Standing on Her Shoulders

A TRIBUTE TO JUDGE JUNE L. GREEN

By Elizabeth Sarah "Sally" Gere

Even when President Lyndon B. Johnson appointed her to the federal bench in 1968, June Lazenby Green still faced discrimination. Upon her arrival, the chief judge of the U.S. District Court for the District of Columbia warned Judge Green that her new male colleagues did not want her to eat lunch with them in the judges' dining room. Not to be deterred, she soon became a "regular" in the lunchroom, which she brightened not only with her unique perspective but also with fresh flowers from her garden. Some of those reluctant colleagues became her lifelong friends.

Judge Green, the fourth woman in the country to serve on a federal district court, occupied her seat for more than three decades before passing away in February 2001. On the 20th anniversary of her death, it is fitting to honor Judge Green, on whose barrier-breaking shoulders many stand.

She inspired generations of women who followed her into the courtroom and onto the bench. With her perfect posture, head held high, shoulders always squared, Judge Green became a role model when there were few for women litigators and even fewer for women judges. By watching what she accomplished in courtrooms and conference rooms filled only with men, young women lawyers saw a path for themselves. This was especially true for her many female law clerks, and I was privileged to be one of them.

FIGHTING FOR OPPORTUNITIES

Judge Green was born in her family home in Arnold, Maryland, in 1914 — before women could vote and before higher education for women was commonplace. She did not attend college but instead struck out on her own after graduating from high school, opening a small gift shop in Annapolis with one of her sisters. Green learned about business, human relations, and the importance of honoring one's professional commitments. Being an entrepreneur during the Great Depression instilled in her grit and self-confidence.

Photos courtesy of Sally Gere

In 1936 June married the love of her life, John Cawley Green, a Naval Academy graduate. They lived in Washington, D.C., for more than a decade in a small apartment on Connecticut Avenue, forming a strong marital bond of equals. John attended Georgetown University's law school while June worked as a secretary in the advertising department of the *Washington Post*. In the evenings, she helped John with his studies. It became clear that June loved the law, but she could not attend Georgetown with John because it did not admit women.

In search of a law school that admitted women, Green was drawn to the Washington College of Law (now American University's law school), founded by two women and led by a woman dean. Her male professors repeatedly called upon her in class or made her the subject of their hypotheticals. Although this may have been meant to embarrass her, Green capitalized on it. She learned to stop blushing when in front of

First published in Washington Lawyer Magazine, a publication of the D.C.Bar

a group and realized the power of her speaking voice. These were the days when, as one of her former women law clerks observed, Green learned the importance of preparation, presentation, and demeanor needed for a woman to succeed in the courtroom.

Green graduated from law school in 1941 when jobs for women lawyers were nonexistent. After an insurance company called the dean looking to hire a "good man" from the graduating class, the dean responded, "How about a good woman?" The company was so concerned about hiring a woman that its president traveled from Chicago to Washington to determine if Green was suitable. She was.

For the next six years, Green tried civil cases on behalf of insurance company defendants in the District of Columbia and Maryland. She was given a case for her first trial that everyone thought was a loser. None of the men in the office would accompany her to trial. To the surprise of those male colleagues, she won the case. During those early days of trying cases in the rural counties of Maryland, Green frequently drew crowds who wanted to see something extraordinary in a courtroom — a woman lawyer. She loved the challenge, drama, and humanity of the courtroom.

After she had tried hundreds of cases, Green was ready for a new challenge. She applied to one of the major law firms in the District hoping to secure a position as a trial lawyer. Instead, she was offered a job working in the library or taking depositions as an assistant to the male lawyers, several of whom she had litigated against and won. Green reiterated that she wanted to be in the courtroom handling her own cases. One interviewing partner said his firm would never hire women to try cases because "no woman would ever be as good as a man in the courtroom." She fared no better in securing a trial lawyer position with the federal government.

So, drawing on her entrepreneurial experience, in 1947 she hung out her own shingle in the District and Maryland, determined to succeed as one of a small handful of women trial lawyers. Succeed she did. Over the next 20 years, she had an active private practice handling a wide range of civil and pro bono criminal matters. She shared office space for a time with Joyce Hens Green, who would herself become a D.C. Superior Court judge and later a federal district court judge. As Judge Joyce Green said in her oral history for the Historical Society of the D.C. Circuit, June Green was "the premier female litigator in the District and Maryland," and Joyce was grateful that June "mentored and taught [her] all along the way." They truly were "sisters-in-law" serving on the bench together for many years.

Not only did Green become a preeminent trial lawyer, but she also believed strongly in giving back to the profession. She was president of the Women's Bar Association of the District of Columbia in 1956 and was named its Woman Lawyer of the Year in 1965. She was only the second woman appointed to the prestigious position of bar examiner in the District of Columbia. She testified before Congress for changes in the law to achieve greater parity for women in divorces. Green was involved in efforts to improve the juvenile court and, in a sign of the times, she helped convince D.C. District Court judges to sit during the summer because the "new" federal courthouse (now the E. Barrett Prettyman Courthouse) that had opened in 1952 was air-conditioned.

One of the most important committees on which Green served, however, was the Committee on the Administration of Justice of the Judicial Council of the D.C. Circuit, known as the Gesell Committee. Named after Gerhard Gesell, the committee's chair and then-partner at Covington & Burling who later was appointed to the D.C. District Court, the group was tasked with making recommendations to improve justice in the District of Columbia courts. Among the committee's accomplishments were the adoption of the master calendar system and clarification of the court's federal jurisdiction.

PATH TO THE BENCH

In early 1968, Green received a call from U.S. Deputy Attorney General Warren Christopher, who wanted to meet with her that day. Christopher informed Green that President Johnson wanted to name her to the District Court.

Green tried not to get her hopes up, especially because her husband warned her that the few women ever "shortlisted" for judgeships were there simply for appearance, not selection. Time passed, and it seemed that maybe he was right. Then, after a flurry of paperwork, she was nominated to the bench on April 11, 1968, and confirmed on June 6 that year. Judge Green filled the seat held by the first woman appointed to a federal trial court, Burnita Shelton Matthews, who had taken senior status.

Dismissive treatment did not end with Green's appointment. Many male lawyers bristled that a woman was in charge of the courtroom and presiding over their clients' cases. Some of those lawyers did not mask their

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Judge June Green in #28 Darrell Green jersey, a gift from her law clerks on her 28th anniversary on the bench, with the author at the annual law clerk reunion in Fall 1996.

disdain. Judge Green, however, never lost her temper or dispensed anything but fair justice based solely on the facts and the law. She came to be recognized for her knowledge of the courtroom, fairness, and judicial temperament.

As late as 1985, a high-ranking federal official whose agency had lost a case before Judge Green did not disguise his opinion of women. Believing he was talking with a friendly group, as reported in the *Washington Post*, he said a "male judge would have understood the issue better." He continued, "[T]his is an illustration of why women shouldn't be allowed to go to law school, let alone be appointed to the bench." When Judge Green's female law clerk read the article, she went into the judge's office outraged, spitting fire. The judge responded calmly that the comments reflected more poorly on the person making them and cautioned her law clerk against becoming bitter because of such remarks. Judge Green once again taught a young woman lawyer to stay focused on what mattered — a client's case and the lawyer's reputation — and not be distracted by anger or others' ignorance. In the end, the official sent the judge a letter of apology for his "tasteless remarks" and conceded that "the decision itself is well-written and properly reflects the existing law."

Judge Green presided over numerous high-profile cases and many more matters important only to the litigants before her. She cared about each case. Judge Green always conducted herself with grace, dignity, and patience. She let lawyers try their cases but insisted upon civility and respect for all in the courtroom. Judge Green did not try to hide her empathy and compassion with condescension, bluster, or bullying. Indeed, as one of her former women law clerks observed, she was "woke" long before most of the judges of her generation. Another former woman clerk noted that the judge taught the importance of giving second chances to those who had not received them in the past. For example, observing the disadvantage of some criminal defendants who were unable to read, Judge Green and her husband went to the D.C. Jail weekly for many years to teach inmates literacy skills. There was no fanfare; it was a quiet recognition of the dignity others deserved.

For her women law clerks who went on to high-ranking positions in business, government, law firms, the bench, and other male-dominated arenas, Judge Green was a beacon of light showing us a path as we each forged our way. She taught us another important lesson — our path should not be a lonely one with the law as a jealous mistress. It should lead to a life of love and laughter, full of strong relationships with family, friends, and colleagues.

Judge Green and her husband lived in their family home for decades until she died. It was a place of happy gatherings, and she included her law clerks in her judicial family, showing us the importance of caring for one another, giving back to our community, and serving as mentors for those who followed us. The shoulders of this regal and courageous woman were not broad, but they were strong. Generations of women lawyers and judges have reached new heights because they stood on those shoulders.

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