

Maryland Lawyer

News and analysis of legal matters in Maryland

At 40, celebrating a good start

Women's Law Center puts focus on representatives from each of its decades so far

BY BETH MOSKOWICZ

Beth.Moszkowicz@TheDailyRecord.com

When retired Judge Kathleen O'Ferrall Friedman was attending the University of Maryland School of Law in the mid-1960s, she remembers being approached by a male student who asked her: "What are you doing here? Don't you know that you are taking the seat of a man?"

Friedman was unfazed.

"I told him that he was going to have to get over it," she said.

It was that kind of overt gender discrimination that inspired Friedman and about 20 other women to begin discussing the need for what would become the **Women's Law Center of Maryland** in 1971. The center was established as a private nonprofit organization in 1972.

"We saw issues regarding women that weren't being addressed, [such as] women going through divorce and not being able to get credit on their own or housing in their own name," she said. "They were frequently subjected to domestic violence and had to leave their job because they were pregnant only to be denied unemployment benefits."

The founders' goal, she said, was to have a group that was dedicated to educating the public about discrimination based on sex, providing legal services to women relating to sexual inequality and changing laws that had a discriminatory effect.

The organization is celebrating its 40th anniversary on Wednesday. As part of the celebration, it is honoring a leader who played a pivotal role in the center in each decade.

L. Tracy Brown, the executive director of the center, said that the theme is "honoring our own."

"Because it is our anniversary and there is such a long history, we decided this was an opportunity to consider people who have been important to the organization," she said.

Brown said each of the women selected for the award played a significant leadership role during the decade for which she is being honored, and they all contin-



MAXIMILIAN FRANZ

Now-Judge Kathleen O'Ferrall Friedman helped establish the Women's Law Center of Maryland as a nonprofit in 1972. 'We saw issues regarding women that weren't being addressed,' she says.

ue to be visible advocates against gender discrimination.

The Daily Record spoke at length with each of the honorees about the evolution of women's legal rights in the past 40 years and the center's role in this process. The excerpts that follow are not meant to serve as a comprehensive study of women's legal rights or of the center's contributions, but rather are meant to highlight the honoree's thoughts and experiences and the idea that, while many improvements have been made, there is still much work to be done.

- 1970s: Sally Gold, a solo practitioner whose practice focuses on family law.
- 1980s: Claire Smearman, executive director of the **Judicial Institute of Maryland**.
- 1990s: Susan Elgin, a partner at **Kaufman, Ries & Elgin P.A.** who specializes in family law and who currently sits on the **Women's Law Center** board.
- 2000s: The last two honorees represent the **Students Supporting the Women's Law Center** groups at the **University of Maryland**

Francis King Carey School of Law and the **University of Baltimore School of Law**. Ginger Robinson, a solo practitioner whose practice focuses on criminal law, is president of the Women's Law Center and was a founding member of Students Supporting the Women's Law Center. Reena Shah, director of the Human Rights Project at Maryland Legal Aid, serves on the WLC board and is a past president of Students Supporting the Women's Law Center.



MAXIMILIAN FRANZ

Sally Gold, 1970s

Sally Gold was working as a research assistant at the **Johns Hopkins University** in 1971 when she had her first experience with gender discrimination. Gold discovered that she was making \$6,000 a year while her male counterpart was making \$6,500. She said she was also upset that women were not allowed on the first floor of the Hopkins Club and that there were no female full professors.

"It was an eye-opening moment," she said. "I had never seen discrimination based on sex, and I saw it at Hopkins."

Gold said she decided to go to law school 1972 because "it seemed like it would be interesting intellectually and would allow me to challenge the discrimination I witnessed firsthand."

She said only 17 percent of her law school class was composed of women.

"We weren't mousy," she said. "We had to be willing to speak our mind."

Just before finishing law school, Gold decided to go back to her maiden name.

As she was going about this process, Gold cited to the 1972 case of *Stuart v. Board of Supervisors of Elections of Howard County*. In that case, Stuart was married but wanted to keep her birth name. When Stuart went to register to vote, the registrar told her that if she

didn't legally change her name to her husband's, she would not be able to vote. Stuart sued, and the Maryland Court of Appeals ultimately held that a married woman could keep the name she was born with.

During the 1970s, Gold said that one of the most important issues the Women's Law Center tackled was increasing the number of women on the bench. She remembers preparing female candidates for their interviews by videotaping them so that they could see how to make a better impression.

"You can promote yourself," Gold said. "We'd encourage women to do that and to reach out and ask others for support."

She said that another big push by the Women's Law Center during the 1970s involved making sure that judges not carry with them prejudices against women and minorities. One way to do that was to examine their memberships in private clubs.

Gold, a solo practitioner for 20 years, said the practice of law has improved for women. She has seen more women go out on their own and become partners and judges.

When it comes to networking, Gold said you always have to share with people who you are and what you do.

"Everywhere you go there is a potential client," she said. "My labor and delivery nurse ended up being one of my most interesting clients."



BETH MOSKOWICZ

'There were very few women partners in law firms in the 1980s,' says Claire Smearman. 'The climate was not welcoming to women attorneys.'

Claire Smearman, 1980s

Claire Smearman became involved in the Women's Law Center because of the advocacy work the center did on issues such as family law, domestic violence, employment discrimination and reproductive rights.

Smearman said the biggest development for the center in the 1980s was the creation of the Family Law Hotline. The call-forwarding feature had just become available in the 1980s, and she had the idea of using it to help create the hotline.

"I realized that we could forward the hotline calls to volunteer attorneys who would be sitting at their desks, making it much more convenient for them to volunteer their time," Smearman said.

She said it was the first hotline in the country to use the call-forwarding technology in this manner.

The hotline started in Baltimore, but expanded statewide.

"We were flooded with calls, which led to our forming a committee which eventually established the Family Law Center in the 1990s."

Smearman credited Kathleen Shemer, who served as the Women's Law Center's executive director from 1984 to 1999, with keeping the center afloat while it was in the throes of financial difficulties in the 1980s. Smearman said the center could no longer afford to pay a full-time executive director, so Shemer agreed to serve part-time and moved the center's office to her home.

"She worked untold hours without being compensated in order to keep the center functioning," Smearman said.

Smearman said that another important development during the 1980s revolved around a case against the Burning Tree Club, an all-male country club in Montgomery County. The club was benefiting from tax breaks but had argued that, as a private country club, it did not have to comply with the state's anti-discrimination laws.

The state successfully sued the club, and the Women's Law Center filed an amicus brief.

"The board felt it was very important for the center to make the Court of Appeals aware of its position on the issue," she said.

Smearman said she has also seen significant positive changes in attitudes toward female attorneys since she began practicing law.

"There were very few women partners in law firms in the 1980s," she said. "The climate was not welcoming to women attorneys. Maternity leave and part-time work were frowned upon and referred to as 'the mommy track,' meaning that in their efforts to balance work and family, women were handicapping their chances to become partner."

She said that when she was about to go on maternity leave in 1985, one of the partners at the firm where she was working got on the elevator with her and said: "I wish I could go on a three-month vacation."

Smearman said that, unfortunately, women are currently fighting to preserve many of the rights that were established years ago, particularly in the areas of reproductive freedom and discrimination in employment and education.

Susan Elgin, 1990s

Susan Elgin grew up in Western Maryland. After graduating from George Washington University in 1979, she decided to practice law in Hagerstown. She said she was surprised to discover she was only the third woman to practice law in Washington County.

"It was definitely eye-opening," she said.

She remembers being told by a judge shortly thereafter that she was "too good-looking of a broad to be a



MAXIMILIAN FRANZ

'The judges were more interested in what I was wearing than with my competency,' says Susan Elgin.

lawyer."

"The judges were more interested in what I was wearing than with my competency," Elgin said.

Elgin became involved with the Women's Law Center in the early to mid-1980s. She was representing a mother in a custody case, and the judge gave custody to the father in part because the mother had been having an affair.

"I was dumbfounded, so I appealed," she said. "I connected with the Women's Law Center, which submitted an amicus brief."

Elgin said the appeal was successful, and the case was sent back to the same judge.

She said her involvement in the Women's Law Center has enabled her to "effect change on a broader level."

During the 1990s, she said, the center was especially involved in protecting a woman's right to choose whether to have an abortion and in removing bad judges from the bench.

"There was incredible gender bias from the bench during this time," she said.

In the 1990s, The Bruce A. Kaufman Center for Family Law was created. It provides legal services to those who otherwise couldn't afford it and, according to the Women's Law Center's website, advocates for "family-friendly laws and family-focused decision-making by judges, lawyers and parents."

During this time, the Protection Order and Advocacy Representation Project and the Multi-Ethnic Domestic Violence Project both took shape. Through these projects, the Women's Law Center provides representation to victims of domestic violence and offers representation to foreign-born victims of domestic violence who live in Maryland.

Ginger Robinson, 2000s

Ginger Robinson's affiliation with the Women's Law Center began in 2004, when she was a student at the University of Baltimore School of Law. She said she wanted to become involved in an organization that would take a stand on women's social issues, and discovered the center through professor Leigh Goodmark.

Robinson wanted to take her involvement further, and so she started a group called the Students Supporting the Women's Law Center at the suggestion of Goodmark.

Robinson said she appreciated efforts made by previous generations of female attorneys to pave the way for her generation and wanted to continue the process of fighting against gender discrimination.

"It's always astonishing to realize the rights we didn't have 30 or 40 years ago," said Robinson, a criminal defense attorney in private practice. "These women broke down barriers in the profession, and their efforts have allowed me to have a successful practice in an area in which women traditionally don't practice."

Robinson said that what she has to deal with on a daily basis "is nothing" compared with what female attorneys in the 1970s and 1980s faced. Still, she said, there is a "significant amount" of objectification that occurs from the judiciary, opposing counsel and litigants.

She said that recently she had a judge tell her in a packed courtroom that she had "hot shoes."

"I was able to achieve a good result for my client, but I hope that was because the judge appreciated that I was a competent attorney," she said.

During the 2000s, the Women's Law Center established an Employment Law Hotline, as well as the Kaufman Alimony Guidelines, a software program that is



MAXIMILIAN FRANZ

There is still a 'significant amount' of objectification that occurs from the judiciary, opposing counsel and litigants, says Ginger Robinson.



MAXIMILIAN FRANZ

The Women's Law Center is 'out there watching, monitoring and making sure that there is still progress and that we are achieving more,' says Reena Shah.

supposed to make it easier to figure out how much alimony should be awarded and for how long the payments should be made. During that time, the center also began representing underprivileged clients in contested custody cases in Baltimore County.

Reena Shah, 2000s

Reena Shah said her passion for working to achieve women's rights stems from being born and raised in India.

"The role and status of women in society is very different there," Shah said. "My parents were very supportive of my studies, but I was aware that for other women in India in the 1980s, their education might not lead to a full-fledged career."

Shah and her family moved to the U.S. in 1985 when she was 9 years old. She said she felt fortunate to live in a place where women's rights had been fought for, but felt a certain level of apathy among women of her generation.

"I saw that women of my generation thought that equal rights had been achieved," said Shah, who graduated from the University of Maryland law school in 2007. "I saw a sense of indifference, and I didn't buy that. There are always forces in society and women are always such targets in terms of how different forces can come in and take their autonomy."

She said that is why having an institution like the Women's Law Center is critical.

"It is out there watching, monitoring and making sure there is still progress and that we are achieving more," Shah said.

Shah said that litigation is still "an old boys' club." She remembers going to court for the first time and feeling she was talked down to.

"They would use language like 'honey,' and I was offended," she said. "I am pretty accomplished, and it felt a bit disrespectful."