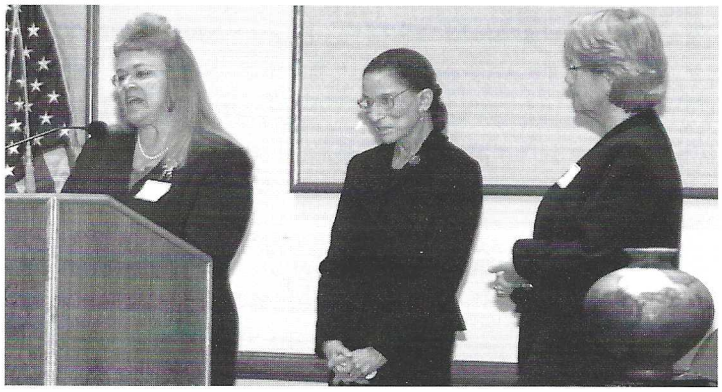
A Look Back, Photos from our Reception Honoring Supreme Court Justice Ruth Bader Ginsburg



United States
Supreme Court Justice
Ruth Bader Ginsburg



Judge Zita L. Weinshienk
introduces Justice Ginsburg



Doris Truhlar and Cathy Lemon present
Mary Lathrop Award to Justice Ginsburg



2002-2003 CWBA Board with Justice Ginsburg

Seated (L-R): Polly Brock, Lynda McNeive, Gina Weitzenkorn, Beth Doherty Quinn, Yolanda Fennick
2nd Row (L-R): Jeanne Coleman, Elizabeth Weishaupl, Ellen Stuart Roberts, Jennifer Arthur, Cathy Lemon, Valeria Spencer, Janet Drake, Emily Anderson
3rd Row (L-R): Gretchen Fuss, Morgan Costello, Stefanie Gaffigan, Kathleen Sutherland Archuleta, Jo Kitto, Julia Thompson, Helen Shreves, Justice Ginsburg, Janet Zimmerman, Laurie Scott Paddock, Colleen Belak, Doris Truhlar, Deb Asimus Overn, Kelly Sweeney



Justice Ginsburg and Cathy Lemon



Justice Ginsburg, Holly Truhlar, Doris Truhlar

The Great Lady (Bernita Shelton Matthews) Behind a Little Known Page of Supreme Court History, Remarks for the Colorado Women's Bar Association Reception January 25, 2003

by Supreme Court Justice Ruth Bader Ginsburg



I read with special interest the account of Colorado women trailblazers in the law, well told in the CWBA's December newsletter. Reading those herstories led me to think you might find engaging a bit of Supreme Court history not widely known. The heroine of my herstory is Burnita Shelton Matthews, first woman ever to be appointed to a life-tenured federal trial court judgeship. In the 1920s, she was counsel to the National Woman's Party, whose prime mission was the adoption of an Equal Rights Amendment. She worked for the Woman's Party *pro bono* while maintaining a successful law practice. Her speciality was eminent domain. Matthews' petite size and soft, Mississippi-accented voice gave scant indication of her strong will and sharp mind.

In 1927, the federal government condemned the National Woman's Party headquarters near the Capitol to make way for the construction of the current U.S. Supreme Court Building. Burnita Shelton Matthews' representation of the Woman's Party and others with property on the building site led to the largest condemnation award the United States had yet paid. The Woman's Party used the settlement to purchase the historic "Sewall-Belmont House," situated on Constitution Avenue and Second Street, one block away from the Court. That House is still owned by the remaining small band of Woman's Party members; it is nowadays used for various receptions, many of them celebrating women's achievements.

The archives maintained by the Supreme Court Curator's Office contain interesting notes on the condemnation proceedings. Chief Justice Taft, propelling force behind the building project, complained in a June 29, 1927 note to Justice Van Devanter: "The Woman's Party would never consent to a reasonable price. They want to include as an element the historical associations of that ramshackle house of theirs."

[The house was erected in 1815, after the burning of the Capitol in the war of 1812. It served as temporary quarters for Congress, and later, as a jail for Confederate prisoners.]

In November 17, 1928 correspondence, Chief Justice Taft reported that the pace of the condemnation proceedings was "dreadfully slow and most exasperating." Of the Woman's Party headquarters, he deplored: "It is just a broken down old building that ought to be removed. But the women, insisting on its historical interest, are most unprincipled and are attempting to use every method possible to squeeze up the amount they are to derive from the Government."

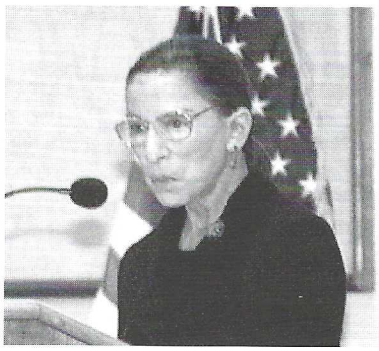
Through it all, Burnita remained unperturbed. A low point for the Government was reached at trial. The Department of Justice undertook – through the expert testimony of two architectural engineers – to diminish the value of the Woman's Party's headquarters by showing that the house was a post-Civil War building, constructed in 1869, after demolition of the original, 1815 structure.

The Government's ploy did not work. Burnita's exhaustive preparation and persistent effort carried the day and case. She introduced reams of evidence to show that the 1815 building had never been demolished and still occupied the property. Her evidence included the testimony of a member of the Society of Oldest Inhabitants, a very elderly gentleman located the night before the close of the Woman's Party's case. Most devastating to the Government's position was a photograph of one Mrs. Greenlow, a notorious Southern spy, taken against a wall of the still existing building, in the days when it was used as a Civil War jail. So much for the Justice Department's contention that the building was constructed in 1869. In all, Burnita gained $400,000 for her clients, a huge sum at the time.

President Truman, in 1949, appointed Burnita Shelton Matthews to the Federal District Court for the District of Columbia. She served in that post for nearly three decades. It was my great good fortune, when appointed to the D.C. Circuit in 1980, to meet and converse with this truly great lady. Her eyesight was failing and she had difficulty hearing, but her spirit remained indomitable.

How pleased she would be to see an assemblage like this, celebrating the progress of women in the law and in public life.

My thanks for tonight's reception and cheers to the members and friends of the CWBA. ◆



A Visit by One of the Supremes - Behind the Scenes

by Doris B. Truhlar, CWBA President

If anyone in the CWBA hasn't heard that we were visited by United States Supreme Court Justice Ruth Bader Ginsburg in January, then that person has probably been stranded on an island somewhere or in a coma.

We were honored with a visit from Justice Ginsburg on January 25, 2003. We latched on to the coattails of the University of Colorado School of Law, when Justice Ginsburg came to visit CU for the Byron White Symposium. She extended her stay and we honored her with the Mary Lathrop Award at a reception attended by more than 400 people at the Denver Athletic Club ("DAC"). Pictures from the event, along with the printed version of the speech given by Justice Ginsburg, appear in this issue.

It was an incredible experience! It was also a bit daunting, probably the only time that I will get to run an event at which a United States Supreme Court Justice is honored.

Justice Ginsburg is one of the most gracious people I have ever met. Many people came to meet her, introduced themselves and chatted with her. She was unfailingly polite to all comers.

Prior to the event, I was stricken with a severe bout of nervousness. I said to my husband, "Oh my goodness! I am going to be running a program in honor of a Supreme Court Justice! What if I mispronounce someone's name or trip going up the stairs in my heels (I generally wear flat shoes)?"

My husband's response was to ask me if I remembered who we were honoring. When I correctly told him the name of Justice Ruth Bader Ginsburg, he said he thought I would be fine. He then asked me if I remembered the name of the judge introducing Justice Ginsburg, and I responded correctly with Judge Zita L. Weinshienk. I had decided to use my CWBA President's gavel to bring the room to order, and my normal state of self-assured bossiness came out when trying to gavel everyone into silence. People were not getting quiet quickly enough (I'm a stickler for starting on time), and I finally said, "You all have to be quiet!"

Justice Ginsburg told me a great story. The United States Supreme Court recently had a day in which all of the attorneys who argued were women. The really awesome part of the story is that Justice Ginsburg didn't realize that all of the attorneys presenting oral arguments had been women until the drive home that night. I think that says we've come a long way!

One of the entertaining aspects of the evening was the presence of the United States Marshals. They had contacted us several days before the event. I talked with Vince [last name withheld], a very pleasant man on the telephone, and even nicer in person. What is really interesting is that all five of the marshals with Justice Ginsburg knew where she was in the room every second. The other amusing thing is that, no matter how funny you are, the marshals never crack a smile. All they do is watch her and look around for anything suspicious. They have incredible concentration.

High points of the night included short talks given by both deans of our Colorado law schools, Harold Bruff of the University of Colorado School of Law and Mary Ricketson of the University of Denver College of Law. Hal and Mary, when we were chatting prior to the start of the program, wanted to know how everyone in the audience would be able to tell them apart, since I was introducing them together, rather than separately. I told them, and the audience, "You can tell them apart because only one of these two has been the President of the Colorado Women's Bar Association. I think you can figure out which one. This is a time when gender does make a difference."

I told a good story about Judge Weinshienk at the time of her introduction of Justice Ginsburg. She was recently skiing when she took a really bad fall, and was "knocked silly." When a friend she was skiing with asked her who the President was, Judge Weinshienk responded, "Jimmy Carter." Well, it just so happens that President Carter is the person who appointed Judge Weinshienk to the United States District Court. So, in her mind, he will forever be "The President." Fortunately, after a few minutes, things started coming back and she is fine – no permanent damage. Judge Weinshienk made a wonderful introduction of Justice Ginsburg, friends since they and their husbands attended Harvard Law School together. Thanks, Judge Weinshienk!

Many CWBA members helped with this event. Thanks go to Madeline Collison and Elizabeth Weishaupl, who were co-chairs of the reception planning committee; Wadine Gehrke, Dean Ricketson and Daniel Oren, of the DU Law School; Dean Bruff of CU; Mary Holverstott, CWBA Executive Director; Cathy Lemon, Co-Chair of the Professional Advancement Committee, who selected Justice Ginsburg's present, and presented the history of the Mary Lathrop Award during the program. Also included in my thank you list is Lynda McNeive, Immediate Past President of the CWBA, who told me last August that Justice Ginsburg was visiting Colorado in January 2003. Thanks to Historian Mary Celeste, whose "herstory" in the December issue of *The Advocate* was the inspiration for Justice Ginsburg's speech.

Thanks, too, to CWBA member Julie Anderson, who suggested that we use the DAC, which turned out to be the perfect venue – it was big enough, the food was good and they were very accommodating of our requests. Thanks to the United States Marshals. They were really awesome in providing security for Justice Ginsburg without being obtrusive.

Justice Ginsburg came to Colorado and visited us in 1994. This means that we should have her visit in approximately 9 years, so I am looking forward to another reception in 2012.

Thanks to everyone, and especially to that gracious lady, Justice Ruth Bader Ginsburg, for honoring us with her presence. ◆

