, President Jimmy Carter appointed her to the U.S. Court of Appeals for the District of Columbia. Thirteen years later, she was appointed by President Bill Clinton to the U.S. Supreme Court, the second woman to sit on that tribunal. During her two decades on the court, she has strongly supported gender equality and civil liberties.

Illinois found its own judicial

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trailblazer in the late Justice Mary Ann G. McMorrow. The only woman in her 1953 graduating class at the Loyola University Chicago School of Law, she was class president and associate editor of the law review.

These early accomplishments foreshadowed a career hallmarked by groundbreaking firsts — the first woman to prosecute major felony cases in the Cook County state's attorney's office; the first woman to be elected to the Illinois Supreme Court in 1992; the first woman to be selected as chief justice of that tribunal in 2002; and the first woman to head any branch of Illinois government.

She often related a story which served as Exhibit A for the disparate treatment women lawyers experienced.

When she was a Cook County assistant state's attorney in the 1950s, a supervisor told her that a male colleague would argue the points in a legal brief she had prepared for the Illinois Supreme Court. She lost the opportunity to present her case to the state's highest tribunal because, in his words, "women did not argue in the Illinois Supreme Court." How fitting that, years later, she would be the head of that very court.

"When I went to law school, women couldn't even dream of such a thing," she said shortly after becoming chief justice. "I hope this would forever indicate that there's nothing that limits women in any job or any profession."

During one of her last public speeches, McMorrow reflected on the practice of law today and left us with a template for the future: "Set your goals high. We can be — and we must be — a pervasive influence for good in both our profession and in the broader society. ... [L]et us be learned and skilled, but never lose sight of our own humanity and the humanity of others. Let us remember the humanity of those who we work with and those who we judge. Let us never, ever, forget simple humanity."

These three remarkable women provide exemplary lessons on how we can all "lean in" and accomplish positive change.