

# Highlights of the First Hundred: Women Lawyers Association of Michigan 1919 to 2019

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Women in Michigan have been graduating from law school and becoming licensed attorneys since the 1870s, but they lacked a professional organization of their own for nearly 50 years. This essay discusses the inception of that organization—the Women Lawyers Association of Michigan (WLAM)—and attempts to provide a glimpse into its 100-year history.

On March 24, 1919, five self-described “ardent Portias of Detroit” met at a downtown office.<sup>i</sup> Within two hours, these Portias had organized WLAM and elected its first officers.<sup>ii</sup> They then turned their attention to growing their tiny organization by recruiting licensed attorneys of “good moral character” for membership from Michigan’s marginally larger population of female attorneys.

WLAM’s founders considered it a personal obligation to lend assistance to new female lawyers endeavoring to establish a practice. They also welcomed female attorneys licensed in other states as honorary members and attempted to become acquainted with every woman lawyer in Michigan.

## 1920s: The Beginning

The legal profession was an unfair battleground for female attorneys in the 1920s. As Dean Emma Gillett of the Washington College of Law observed in 1922, “In the majority of law firms women are still unwelcome, except as assistants. Quite frequently women lawyers of undeniable ability have found no opportunity open to them except as stenographers in law offices.”<sup>iii</sup>

WLAM’s first fight against discrimination in the profession came that same year when the Detroit College of Law’s trustees proposed to stop admitting female students because the school purportedly lacked facilities for taking care of women students. In response, WLAM adopted and widely circulated a formal resolution condemning this proposal.<sup>iv</sup> And Theresa Doland, WLAM’s first president, garnered much publicity when she threatened that WLAM would open its own law school if women were unable to attend law courses locally.<sup>v</sup>

WLAM did not limit its involvement with contemporary societal issues to just those affecting women lawyers. In 1921, for example, WLAM publically voiced

opposition to capital punishment. To be sure, activism would become an essential part of WLAM's ethos throughout most of its history.

### 1930s: WLAM through the Depression

Much of WLAM's focus in the 1930s was on helping its members get through the Great Depression. This sometimes meant providing financial assistance to older members.<sup>vi</sup> In addition, the organization created opportunities for fellowship with and support of women law students. This collaboration would become a defining feature of the organization through the present day.

Also during the 1930s, WLAM brought legal luminaries like Judge Florence Allen of Ohio, Olive Stott Gabriel of the National Women Lawyers' Association, and Canadian M.P. Agnes McPhail to Michigan to address its members. And WLAM advocated for the appointment of women to the bench. WLAM attempted to persuade Michigan's governor to appoint several suggested women to openings at the Wayne County Circuit Court.<sup>vii</sup> Later in the decade, WLAM unsuccessfully petitioned President Roosevelt to appoint Judge Allen to the U.S. Supreme Court.<sup>viii</sup>

### 1940s: WLAM and the War Years

The Arsenal of Democracy was not just forged by Michigan's Rosie the Riveters, its female attorneys also contributed to Michigan's war efforts. WLAM members raised \$144,000 for the war effort selling bonds (\$2,090,137.80 in 2018 dollars<sup>ix</sup>). In addition, WLAM held several programs exploring the role of women during and after the war.

Following the war, WLAM successfully urged the Michigan Supreme Court to overturn the doctrine of imputed negligence which barred an auto passenger from recovering from the other driver if its driver was negligent and drafted a plan for improving Michigan's treatment of "delinquent girls."

### 1950s and 1960s: Growing Pains

After a very dynamic decade, WLAM seems to have entered a bit of a slump during the 1950s and 1960s. Aside from joining the efforts of several local bar associations to assemble a panel of pro bono attorneys who would accept federal indigent defense cases in 1961, WLAM's activity during this time primarily involved meetings and social events. For example, WLAM placed first in the Hudson's Department Store's table setting contest of 1955.<sup>x</sup> The following year WLAM put on skits infamously roasting male members of the Detroit-area judiciary during its 37<sup>th</sup> anniversary dinner.

WLAM's decline did not go unnoticed. In the late 1950s, WLAM President Dorothy Comstock Riley argued that WLAM should dissolve during her farewell address. "We really did not do anything except have banquets once a year and roast male judges and lawyers around town."<sup>xi</sup> The suggestion that WLAM should dissolve resurfaced again during the installation of the 1963-64 officers.

### 1970s: Renewal and Resurgence

Thankfully, WLAM rebounded in the 1970s. Its prestige had significantly increased as numerous judicial candidates—both male and female—actively sought its endorsement. WLAM also resumed being involved in issues of societal importance. For example, it teamed with Planned Parenthood to lobby for Medicaid funding for therapeutic abortions and it advocated for legislation to require employers to include pregnancy in its sick-pay plans.

During the 1970s WLAM also divided its membership into chapters based on geographic location. Regionalizing allowed members to engage in networking and educational events locally. It also created more leadership opportunities within the organization.

### 1980s: Equality and Advocacy

At first glance, the 1980s seemed to be all about advocacy for WLAM. It joined several legal organizations in appealing a trial court's ruling that Michigan's civil rights act was unconstitutional. It backed a legislative resolution supporting the Equal Rights Amendment. It railed against a proposed change to Michigan's child support formula that would potentially decrease payments. It joined a coalition fighting to integrate the Detroit Athletic Club, a private club in Detroit. It worked on tackling discrimination in the legal profession by releasing a survey showing that women lawyers were not promoted as quickly as their male counterparts. It advocated for changes to how one police department handled domestic violence complaints. It filed an persuasive amicus brief with the Michigan Court of Appeals that prompted the court to overturn a trial court's issuance of an injunction preventing a woman from providing child care services in her home due to a restrictive covenant in her deed.<sup>xii</sup> And, it persuaded the Michigan Supreme Court to use gender-neutral language in the oath of admission for new attorneys.<sup>xiii</sup>

But the 1980s also brought some exciting organizational changes to WLAM. The WLAM Foundation was created to provide scholarships to women who demonstrate

leadership in advancing the position of women in society. In addition, WLAM created a committee on gender bias that encouraged the Michigan Supreme Court to create a task force to study gender and racial bias in Michigan courts.

### 1990s: Development at the Close of the Century

WLAM's regional chapters increased the organization's relevance and visibility throughout the 1990s as they expanded WLAM's ability to provide programming and other opportunities to members around the state.

During the 1990s WLAM appeared as amici on briefs concerning domestic violence and the constitutionality of anti-stalking laws. WLAM teamed up with other civil rights organizations to intervene in an appeal of a court's determination that a mother's need to use a private child care provider justified awarding custody to the child's father who would have a relative assist him with child care. WLAM surveyed mediation practices to obtain data on gender bias. And, WLAM supported the Campaign for Human Dignity to prevent discrimination based on sexual orientation.

### 2000s and Beyond: Leading in the Modern Era

WLAM's tradition of activism continues in the 21<sup>st</sup> century. It is a member of the Michigan Equal Pay Coalition—a collective that organizes events for Equal Pay Day and lobbies for legislation designed to eliminate the wage gap. It petitioned Michigan's former governor to appoint more women to the judiciary. It partnered with the ACLU in protesting legislation limiting inmates' rights under Michigan's civil rights act and in calling for an end to the practice of allowing immigration enforcement in and around courthouses. It encouraged the adoption of legislation requiring public schools to provide instruction on the need to obtain consent for sexual activity. It continued fighting to end discrimination based on gender and sexual orientation by participating in briefs supporting health care benefits for the same sex-partners of public employees and marriage equality. And, along with the Michigan State Court Administrative Office and the Michigan Department of Civil Rights, WLAM developed a model policy for creating courthouse space for lactating mothers and persons with a disability.

WLAM celebrated its 100<sup>th</sup> annual meeting by holding a gala on April 27, 2018. The Centennial Gala featured a keynote address by author Irin Carmon, an extended preview of a documentary on WLAM, and an exhibit hall. The National Conference of Women's Bar Associations recognized the Centennial Gala by giving WLAM an honorable mention for outstanding member program in 2019.

## Conclusion

WLAM currently has seven active regions and hundreds of members. The WLAM Foundation has awarded more than \$500,000 in scholarships to outstanding female law students. WLAM continues to provide its members with comradery and a plethora of opportunities for personal growth and professional development each year.

When forming WLAM, the five ardent Portias of Detroit were attempting to create an organization that would give women lawyers the opportunity to bond with others “who spoke their language and could get their viewpoint.”<sup>xiv</sup> Fortunately, however, WLAM has evolved into much more.

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<sup>i</sup> Doland, *Detroit Women Lawyers*, Vol. I Bench and Bar No. 2 (February 1921), p. 8.

<sup>ii</sup> *Id.*; Detroit Free Press (March 29, 1919), p. 5.

<sup>iii</sup> Davis, *Says Women Lawyers Receive Rough Deal*, Detroit Free Press (August 8, 1922), p. 4.

<sup>iv</sup> *Women Lawyers Hit College Ban on Sex*, Detroit Free Press (July 14, 1922), p. 8.

<sup>v</sup> *Women May Conduct Own Legal College*, The Windsor Star (June 27, 1922), p. 6.

<sup>vi</sup> Rosenthal, *Women Lawyers' Association of Michigan*, 16 Mich. St. B.J. 206 (1937), pp. 206-07.

<sup>vii</sup> Frost & Weiner, *Women Lawyers Association of Michigan - Who, How, Why*, 63 Mich. St. B.J. 465 (1984), p. 467.

<sup>viii</sup> Maury, *I Wish to Report*, Detroit Free Press (March 10, 1938), p. 14.

<sup>ix</sup> [www.in2013dollars.com/1943-dollars-in-2018?amount=144000](http://www.in2013dollars.com/1943-dollars-in-2018?amount=144000) (accessed March 23, 2019).

<sup>x</sup> The tablescape featured a brown and pink “Southern Seas” theme. WLAM defeated other clubs like the Ford Motor Girls Club and the General Motors Girls Club.

<sup>xi</sup> Dolezal, *Dorothy Comstock Riley: The Precision Jurist*, Detroit Free Press (December 13, 1984), p. 6B.

<sup>xii</sup> *Beverly Island Ass’n v. Zinger*, 113 Mich. App. 322, 317 N.W.2d 611 (1982).

<sup>xiii</sup> Van Hoek, *WLAM’s 75<sup>th</sup> Anniversary Celebration: Honored Past, Inspired Future*, 73 Mich B.J. 760 (1994), P. 762.

<sup>xiv</sup> Rosenthal, 16 Mich. St. B.J. 206, p. 206.