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JEAN HAMILTON INTERVIEWED BY BLANCHE TOUHILL

Blanche Touhill: Would you introduce yourself?

Jean Hamilton: I'm Jean Hamilton.

Blanche Touhill: Would you talk about your early life, Jean, maybe your parents or your siblings or your neighborhood, your elementary or secondary school. Who encouraged you? Who said things to you that made you sit up straight and think, oh, I could do that, or how to handle life, anything like that?

Jean Hamilton: Well, I grew up in St. Louis. I'm a life-long St. Louisan. My parents, my father was a lawyer and totally enjoyed the practice of law; I'm sure that's had an influence...I know it's had an influence on me. My mother was a housewife and raised children but she did a lot of volunteer work: League of Women Voters, a lot of church-related things, so she was very active, as they both were, in the community. I'm the second of four daughters. I have an older sister who has her Master's Degree in Social Work and she worked at that for a while and raised three children and has done other types of work other than social work. Nancy, who is my younger sister, is also a lawyer and she works in corporate law here in St. Louis and Joyce, the youngest, has an MBA and she's in California. She's been dealing most of her life in real estate. So all of us were encouraged very much to get an education. It was not even a consideration that we would not go on to college and, in my father's view, we should all get a professional degree or a graduate degree if at all possible. So that's where the real encouragement went and my mother, of course, went along with that. When I was in college, my older and sister and I were in college and my father was very prescient. My mother had not finished college and she got a communication from Washington University about older adults coming back and thought this was the perfect empty next solution for my mother. So she went back and finished her

undergraduate degree. So there was a very high premium put on education and the opportunities that that would give you, not just professionally and in work but also in just a better life, a more fulfilling life. So that's really where the encouragement came.

Blanche Touhill: Did a teacher say something to you along the way?

Jean Hamilton: Well, I was also very lucky. Growing up in South St. Louis in the '50s and '60s was wonderful. I mean, it was a close neighborhood. I wish all children could have had what I had, a very close-knit family and community. We had lots of friends. The neighborhood was full of children and we also had a lot of good teachers. I went to the public schools in South St. Louis and then I went to Wellesley College where I got my Bachelor's and then to Washington U for my law degree, and then about 10 years later, I was thinking of teaching law so I went back and got a Master's in law at Yale. But along the way, in each institution, I was fortunate to have teachers who were very encouraging but at that time it was also, for grade school and high school, the parents and teachers talked to each other and it was a combination of both of those things that I think was particularly inspiring and helpful to all of us. So it had complimented each other.

Blanche Touhill: Did the St. Louis public schools have the playgrounds in the summer in your era?

Jean Hamilton: They did. We had a closer Catholic church to where I lived. The grade school I went to was several blocks away. I was in St. Louis Hills so St. Gabriel's was, like, a block away so the neighborhood children, many of whom went to the Catholic school, played on the St. Gabriel's lot. They actually had more equipment than the public school did and it was closer but, of course, as we grew older and everybody took to their bicycles, you'd get a broader range.

Blanche Touhill: Well, and you lived near the park.

Jean Hamilton: And near Francis Park, so we had a very happy childhood, lots of things to do just in the neighborhood and, of course, one of the other things we did, we always took a nice vacation and my parents loved to travel and we always built a wonderful vacation which I think developed...well, I know developed my love of history so I was a history major in college but we toured all over the United States.

Blanche Touhill: Did you drive?

Jean Hamilton: We drove.

Blanche Touhill: Three girls in the back seat?

Jean Hamilton: Four girls and those were the days before air conditioning so you can imagine but we have great memories of that because the family was together for that time. My father was busy. He always made time for us but during the rest of the year, everybody was busy. So this was a very special time for the family.

Blanche Touhill: Did you go to Ted Drew's? Was Ted Drew's around in those days?

Jean Hamilton: It was but, you know, it was but it wasn't as big a thing for me then as it later became. I think Dairy Queen was closer to our house.

Blanche Touhill: I see. There's always an ice cream...

Jean Hamilton: There's an ice cream place, exactly.

Blanche Touhill: People describe how they went out in the morning and didn't return until later in the day and no parent was worried.

Jean Hamilton: Oh, no, that wasn't the case at all. My mother was usually at home. Now, my father often worked late or he had clients or meetings and groups he belonged to so sometimes he wasn't home for dinner but my mother was generally there. She made a point of it but as we got older, she had more freedom to do things and we could let ourselves in but, as a young child, no.

Blanche Touhill: But it wasn't as it is today, where parents are afraid...

Jean Hamilton: No, no.

Blanche Touhill: ...to let their child out of their sight.

Jean Hamilton: No, not at all. I mean, they encouraged that but we were in a neighborhood where everybody kept tabs on everybody else so it wasn't as difficult as it is today.

Blanche Touhill: Oh, and you had the corner grocery store, didn't you? Wasn't there a grocery store in St. Louis hills that has been there forever?

- Jean Hamilton: There was a Tomboy Grocery Store that was several blocks away and Hampton Village, as we got older.
- Blanche Touhill: Oh, that's right, Hampton Village.
- Jean Hamilton: We were able to walk to Hampton Village and Hampton Avenue had a number of shops, including finally a wonderful library, public library.
- Blanche Touhill: Oh, the public library, that's wonderful, yes.
- Jean Hamilton: It was something we routinely went to, absolutely.
- Blanche Touhill: I had forgotten about the local libraries.
- Jean Hamilton: Absolutely.
- Blanche Touhill: Every neighborhood was just like a little small town.
- Jean Hamilton: It really was and as you got older and you could take the bus...I can remember, I would just get on the bus and go downtown to the library because once I discovered the main library, that was like, that was fabulous.
- Blanche Touhill: Did you go to the children's room?
- Jean Hamilton: I did that but then as I got older, I discovered everything else that was there. I mean, that was a special treat and it was a nice cool place in the summertime too.
- Blanche Touhill: How was your elementary and secondary school? Were you a leader in the school?
- Jean Hamilton: In many ways, I was very lucky because when I was in the public schools, they had both January classes and June classes and the January classes were generally much smaller, maybe half the size of the June classes and so I had, I think, in my grade school class, we had 12 people. It was fabulous. Well, you would have two classes in a classroom. The teacher would spend some time on some topics, everybody in the whole classroom would work on things but for some of the others, she would spent time with each class and so you really got to know your immediate classmates. We were all very good friends and had a lot of personal attention. The same thing came true in high school where classes were larger but the January classes were so much smaller.

Blanche Touhill: I had forgotten all about that. I always thought that was a good system.

Jean Hamilton: It worked...

Blanche Touhill: Because if you had to be held back, you were only held back for a semester.

Jean Hamilton: That's true. I hadn't even thought of that but that's true. Now, when I graduated from high school, of course, I graduated in January and so I worked for several months, which I think in its own way, was fabulous. I earned some money for college but I also realized that there was no way I wanted to go right out into the workforce. It was clear you needed something more but I think I benefited greatly from that, even though I have a lot of friends are half a year behind me or half a year ahead of me, it was still...when you're young, you kind of connect initially with the people in your class so I think I benefited.

Blanche Touhill: Are you still friendly with any of those people?

Jean Hamilton: From time to time, I see them. I was out of town for a while and we all went separate ways for college but it's been a few years since I've seen some people but I'll run into them every once in a while, yeah.

Blanche Touhill: Now, how did you happen to go out of town for college?

Jean Hamilton: I wanted to and my parents didn't encourage necessarily going out of town but that was certainly a possibility. It was an option. We were very, very fortunate and so I think all of us felt like this was time to take that step if we possibly could and they obviously allowed us to apply to any schools that we wanted. So they made the determination that they would pay; they would support that. I know at one point they certainly talked about sending us to private schools and made a very conscious decision not to because they believed we could get a very good education in the public schools, in the St. Louis public schools and had we gone to private schools, it probably would have been absolutely necessary to have scholarships which maybe we would have gotten but maybe not. So it was a very conscious decision and in the end, I think it worked out very well. I feel I had a top-notch education from the public schools.

Blanche Touhill: Why did you choose your school?

Jean Hamilton: We had traveled in the East, I really liked New England so I was applying to...other than Washington University, I applied to schools in New England and our minister's wife had gone to Wellesley so she was very high on that and so I applied to a number of the seven sister schools and, in the end, when I had acceptances from them all, and I had never thought about having to make a decision among them so my father and I went up and we toured the campuses after I had these acceptances and I thought, oh, my God. So, in doing that, Wellesley was right outside of Boston and I'm really a very urban person so that carried the day.

Blanche Touhill: Did you get into Boston often?

Jean Hamilton: I did fairly frequently, probably not as much as I thought I would but I did and it was very nice. It was nice knowing a city was there if I needed it and many times I went in in connection with coursework, art history and going to the museums, things like that, and I always enjoyed it.

Blanche Touhill: Well, the museums in Boston are...

Jean Hamilton: ...are fabulous, they really are.

Blanche Touhill: Was Wellesley active in women's rights, saying to the women, "You can do anything you want to" or was it more sedate in your days?

Jean Hamilton: Well, I think just because it was all women and the faculty was full of encouragement, it was an assumption, not necessarily explicit, like, "Oh, you can do as well as they can"; it's like, "You're here and you're capable and this is what you can do." So the aspirations were really set. It was an assumption more than trying to prove to us. They assumed you would go on and make use, whatever use that might be, of your education, whether going on to something else or even being a good stay-at-home mom.

Blanche Touhill: Yes, it was the idea of an education, of liberal arts...

Jean Hamilton: It was the idea of a liberal arts education and obviously at that time, opportunities were beginning to open up to women. It was very much at the cusp of it.

Blanche Touhill: What year was it?

Jean Hamilton: I graduated in 1968.

Blanche Touhill: Yes, you were a little ahead of the...well, the '64 Civil Rights Act that put women in as a protected class was '64/'65.

Jean Hamilton: Well, it took effect in '65.

Blanche Touhill: Okay, and then, I think the reauthorization was '72, so you were right there, coming out at the right time but it was...

Jean Hamilton: Public policy, it was coming into the consciousness of public policy makers.

Blanche Touhill: Yes, it was, yes.

Jean Hamilton: And I think that was obviously a reflection of what was going on in society and so when I went to law school...

Blanche Touhill: Oh, yes, how many people were in the law class?

Jean Hamilton: Well, that was very interesting because in the fall of 1968, the Vietnam War was going on so law schools and other graduate schools were being depleted because of the draft and so we had a very small class there. As a result of having a small class, we always thought they added more women, which may be part of it, but you also had the pressure that more women were applying. So I think we started out with seven women in the class and the class, I'm not sure, we were much smaller than the normal entering class and then all during the first semester, you would come in on a Monday morning and one or two people would be gone. They would have gotten their draft letters. It was very, very depressing. So the class shrunk. I think we graduated 55 people.

Blanche Touhill: And how many...

Jean Hamilton: I think, graduating, we had...one woman decided not...she was doing fine but she just decided law wasn't her thing, and we had a couple of women who had started as part-time so we knew they wouldn't graduate. So I think we had four people.

Blanche Touhill: And that was pretty good?

Jean Hamilton: It was pretty good. It was about double what they had before.

Blanche Touhill: Yeah, and probably the two others, or whatever it was, finished at some point.

Jean Hamilton: Yeah...well, or went on to something...oh, yes, well, one I know did; the other, I think, might not have in the end, but the other one I know did, was a dear friend of mine, yeah, and so it was a huge leap for our class for that year. Within two years later, when I was beginning my third year, there was a huge jump, about 40% of the class, of that entering class, was women. So it was a huge jump. So it was a combination of the war, but also a big surge of women coming into graduate education. And I have to say it was an interesting experience. I'm not sure the professors knew how to handle that many women but they were pretty much, with some exceptions, pretty supportive and, over the years, some...well, many are gone now, but were wonderful, became wonderful friends.

Blanche Touhill: I assume there were no female law teachers?

Jean Hamilton: When I started...well, actually, during my entire tenure, the only law faculty member was the librarian. Administration people, of course, and then shortly after I graduated, they added the first faculty, full-fledged faculty...teacher.

Blanche Touhill: That might have been why you decided to teach because there would be opportunity.

Jean Hamilton: There was some. Part of it was just deciding whether I wanted to stay in practice or maybe think about teaching.

Blanche Touhill: Well, the Master's always does you good anyway.

Jean Hamilton: Oh, either way, it was fine and I have taught as an adjunct. It's not a substantive course but...

Blanche Touhill: When you went to Wellesley, was it mainly female teachers?

Jean Hamilton: It was about 50/50. It was pretty evenly split.

Blanche Touhill: And in the St. Louis public schools, I assume it was predominantly women but in the high school, there probably were men?

Jean Hamilton: Although I had a wonderful teacher in the 4th grade, a man, which was very unusual and he was very good and so that was unusual, but you're right, in high school, obviously it changed.

Blanche Touhill: And were there any principals in the high school that were women?

Jean Hamilton: Not while I was there, no.

Blanche Touhill: But in the elementary school, there might have been a woman principal?

Jean Hamilton: While I was there, no, they were all men.

Blanche Touhill: They were all men?

Jean Hamilton: Mm-hmm. I think there were two during my tenure in grade school and then in high school, it was the same person and all were male. So that obviously I suspect has changed.

Blanche Touhill: So you came out into the world to be a lawyer and you decided...you took the Missouri bar?

Jean Hamilton: I took the Missouri bar, right, and I obviously had a ready-made job with my father and that was fine but I thought I ought to go do something on my own. So I went to the justice department in the honors program.

Blanche Touhill: And what was that?

Jean Hamilton: It was a program for certain law students. You applied to it and it gave you kind of a step up. They were trying to select good law students and people they could bring into the justice department. It was a wonderful program. So I was accepted in that and I worked out of Washington for a couple of years in the Civil Rights Division.

Blanche Touhill: Oh, how wonderful!

Jean Hamilton: Although I wasn't much in Washington. I was down South doing civil rights cases.

Blanche Touhill: Were you?

Jean Hamilton: Yes, yes.

Blanche Touhill: What part of the South did you go to?

Jean Hamilton: I worked on a case in North Carolina and one, that actually did go to trial, in Mississippi.

Blanche Touhill: Now, did you take the case in Mississippi or did you just do all the background work?

Jean Hamilton: No, the case in Mississippi, I was reassigned to it because it was going to trial.

Blanche Touhill: And you were going to take it to trial?

Jean Hamilton: Well, we had a team of lawyers and I did some of it and we had two other folks who did it, so we went around preparing witnesses and it was a state-wide case. It was brought under Title Six of the Sixty-Four Act which is federally funded programs.

Blanche Touhill: Oh, yes, of course.

Jean Hamilton: Right, that's a huge kind of situation.

Blanche Touhill: And it was discrimination in jobs, wasn't it, or was it discrimination in everything?

Jean Hamilton: Well, this was for farmers so you can imagine an agricultural state, this impacted everybody. It was like the extension services which, of course, covered any kind of farmer and it included things like 4H groups and...

Blanche Touhill: And you made sure that everybody had their rights under this?

Jean Hamilton: Well, it was, they got federal funds under a federal act. Obviously it was also a state program and, of course, in the South, they had two separate programs: one for black farmers; one for white farmers, and their spouses because there were homemakers groups and 4H for the children. So all of these extension services, of course, are absolutely vital to farmers because the advice and the assistance that they give to the rural communities and, of course, these were as segregated as everything else was and so this was an effort...they had never put them together and this would have been in the early '70s, and nothing had really been done so this was an effort to put it together. And it actually went to trial. Many of the cases, there would be some resolution and the compliance types of things but it was a trial. The ironic thing was, we came before a judge in Northern Mississippi and I looked at a picture as we went into his chambers and I thought, this picture looks rather familiar to me, and it was a picture of Brookings Hall at Washington University. He had gone to Washington University.

Blanche Touhill: Oh, how nice!

- Jean Hamilton: So I thought, it's a small world, a very small world.
- Blanche Touhill: You know what I find fascinating about that is I worked for 37 years for the University of Missouri and extension is a very big operation in the University of Missouri...
- Jean Hamilton: It's a huge operation.
- Blanche Touhill: And I'm wondering, were they separate?
- Jean Hamilton: You know, I don't know what the situation was in Missouri because it's kind of a border state, I just don't know. It may have been somewhat separate but not as explicit. I just simply don't know. In the South it was very explicit.
- Blanche Touhill: It might have been more subtle here and the reason I say that, at one point they did close down the extension service in the City of St. Louis and there was an explanation for that but I always thought that was so interesting and maybe it wasn't done consciously but I'm just saying, it was sort of an attitude thing.
- Jean Hamilton: It's just how things were. You'd really have to take a look and plan to change that.
- Blanche Touhill: I assume you won the case?
- Jean Hamilton: We did, although by that time, I had transferred back to the U.S. Attorney's Office.
- Blanche Touhill: Let's assume they won. Is that a hard thing to implement?
- Jean Hamilton: It is but that's where the court...the implementation would be under the auspices of the court because that would be part of the order of the court.
- Blanche Touhill: I see, so extension would have to report back to the court how they were solving the problem?
- Jean Hamilton: Mm-hmm.
- Blanche Touhill: And what about the other case that you did in...
- Jean Hamilton: That was at the same time. It was a similar case and that was, we were just doing the preliminary discovery, depositions and things and that, I

think...I can't remember now if that ultimately settled or went to trial but it was resolved, I just don't know, and I'd also worked on a case, the beginnings of a case in Connecticut on the welfare system in Connecticut and it's very interesting. Connecticut has lots of, not just black and white, but lots of ethnicity, all kinds of...

Blanche Touhill: So there was all kinds of exclusions?

Jean Hamilton: So there's all kinds of issues coming up in that case, and again, I don't know what happened to that. I just worked for a short time on that case.

Blanche Touhill: And when you went, you had to move to the scene?

Jean Hamilton: Well, you traveled back and forth pretty much.

Blanche Touhill: I see, but your office was in D.C.?

Jean Hamilton: Yeah, although you're on the road a long time.

Blanche Touhill: Oh, I think those stories are wonderful because I know from being with the University of Missouri during that period of time, they had to make a lot of adjustments which took some time to acknowledge and then to implement.

Jean Hamilton: Exactly, and then to implement and it doesn't happen overnight and many times it won't happen until you get really a new generation of people involved.

Blanche Touhill: Yes, but I do think the spirit of the times was to do the right thing.

Jean Hamilton: Oh, absolutely, absolutely.

Blanche Touhill: And it was not just the federal law; it was the people, were moving in that direction.

Jean Hamilton: Oh, absolutely.

Blanche Touhill: So you go back to D.C.

Jean Hamilton: Well, I then transferred within the justice department to St. Louis in the U.S. Attorney's Office which was...

Blanche Touhill: Yes, and that's a wonderful experience.

Jean Hamilton: And that was a fabulous experience, it really, really was. I had not thought I'd do any criminal law so I did that for a while.

Blanche Touhill: You did criminal law?

Jean Hamilton: I did criminal law and then the office was split apart. The office was relatively small and then it was growing and so it was split apart to a civil division and a criminal and I moved to the civil division which was fine with me because I preferred that and that is probably the unsung hero, I think, of the U.S. Attorney's Office because you have a wonderful variety of cases; you handle your own appeals to the circuit; you do your own trials and you get a whole array of kinds of cases. So it was a great, great experience.

Blanche Touhill: In a general way, how many cases were you involved in, just in a general way?

Jean Hamilton: It's hard to say.

Blanche Touhill: But a multiplicity?

Jean Hamilton: Just a lot of cases, yeah.

Blanche Touhill: Because you probably work on part of one and part of another...

Jean Hamilton: Exactly, and many cases, some will be settled, some will be resolved on motion, some will go to trial.

Blanche Touhill: But you practiced in the federal courts?

Jean Hamilton: Oh, exactly, it was all federal court. Occasionally we would have something like an IRS issue that came up in state probate court but that was not frequent but there might be some state court appearances but very negligible.

Blanche Touhill: So that was a wonderful experience?

Jean Hamilton: It was a wonderful experience.

Blanche Touhill: Were you one of the first women that did that?

Jean Hamilton: I was the first in a long time. There were some secretaries who had been there many, many years and said, well, there were a few women during

World War II and right after and then nothing, and so I was the first in a long time and I'm happy to say that it's all changed now.

Blanche Touhill: And how were you welcomed by your male counterparts?

Jean Hamilton: Fine. I had no problems. It was great and we used to have a good time. Everybody was learning; everybody was helping everybody else, and we just had a lot of fun, and of course, a lot of the younger lawyers went to law school with some women, maybe not a lot but with women, and our head wives who were professional, and so became a more generational thing, that this wasn't so unusual. It wasn't really that new.

Blanche Touhill: Yes, it was new but it wasn't.

Jean Hamilton: But it wasn't, yeah.

Blanche Touhill: They had grown up with it?

Jean Hamilton: They had grown up with it and so it wasn't a surprise. They'd been in school with women.

Blanche Touhill: At what point did you decide to go to Yale?

Jean Hamilton: Well, I had...

Blanche Touhill: Or you went out into the practice of law?

Jean Hamilton: Well, I left the U.S. Attorney's Office, which was a hard decision but I thought I needed to get some other experience. So I went to then Southwestern Bell. They did their own corporate litigation so I thought that would be a nice way of get...and they did their own litigation. They would hire firms for some cases but they had their own in-house staff that went into court. So I thought that would be a good opportunity, but again, I was doing a lot of traveling because they were in all those states and I was trying to decide what to do next and thought I might want to teach. I was working with a fellow who had gone through Yale's program and he decided in the end not to teach but he said, "It's a wonderful program and if you're really unsure, it's not going to hurt, to get the degree."

Blanche Touhill: No, and it was probably a year in the summers or something?

- Jean Hamilton: It was one year and it turned out to be, like, a sabbatical and it was fabulous. It was really wonderful.
- Blanche Touhill: What was the nature of the course? Was it corporate law or was it teaching or...
- Jean Hamilton: No, it was actually for people who were presently in teaching and wanted to hone their credentials or people...and this is most of us...people who were thinking about teaching or wanted to teach and this might give you an edge in the market.
- Blanche Touhill: Of course.
- Jean Hamilton: So it was a real mixture of folks and different ages and it was a good...
- Blanche Touhill: Did it talk about how to teach?
- Jean Hamilton: It really didn't do that much but it was sort of Yale saying, "This is how we do it," and you could take any courses you wanted. They might recommend, people running the program might recommend, "Why don't you take a course from this professor because he or she is really good," so you were basically observing how they did it and obviously increasing your skill in that area.
- Blanche Touhill: And did you still have friends on the East Coast?
- Jean Hamilton: I did but...
- Blanche Touhill: You didn't have time for them?
- Jean Hamilton: Well, I didn't have time and they were not in New Haven. Well, a lot of my friends...my college roommate was, by that time, I know she was...Sharon is a doctor and I think she was in Denver or something by that time doing something. So I didn't have anybody that close.
- Blanche Touhill: But you knew the lay of the land?
- Jean Hamilton: Oh, yeah, yeah. No, it was a wonderful experience.
- Blanche Touhill: And you could go into New York for the art?
- Jean Hamilton: Well, there really wasn't a lot of time, I've got to say, although, being in New Haven, the theater and obviously the museums. The museum there is wonderful so it was a wonderful opportunity, it really was.

- Blanche Touhill: Did you live on the campus?
- Jean Hamilton: I lived off campus in a small apartment but it was very close.
- Blanche Touhill: So it was a year well spent?
- Jean Hamilton: It was definitely a year well spent. I'm very happy I did it.
- Blanche Touhill: So you came back but then you decided not to teach?
- Jean Hamilton: Well, I came back and I'd been thinking about it and then decided maybe I really didn't want to teach full-time so I was back actually looking for work and I had some resumes out and all this sort of thing and one of my mentors from the U.S. Attorney's Office said, "Well, you know, there's these openings on the circuit bench. You ought to apply." So I said, classically, I said, "How many women do you see on those courts?" and he said, "That is the point."
- Blanche Touhill: Yes, that was the point.
- Jean Hamilton: So I said, "Okay," so I applied and got it. It was the nonpartisan plan.
- Blanche Touhill: But that's a state court?
- Jean Hamilton: That was state court.
- Blanche Touhill: And that's the circuit court?
- Jean Hamilton: The circuit court, the trial court and this was in the City of St. Louis.
- Blanche Touhill: Well, you were a life-long resident in the city.
- Jean Hamilton: Oh, yes, I was a life-long resident, exactly.
- Blanche Touhill: And how was that experience?
- Jean Hamilton: That was wonderful. I've been very, very fortunate. I couldn't have been more delighted. I was the second woman on that court. Anna Forder had been the first.
- Blanche Touhill: Oh, yes, yes.
- Jean Hamilton: And Anna couldn't have been more welcoming and Neda Landrance who's a black, were out in the county and so we had our little group and it was just delightful. My colleagues could not have been better. They

were very supportive. I found, on the circuit bench and on the court of appeals, the judges were just relieved because everybody kept looking at them, like, "Why don't you have more women?" It wasn't up to them who was on the court...

Blanche Touhill: That's right.

Jean Hamilton: And so they were kind of relieved just to begin to get some women so people would stop treating them as if they had...

Blanche Touhill: Who was the governor at that time?

Jean Hamilton: Kit Bond. So that was a wonderful experience, wonderful experience.

Blanche Touhill: And then you went to the court of appeals?

Jean Hamilton: And then I went to the court of appeals about six years later.

Blanche Touhill: Do those people still come around and support one another, the judges, or you don't see them much?

Jean Hamilton: Well, I do. Unfortunately, more and more of them are retired or died. I've been going to a lot of funerals but I kept in contact with them. They had just been delightful.

Blanche Touhill: The reason I say that is Mary Russell was in and I went to an event and they all came out to support her and I thought, isn't that interesting, having worked with her for a number of years, but they're still...

Jean Hamilton: Oh, no, I still have very good friends, yeah. Most are retired. I don't know that there's anybody left on the court of appeals who was there when I was there. I think they've all retired but I also know a lot of them because I knew these people when they were lawyers. So it's a nice tight group.

Blanche Touhill: Was your father proud of you?

Jean Hamilton: Well, he died just a few months after I graduated from law school.

Blanche Touhill: Oh, did he? Oh, well, what about your mother? What was your mother's reaction?

Jean Hamilton: Well, she died just about the time I got on the circuit bench.

Blanche Touhill: Oh, wonderful. So she saw that.

- Jean Hamilton: Well, she knew I made a panel and then, between the time I made a panel and I was selected...
- Blanche Touhill: So it was bittersweet.
- Jean Hamilton: It was bittersweet. Well, she told me she knew I had it. I made a panel and she died before...so she didn't technically know it but I think she knew it.
- Blanche Touhill: So talk about the federal judgeship.
- Jean Hamilton: That has been wonderful. That was in 1990 when Judge Nagle retired or took senior status and so it opened up a vacancy and I thought I would...and Jack Danforth was the senator and he announced that he would, and did appoint a committee to bring forward names and recommend names to him, so I thought, well, I probably have as good a shot as anybody and so I applied through that and made the panel and then he selected me and obviously it's the president's decision but he recommended me to the president.
- Blanche Touhill: Well, did you have to go to Congress to testify?
- Jean Hamilton: Yes.
- Blanche Touhill: How was that?
- Jean Hamilton: That was a little bit humorous actually because Strom Thurmond was the head of the judiciary committee.
- Blanche Touhill: Did he know about your civil rights activities?
- Jean Hamilton: They knew everything, believe me; they know everything. Well, he was rather elderly even then, I have to say and there were only two senators who questioned us and Senator Cole, from Wisconsin was the other one, and what happened was, they sent about four...I don't know, we had about six people, six names and they wanted to...it sounds unusual today...but they wanted to approve some people and get them on the bench. I mean, this was in September. They had been in recess in August and they wanted to do this before the end of Kyrus so they made a big effort to do them all and so we had a hearing and, of course, just before that, they had had the hearings and confirmation of Justice Souter. So, of course, I got there and Strom Thurmond starts asking me questions and

says, "Well, Judge Hamilton, I see from all these papers that you're single and I want you to know that we just finished talking to Justice Souter and he's single too and I thought, now what? And then we went on to other things. Well, of course, that was picked up by everyone and it was a whole different day, a whole different day and it was like, I had Senator Danforth and Senator Bond sitting next to me and it was like everyone was stunned, did he really say this, and Senator Danforth said, "Well, that's an interesting question." They sort of prep you on potential questions that have been asked at recent hearings so you're not totally surprised. But it was nice to have it behind me.

Blanche Touhill: Now, were there any women on the federal courts in St. Louis?

Jean Hamilton: Carol Jackson was a magistrate judge at that time and I was the first district judge and then within a couple of years, Carol was nominated and confirmed. Now, of course, we've got...let's see...Audrey Fleissig and Catherine Perry who's now chief judge. So we've got four district judges.

Blanche Touhill: Out of how many?

Jean Hamilton: Well, when I was still an active judge, it was half...four. We have eight.

Blanche Touhill: Really? And you had four women and four men?

Jean Hamilton: Mm-hmm. Now, I've taken senior status so we have three district judges. We have the magistrate judges. I guess we have seven altogether and I think at this juncture we've got four.

Blanche Touhill: And I imagine the law schools are 50 or 60% women?

Jean Hamilton: They're close. They hover around 50%, right. Now recently law schools have seen a huge drop just in applications and I don't know how, if at all, that has affected...on the gender or race applications but they've taken a hit since the recession, right.

Blanche Touhill: Now, what does senior status mean?

Jean Hamilton: A district judge or a judge on the court of appeals, an Article Three judge cannot retire until...you have to be age 65 with 15 years of service or more. It's the rule of your age plus service, has to equal 80. So, you have the option: you can retire fully or you can take what we call senior status which means you have the ability to reduce your caseload and,

depending on how much you reduce it, it affects maybe the staff that you have and maybe self-select the categories of cases you want to take. So you can reduce your caseload, sort of ease into full retirement. Then once you've taken senior status, that opens up a vacancy that the can be filled, so the senior judges actually perform a big service because they're still hearing cases, plus you get another full-time judge. So it's been, as long as you have the space, which we do in St. Louis, it really assists the court because you've got that many more people taking it.

Blanche Touhill: Yes, of course it does.

Jean Hamilton: So it's a nice opportunity.

Blanche Touhill: Have you retired then?

Jean Hamilton: I'm a senior judge now.

Blanche Touhill: So that is...

Jean Hamilton: I still have a caseload. I've reduced the caseload from what a full-time district judge does, or you can take a full caseload if you want. That's fine. It's up to you.

Blanche Touhill: Oh, I see, it's up to you?

Jean Hamilton: It's up to you, mm-hmm.

Blanche Touhill: You can check with the chief judge as to what are their needs and then...

Jean Hamilton: Well, you have the option to continue and then determine...

Blanche Touhill: I know that, yeah...

Jean Hamilton: Yeah, exactly. As I say, it's a nice opportunity to ease into it and why not continue if it's still enjoyable.

Blanche Touhill: Universities do that too.

Jean Hamilton: Exactly.

Blanche Touhill: And it's beneficial for everybody.

Jean Hamilton: Yeah, it really is, yeah.

Blanche Touhill: Well, as you look back on your law career, have you made the right choice?

Jean Hamilton: I think I have. I've still had some opportunities to teach which was always another thing in the back of my mind.

Blanche Touhill: So you've done that?

Jean Hamilton: I've done some of it, yeah.

Blanche Touhill: And how do you like it?

Jean Hamilton: I did, I enjoy it a lot and I also feel that I'm doing it anyway with my law clerks. They actually teach me more than I teach them. So, I've really fulfilled both goals by doing that, and I have, I think it's been very challenging intellectually; it's been very satisfying, and there's always something new and different. It's not routine in any sense and that keeps it interesting and there's always...the same issues come up with different people so it's never the same, always different.

Blanche Touhill: I think that's right. Let me change the subject a bit: If you had been born 50 years earlier, what would your life be like, do you think?

Jean Hamilton: I think that's hard to say because 50 years earlier, if I'd have had parents with the same philosophy, I probably still would have had an education. I would have been probably...not been able to use it in the same way but I think it would depend on what the whole context of your life would be 50 years earlier. I think the opportunities have been very, very great, greater than they would have been half a century earlier but then you just have to use your intellect to figure out how to use your skills.

Blanche Touhill: Would you have been a lawyer?

Jean Hamilton: I think it would have been very difficult 50 years before to be a lawyer. There was such a smattering of women lawyers but it might have gone in some other directions. A lot, I think, would still hinge on what kind of education you had.

Blanche Touhill: Well, yeah. Did your mother ever work outside the home?

Jean Hamilton: She did.

Blanche Touhill: She got a degree?

Jean Hamilton: Well, when she was very young, before she got married, she did, but then...actually, she didn't work until after my father died and then she worked at a bank for a while and she enjoyed that but she really liked to travel so she worked for a travel agency so she loved it.

Blanche Touhill: Oh, how wonderful!

Jean Hamilton: She loved it, yeah.

Blanche Touhill: And she wouldn't have been able to do that if she had been born 50 years earlier.

Jean Hamilton: No, she wouldn't have. So that worked out pretty well.

Blanche Touhill: Did you go on any trips with her?

Jean Hamilton: I did, she was great because she loved planning all this. Was before the internet or anything but she loved doing all that.

Blanche Touhill: Well, it goes back to your annual vacations.

Jean Hamilton: Absolutely. She and my father had begun to do a lot of traveling and, sadly, when he died, that wasn't possible so she figured out a way to still do some of it.

Blanche Touhill: Are there any awards that you've received that you're really proud of, especially? I mean, I know you're proud of all of them but...

Jean Hamilton: It's hard to say. I appreciate all of them. I don't know that there's any one because they all represent something very different and I appreciate that so it would be hard to select one. They all represent groups or organizations that mean a lot to me.

Blanche Touhill: And what about the IWF?

Jean Hamilton: I think the IWF has been a wonderful organization. I didn't fully realize how much fun and how informative and how much I would treasure the friendships I have with people in it. I haven't actually taken advantage of as much as I probably should in the conferences but just the people I've met, certainly locally and in Missouri and those that have visited here from other forums have been wonderful and I think it's so interesting to know what people are doing in other paths, in other professions and work because we all...I mean, I'm pretty well connected in the legal

community and I love that but it gives you another perspective on what people are doing and how they're doing it, not to mention just nice friendships, yeah.

Blanche Touhill: Has the legal profession changed over the years?

Jean Hamilton: I think it has. It's much more national, international and, as a result, like everything has its pluses and minuses, the legal community, the local legal community is not as cohesive...not because people don't want to be, but they're looking outward to national things or their practice takes them nationally or internationally and it's harder for everybody to know everyone. The specialization has contributed to that. It's very specialized. I know a lot of lawyers but most of them are in litigation. The ones who aren't are probably people I've met in non-legal capacities and discovered they were a tax lawyer or a corporate lawyer and so I think it's changed in that way but I think that also mirrors how many other professions and other endeavors have changed in a similar way.

Blanche Touhill: In your father's practice, did he do all kinds of law?

Jean Hamilton: He did, he did all kinds. He was a sole practitioner but he worked in an office of lawyers. Some were in small partnerships but most were not and those were the days when you could do that. You did all sorts of things like that.

Blanche Touhill: Why can't you do that anymore? I know that you can't, like the medical profession to a certain extent.

Jean Hamilton: It's so specialized that it would very, very difficult to keep up in all those areas, for anyone to go very deep into tax law, you really need a specialist, or a lot of the pension law, it would be very, very specialized, even criminal law, you really need to be pretty specialized, getting into that and so nobody can keep on top of all of that.

Blanche Touhill: Well, in the federal courts when you were on the bench, did you do both civil and criminal?

Jean Hamilton: Mm-hmm, right.

Blanche Touhill: Did you play a role in one and then, after a couple of years, play a role in another or did it just happen, what was the case on the docket?

Jean Hamilton: Yeah, as cases came in or assigned, whether criminal, as indictments are handed up, those are assigned randomly to the judges and same with the civil, whatever walks in the door gets randomly assigned. Now, each judge has certain things that they can't hear. You may have a relative who works for a corporation so you won't hear...you have your recusal list, but other than that, it's just randomly assigned and so you just schedule them.

Blanche Touhill: Can you get out of a case if you don't want it?

Jean Hamilton: No, not unless you have a legitimate reason.

Blanche Touhill: I can see people saying, "I think somebody else should do this one."

Jean Hamilton: Well, I mean, if they do it...I really don't think many do.

Blanche Touhill: It's just understood, that's your job and that's how you do it.

Jean Hamilton: That's how you do it, yeah. Well, it just means the lawyers have to know that.

Blanche Touhill: But the fact you had both criminal and civil experience helped you?

Jean Hamilton: Oh, immensely. Everyone takes criminal law but I had no particular interest in law school. It was interesting but I had no interest in practicing and yet, I'm very glad I had the exposure as a prosecutor and then the experience on the state bench was invaluable and then moving to the federal bench, because there are more similarities than differences and those you can figure out. But it gave me confidence, a lot of confidence.

Blanche Touhill: I was always surprised when I found out how many lawyers had never been to court.

Jean Hamilton: Probably most.

Blanche Touhill: Yes, it's astounding.

Jean Hamilton: Yeah, and that's been maybe one of the biggest changes because when people were solo practitioners or in very small firms, you would go to court; everybody would go to court on something and now, you just don't. In reality, very, very few cases are tried, very few cases are tried.

Blanche Touhill: Isn't that better, really? Well, it depends on the case.

Jean Hamilton: Well, it depends on your perspective. I don't have as much of a problem with it if I think everybody had a fair opportunity to be heard, even if a case is disposed of on a motion or in a settlement, I don't have any problems, but I think what a lot of people worry about is what's the reason you settled. Was it because it was too expensive to go? Did you feel forced to settle because of the expense of trial was simply prohibitive and so in that sense, was it really a settlement for the right reasons? And those are all true but realistically, very few cases go to trial.

Blanche Touhill: Now, I know you were on the art museum board at one time so talk about your contributions into the society? I know judges have a hard time engaging in politics. They can't engage in politics...

Jean Hamilton: No, no, we don't do any politics. Well, interestingly, the art museum connection, I'd always been a friend of the art museum and all that, enjoyed it, but it was through an IWF member, Janet Weakly who called me one day and she said, "Would you like to be on the board of trustees at the art museum," and I knew Janet was a member and before I could even answer, she said, "Now, there's no problem here. There's only four meetings a year." She knew what my next question would be and I said, "Well, okay."

Blanche Touhill: But if you're on a committee...

Jean Hamilton: Well, she didn't mention the committee so I got hooked before...so I was a trustee for several years and, of course, that means committee work too but I found it fabulous, and then became an advisory commissioner and then a commissioner.

Blanche Touhill: Oh, I see, oh, yes.

Jean Hamilton: Yeah, so about a year ago, I finished my terms on that so then you become an honorary trustee and, more recently, we're just wrapping up...and I've been chairing the task force on a long range planning now that we've finished the addition on the art museum. So it's been a wonderful experience and I'm obviously still in a position, I'm still on some committees so it's been a wonderful opportunity. A lot of people I already know but other people I've met and St. Louis is a small town and your connections are very close so it's been a wonderful opportunity and to see the operation of the ZMD, the Zoo Museum District, I think, has

been fabulous because, to me, that is something that St. Louis should be very, very proud of.

Blanche Touhill: Are there many places around the country that have...

Jean Hamilton: I don't think so. It's very unusual and I would love to see it expand but I don't think that's realistic.

Blanche Touhill: In St. Charles and Jefferson?

Jean Hamilton: Well, I think that would be great and even if there would be some way to expand it across the river, I mean, for the whole metropolitan area, realistically, I don't think anyone, at this juncture wants to impose more taxes on themselves and it could be very controversial but I think we have a wonderful, wonderful...

Blanche Touhill: ...art museum.

Jean Hamilton: ...art museum and all of these institutions, all of these institutions are just fabulous. So those are things I...the zoo, you name it...botanical gardens, the symphony...that's not in it but that's another wonderful...

Blanche Touhill: Well, they were trying to get in.

Jean Hamilton: They were trying and I would love to see it expanded. Obviously there are a lot of logistics involved in all of that but I hope someday maybe we'll find the mechanism to really improve and continue to improve the arts.

Blanche Touhill: Are you on any other committees around town?

Jean Hamilton: Well, I do a lot over at Washington University.

Blanche Touhill: Oh, do you?

Jean Hamilton: Yeah, and primarily with the law school but on a couple of other committees so I'm engaged in that so it kind of fills up time and some things...the church.

Blanche Touhill: Well, it's things you want to do.

Jean Hamilton: Yeah, yeah.

Blanche Touhill: I mean, you have to say that the art museum has come a long way in 25 years.

Jean Hamilton: It has.

Blanche Touhill: It was always a good art museum; it really was wonderful but you have to say, they have modernized it.

Jean Hamilton: They've modernized and they're reaching out in new ways. I think any kind of connection with the educational...the school systems or any of the educational institutions is key, actually for all of these institutions.

Blanche Touhill: And they have an audience that is diverse ages.

Jean Hamilton: Exactly, and I think they realize, as a lot of these institutions do, you want to entice your youngest audiences because those are the ones who will be with you and will grow up appreciating you and that's your future.

Blanche Touhill: Yes. I know you love art and you talked about going to the Boston museums and the St. Louis museums. I'm sure you've gone to New York and Yale museums. What is your future with the art museum in St. Louis?

Jean Hamilton: I think I'll continue as an honorary trustee, to support it, to continue to serve on committees as I now do and obviously continue to attend and keep up with what's going on over there. I think it's a gem for St. Louis and I hope it will continue to be.

Blanche Touhill: Thank you very much.

Jean Hamilton: You're welcome.