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INTERNATIONAL WOMEN'S FORUM ORAL HISTORY PROJECT

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MARY RUSSELL INTERVIEWED BY BLANCHE TOUHILL

Blanche Touhill: And Mary, would you talk a little bit about your childhood: your parents or your siblings or relatives, elementary school, maybe a little high school. Did somebody say something to you early in your life that sort of set you on your course of law or of understanding that you have some ability and that you should get an education in order to make that ability more available and to the public. So just talk a little bit about your early life.

Mary Russell: I grew up in a small town in Hannibal. It was just a town of 20,000 people in the 1960's. It was kind of the Ozzie and Harriet days, I think you would relate it to. We lived just a block from our elementary school and it was a very secure, very comfortable life and you could walk around town, you could venture around without your parents being...it was very safe. I grew up at a time when teachers, when they became pregnant, left school mysteriously because they weren't allowed to teach anymore. Things like women's rights really weren't talked...that was very traditional kind of growing up childhood for me. Most of my friends' mothers didn't work. The ones that worked were either highly educated or their families were in need of the extra income. My parents fell into the category...my mom didn't have to work so she was a housewife and I was one of five children and my father was a dairy farmer. During my first 12 years of my life, we lived inside of Hannibal and my dad drove to the dairy farm and did his job and came back home at night and it wasn't until my 7th grade that we actually moved to the farm. But those first 12 years of my life, I had wonderful friendships, wonderful opportunities in school. I always was fortunate enough to have been successful in school. I was born with a pretty good head on my shoulders and was able to make pretty much A's in everything except conduct. I talked too much and never could quite get an A in conduct. But I was a Girl Scout and active in our church. It was a very traditional lifestyle and as far as thinking of careers, in elementary school, I think even as far back as then, my siblings...there were five of us

in our family...always knew we would go to college. We always knew that some day we were going to at least get a Bachelor's Degree, didn't know quite sure where and what we wanted to study yet but we knew for sure we wanted to go to college. Now, keep it in mind, my father's occupation as a dairy farmer, that's a 24 hour job almost but it's certainly a 365 day a year job and it's the kind of job where we didn't have vacations and we didn't get to travel. So most of my traveling, because my parents were older and they liked to read...were through reading Encyclopedias, a library card and many trips to the library, frequent subscriptions to magazines like National Geographic and Reader's Digest and Look and Life. So we, I guess, traveled through reading and study and my father always would challenge us at the dinner table on different academic topics. He enjoyed the sciences and the mathematics and so it could be...since I was next to the youngest, the older kids may have already had these classes and grabbed these concepts but I always wanted to keep up and be recognized too so I would learn from them but my dad would ask us, "What's the Pythagorean Theorem; what's silver on the periodic chart, give us its valence and what is its chemical sign; how do you spell this word; what's the capitol of this particular country, and we were constantly being challenged that way whereas I'm sure some parents may have played football or touch football with them, my parents were more concentrating on academics. So I was very fortunate then to have parents that felt that way. My mother had not gone to college because, unfortunately, she grew up at a time where her parents told her that girls didn't do it. My grandmother had gone to finishing school so my mother didn't get the higher education that my father did in any event, on to middle school and that's where I think my interest first sparked in maybe thinking about journalism as a career. I was on the little...back on those days we called it junior high school as opposed to middle school but I was on the junior high school newspaper and one of my early assignments on the newspaper was to cover a press conference at the local school board office in which the commissioner of elementary and secondary education was going to be the person being questioned and so I went to that news conference and all of the local media were there: the radio reporter, the television station, the newspaper reporter, and then little 8th grade Mary Rhodes, and I had my reporter pad and listened to other people ask questions and the commissioner of education was very, very kind and said, "Well, maybe the student might want to ask a question" and so I got

to ask a question too and I thought, this is fun; I like this. It was Dr. Arthur Mallory and I still have never gotten back in touch with him and I think I've got his address now that I want to write to him or at least call him and thank him for his kindness. He'll have no idea. He will not remember the incident but how that really gave me some confidence in being successful or being able to be a part of that profession. So I continued on in journalism as a reporter then for my high school newspaper and then became a stringer for our local newspaper. I was the correspondent and I would write weekly stories about particular activities or events going on in our high school and it would be published in the Hannibal Courier Post, oldest daily paper west of the Mississippi. Mark Twain worked for the newspaper, and would get a byline. So I really enjoyed that and I was fairly confident that's what I wanted to do with my career. My mother would sometimes try to dissuade me in that she didn't think that there were a lot of job opportunities in that field, especially for women and that I might have to go to Chicago or somewhere much larger to be able to be employed and I persevered regardless. We always had a lot of encouragement too from my paternal grandfather and he lived to be in his mid-90's, and although he only had a formal education of 8th grade, he was the kind of person that was really self-taught and he was a good example of a life-long learner. After he retired from farming himself, he taught himself Spanish and he did attend some organized classes in Hannibal at the university but a lot of it was just from his own reading and tapes he would buy to get the correct pronunciation. And so as little children, when we would visit him and we would do so very frequently, we had to talk Spanish at the dinner table if we wanted to eat. Well, you can probably tell I've never missed a meal so I learned Spanish really quickly, as far as "carne," "leche," "agua," we're sitting in "la comida" and we're in his "casa" and how to count and conversational phrases. So when I started taking Spanish classes in middle school and high school, I always had a head start. He loved to read and study, all the way to his death and when I went to college, he would write letters in Spanish to me so we both could keep up on our Spanish conversational skills because I had tested out of it for college and didn't get to take any more classes. But one of his most common sayings to us as children was, get the all the education you could get. Never stop learning. So that was a huge little voice in the back of my head in all my siblings, that we ended up all going

to college and graduating from college. It was just something we never thought twice about.

Blanche Touhill: How was it to grow up in Hannibal with the great Mark Twain brand, so to speak? Did people ask you about the famous fence and the caves? When you went out into the world and you said you were from Hannibal, did Mark Twain come up?

Mary Russell: All the time and I think when you're there as a child and you've never lived anywhere else, you don't realize how famous Mark Twain was and how far his expanse was. The newspaper would publish almost every day a little tiny article of the number of visitors that came to the museum and which countries were represented and it would always blow my mind that it would be China; it would be Turkey; it would be countries far, far away, not just European countries...Russia...that people were familiar with Mark Twain and his writings and later then in life, as I would travel myself and I would say I'm from the United States and say Missouri, they would actually recognize Hannibal more than they would St. Louis. So it was easier to describe my home as being Hannibal as opposed to, you know, just north of St. Louis because a lot of people then could identify with him. But we all that the opportunity to really read a lot of his works and be involved in some of the tourist activities in town and so it was kind of idyllic.

Blanche Touhill: Are any of the family still there?

Mary Russell: My family?

Blanche Touhill: No, Mark Twain?

Mary Russell: No, no.

Blanche Touhill: They died out or...

Mary Russell: Yeah, he went on and moved to, like Elmira, New York and Connecticut and I think the successive generations must be somewhere, probably on the East Coast.

Blanche Touhill: So then you went to the University of Missouri-Columbia?

Mary Russell: Well, no. So then when I graduated from high school...

Blanche Touhill: Did you get any special awards in high school or were you an athlete?

Mary Russell: No, I played left-out. Well, that's because primarily there weren't any girls sports. It was a time period where, when I first started high school, there were no sports for women to play. The tennis came in as the first team that was available for women and I really had never played tennis and it wasn't my interest and then by the time I was a senior, girls basketball had started and, by a senior, if you really haven't been playing up to that point...so, I was never much of an athlete but I was involved in a lot of other activities in high school. In fact, my year book would probably show that I was probably in more activities than anybody. I really like community involvement, I like school involvement, I like doing things together as a group and giving back. I was President of the National Honor Society, for example, lots of different organizations. One award though...you had asked about awards...that probably really stuck out to me in high school...I was valedictorian but I was voted by my peers, my classmates, as the most likely to succeed female. Now, of course, there was also most likely to succeed male and I thought, at first...I was hugely honored but then I worried that, wow, this is maybe a lot of pressure. I've certainly heard about people that have won this award and gone south so I didn't know if this was going to be a curse or what but it's made me...I've thought about it, reflected on it many times, especially as it comes time for class reunions, that I hope I haven't disappointed anyone by being the recipient but that was a big honor. Then I knew...

Blanche Touhill: What happened to the young man that won the...

Mary Russell: He went on to the Naval Academy in Annapolis and I have Googled his name a couple of times. He's out of the military now and I'm not quite sure where he's living but he did do very well in the military.

Blanche Touhill: So then you went to college...

Mary Russell: Mm-hmm, and the decision on where I went to college was based upon where my father and mother could drive me and still make it back for milking. So my whole universe, for at least the first 20 years of my life, was, you could just do a dot on Hannibal and draw a compass around a two-hour radius around the town, and that's all I had ever traveled to and that was my whole universe and, unfortunately in those days, we didn't have the internet and we had two television stations, lots of reading material, but my world was pretty small. So basically I needed to select a college within that two-hour compass. So I looked toward the

University of Missouri-Columbia and also looked toward what's now called Truman State University. Then it started coming down to money and my parents with five kids, really couldn't afford to send all of us so I knew, with my grades, that I would be able to probably earn a scholarship, an academic scholarship and so at the University of Missouri, I was awarded the curator scholarship which would have been full tuition but at Truman State, I applied for this relatively new scholarship that Dr. McLean had created called the Pershing Scholarship. Truman State had formally been called Northeast Missouri State University and was primarily a school for teachers, a college to educate future teachers. He was trying to change the mission of the university and wanted to have more of a state-wide liberal arts college and wanted to attract students that had interests in other areas and so this scholarship was a full scholarship. They paid for not only tuition but also room and board, everything but books and if you maintained a 3.5, the scholarship was renewable all four years. So only 20 were to be awarded and I remember being selected to go up for the interview process and, again, it was going to be, like, at 10:00 o'clock in the morning so I had to go down and help my dad on the farm, make sure he could get the cows finished being milked, ran across the floor and he said, "Well, just take this pipe and hit it" and I'm like, oh, thinking, I wonder how many of the other of these kids are having to go through the same thing I'm going through; I bet zero. But anyway, the interview process was somewhat intimidating. It was 10 to 12 college professors and deans sitting around the table questioning me and asking me all types of questions. One of the experiences that I was able to talk about was a recent visit to the legislature. My high school, the social studies class, had gone to visit the state legislature and that was my first trip to Jefferson City. I remember I related this to the committee, how disappointed I was watching the Missouri House in action, these mostly men were not paying attention to the speaker, with their chairs turned around, throwing paper wads, reading newspapers and it was the most disgusting process I'd ever seen. This was 1976. Little did I know that sitting on that floor, one of the representatives, was my future husband. In any event, the university was interested in my perspective which is like, I think, many people on the first time, that it's like watching sausage being made, if you don't want to watch laws being made either. But they asked such questions that I remember on the way home, telling my dad, "They asked me, 'Well, how

are we going to solve the problem of the birth explosion, the population explosion in the world?" and being from the farm, I quickly said, "Well, there's castration and on the way home my father said, "Oh, my gosh, Mary, why didn't you think of something like educating the people," and I'm thinking, pffft. I won the scholarship despite all that and that was really a wonderful, wonderful break for me because that relieved me then of any pressure of having to worry about paying for college and be able to enjoy it. There were lots of additional activities and opportunities for Pershing scholars and, to this day, I'm very thankful to Dr. McLean for that. The Truman State in Kirksville in those days, again, a little traditional. I continued to do journalism, communications activities, was a stringer for the Kansas City Star, worked on the college newspaper, continued along those same lines and that was what my degree was in. At one point, I thought I wanted to maybe work for a magazine and be kind of a cross between a Ralph Nader and what is now maybe a Martha Stewart, kind of do some investigative reporting, consumer reporting to help consumers with products and ideas that maybe they're being taken advantage of and so that was kind of my preliminary interest but during my junior year, I had an opportunity...one of the stories I'd written for the Hannibal Courier Post was a feature story about our local state representative and evidently he liked it and thought it was very flattering and asked if I would consider being an intern in the capitol for him and the university, at that time, was sending down two to three people a semester...this is 1979...to Jefferson City to live for the full session and work for an assigned legislator or state-wide official. So two other people plus myself then moved to Jefferson City our spring semester and in those days, the legislature met from January until the middle of June and I pulled up to the capitol garage underneath the basement in my little car and asked the guard there where I should park inside the building and he looked at me like, "You intern, get out on the street!" So...I'd like to meet him again today. In any event, it was a hugely eye-opening experience, to see up close and personal behind the scenes, how laws are made and how our government works and the representative I worked for, Gary Sharp, was, again, my home state representative. It was a wonderful experience. I met a lot of people who gave me a lot of opportunities to do things that probably other interns didn't. By living there, you went out at night, went to some of the same receptions they did. You were at restaurants where they were scratching down amendments on the back

of a napkin at the restaurant. You really got to see the good, the bad and the ugly, the real legislative process and help with constituent work and did press releases for my representative and others in the building kind of saw my writing abilities and asked if I would do press releases for them too, and weekly reports back home. It was a wonderful experience and while I was there, I became aware that our congressman was looking for interns in Washington, D.C., in Congress. So, again, my family had no political background or interest and I don't know if I could swear to this day what political parties they were members of, but I applied and Congressman Volkmar hired me then. In those days, there was money to be paid. It was called an LBJ Internship Program and I moved to Washington just for the balance of the summer and worked at Congress and that was like Hollywood. I mean, one day Bella Abzug would be walking down the hall. The next day, I'm in an elevator with Ted Kennedy and here comes Jacques Cousteau and Elizabeth Taylor was married to John Warner and that was kind of the circle and it was amazing. That was a wonderful experience too. And then the summer came to an end. It was back to doing my senior year at Truman State in little Kirksville after I'd seen the lights of Jefferson City and Washington, D.C. and the fraternity parties and all of that, I was much too far above so it was a hard year my senior year, going back to life in a dorm after I had had this wonderful, glamorous experience of the real world. That's when I started to think more about law school. Lots of things had happened. I had seen lawyers in government. One of the beats I'd covered when I worked for the newspaper was the courts and I'd had a judge sit down with me and explain to me the criminal process so that I wouldn't just convict somebody who was charged and learn how to use the word "allegedly." It really showed me what's going on in the courthouse behind the scenes. I was very fascinated by that. So one of my girlfriends in college who was a year ahead of me had gone on to law school at Mizzou and in those days, we didn't do e-mail or texting. She wrote me an actual letter and said, "Law school is not that hard. You can do it," and I was intimidated. I didn't know that I was smart enough to be a lawyer. My GPA was 3.93 but I didn't know if that was enough to be a lawyer. I didn't have any family friends of my parents that were lawyers; I didn't know any lawyers and judges, much less, but in any event, I took the LSAT test and I did great and the score was plenty high to get into Mizzou and other schools but, again, I had to keep that compass in mind of where to go to law

school that would be close enough for my parents to be able to at least come visit or attend graduation and make it back for milking. So, I decided, why not? My grandfather's voice, you know, was heard in my head: get all the education you can get, because I really wasn't sure that I wanted to be a lawyer. In fact, I almost was pretty confident I did not want to be in a courtroom. I thought, I'll get this education, as Grandpa always said, it will help me some way in my career. Maybe I'll be working for a corporation some day and business and having a law degree will be advantageous for me but I really don't think I've got the ability to stand up in a courtroom and talk off my feet and represent anybody. This is...I didn't have the confidence. But I'll get that education anyway. So, law school was three challenging years. They were maybe a little bit lonely. It was all new friends but they've become life-long friends. I'm sure it's similar to somebody who'd done battle with a foxhole: if you've all been in the same thing together, you learn to make strong bonds.

Blanche Touhill: How many women were in the law school?

Mary Russell: In those days, out of 150, I think we had about 30.

Blanche Touhill: Do you mind my asking what year was that?

Mary Russell: So, I entered the class in 1980. It was a little bit less than a third and at that point, I really didn't think I was entering a non-traditional field for women. It really hadn't hit me. I mean, I knew it was a little different. There certainly weren't any women lawyers back home but I felt like, because there was enough women around, I didn't fully appreciate...I knew there was a distinction but the professors were all men except for two. There were all kinds of horror stories that were told to us about male professors saying women don't belong here. There were professors that treated women inappropriately but I was on the tail end and I didn't experience any of that directly. I knew that when we were told, we went out for interviews, that we weren't to wear engagement rings. We weren't to wear wedding rings. They probably would ask about, "What's your future plans as far as families," but we were told to be very non-committal and very gung-ho about working and becoming a partner and putting in the hours and doing whatever we needed, that we were ready to roll up our sleeves and get to work. So there were some...we just understood that. Nobody really got too upset about it. That was the rules, we'll play by them. Then, of course, there was a uniform that we

were to wear to job interviews and, early on, as young lawyers, a two-piece skirt suit, at least to the knees, plus a buttoned up white collared shirt, Oxford shirt with these little (tielettes?) so that we would look like men. We would never have this much skin showing, ever, and professional shoes and I remember, I went to Kansas City and bought two suits, navy and khaki and those were my interview suits. And we knew that most of the big firms would probably put on a couple of women because it would look good but we certainly didn't expect that we would be always their first choice and that we would be hired in equal numbers with the men that they were hiring. Again, nobody was tremendously upset or ready to do anything...marching over it but we knew that that's what the rules were and we were just hopeful to get jobs. I ended up applying for a clerkship with the judge and it was a judge that worked at the Supreme Court of Missouri and it was a brand new judge coming in and so there happened to be a vacancy. He hadn't had clerks hired from years in advance and it was Judge George Gunn from St. Louis. Again, my connections in the capitol helped because my former senator that I worked for and rep knew some folks at the Supreme Court and helped me get lined up for an interview and I was hired. So, right after law school, my first job then, for a year, was clerking for the Supreme Court of Missouri judge. In those days, the court was all old white men and they looked old to me. I look at the pictures and I think, I don't think I looked that bad but even the law clerks were mostly men because just 10 years before me, a woman who was number one in her law school class had applied to be a law clerk for a male judge and she was married and had a child and the judge said, "I think you could do the job but I don't think you can be a mother and be a law clerk. I don't think you can do both," and she wasn't hired. She later became a federal judge but, in any event, it was just right after, so it wasn't unheard of to hire a woman as a law clerk. Out of the 14 law clerks, there were probably 2 or 3 of us that were female and, again, I didn't feel too abnormal, I didn't feel too unusual because we were all treated pretty much the same. My judge was very protective over me looking at the files in criminal cases. I would be working on a death penalty case and there'd be a picture of the victim at the scene of the crime with maybe a butcher knife coming out of their eye or blood gushing and he would say, "Now, don't look at that before lunch because you're going to have to have lunch," and I'd come back after lunch, he said, "Well, that might bother you after lunch" so I'd have

to sneak and go get the picture to look at it because with that many prohibitions, I was darned tooting going to go see what that picture looked like. But I didn't notice really any quite different treatment. I do remember hearing my judge on the phone, overhearing him in conversations with other men judges, talking about some of these new women judges and maybe it was some of their personalities that rubbed them the wrong way but they were just a little suspect on some of their behavior and I didn't know these people to know if that was a correct assessment or not but I always thought back on that, that that was interesting, on how they were getting used to the fact that women were starting to move in the ranks. At that time, there was probably just a handful of women trial court judges anywhere in the state. This is the early '80s so it was a phenomenon that had not really caught on yet because it wasn't until 1989 that the first woman came to be appointed on the Supreme Court of Missouri, our fellow member, Ann Covington. So I finished my clerkship and I was looking for a job but I was dating a dentist from back home and decided that maybe that would be a good career, to move back home and potentially then maybe end up marrying him and working and living in my home town area. So, I interviewed with a small firm in Hannibal and the senior partner's wife had been my 3rd grade teacher and they both went to my church, although my family never socialized with them, he hired me and I know that he was taking a big chance because obviously I was the first woman in that firm and only probably the third woman in town to ever practice law. One woman was part-time and another woman was full-time and they ended up both moving out of town because of their husbands' careers, and then there was me. So, I wanted to do what the boys did. I wanted to succeed and I didn't want to be treated differently and I wasn't married and I didn't have anybody at home waiting on me so I could work long hours; I could roll up my sleeves. I don't know if my law partner, Bob Clayton, knew quite whether this was going to work or not. The female secretaries in the office kind of resented me a little bit. I had to be careful and respect their roles and develop professional relationships with them. The clerks in the courthouse were all women but I knew, to get to the judge, you had to be nice to the clerks and so I built wonderful relationships with the clerks. Many of the clients that would come and seek my help and want to engage my services would say, "I think it will look good for me to have a woman lawyer," and others would say, "Are you tough enough to stand

up against the boys? You know, Attorney So-and-So, is pretty hard-core mean. Can you do battle with him?" It reminds me that people want attorneys that are sometimes aggressive and maybe sometimes not as professional as we should be but they want somebody who's going to get in there and do battle and win. But I knew to build a client base and to rain-make, I needed to get involved in community activities. I became the second woman President of the Chamber of Commerce. I was involved in industrial counsel, the recruitment of new physicians to town. I was in different women's clubs and social groups and I developed a really, really successful law practice and I also took advantage of opportunities to serve on state-wide boards and commissions. Again, because of my connections back in Jefferson City, I got appointed to various boards and commissions by both Governor Ashcroft and Carnahan. I would be the Democrat slot and by serving on these different boards and commissions under the executive branch, I got to meet people from all around the state, travel to different places for meetings, develop networks of friends in different communities. I also was on the Young Lawyers Section Council which is a subset of the Missouri Bar for attorneys under the age of 36 and we had our own little governing board and made wonderful friendships with attorneys of my peer age group all around the state, mostly men, but some of those young friendships I have are now...one of my colleagues is (Zell?) Fischer, was in that group; (Lynne Anne Whaley-Vogel?) has been President of the Missouri Bar. The group has grown up and done wonderful things and we all kind of started as the young Turks there together. The experiences in a practice in a small town were wonderful and it was advantageous to me because a lot of, not only executive branch commissions but Missouri Bar committees would always look for, "Well, we've got to have geographical diversity on these groups and we've got to have gender diversity. Who can we get from Northeast Missouri?" and my name would sometimes then come to mind and so I got a lot of opportunity then to be involved in these various activities that would get me out of town and allow me to, professionally and socially, work with other people around the state. One of the things that I did was I heard about this women's lawyers association in St. Louis and there was never enough women in Hannibal to have the kind of meeting or group like that but I had made friends with a female attorney who had appeared in court from St. Louis and she said, "Well, you ought to come down and attend some of our meetings" and so I did. That was

so good for me because I saw women lawyers that looked like me; women judges, and I never met a woman judge, and I could talk to them about things other than the law. I mean, we could talk about, "Where did you get those shoes?" and things that girls like to talk about because, in my role as an attorney in Hannibal, when I would sit down with the judge and other male attorneys, the common subjects would be sports and politics. Well, lucky for me, I understood politics because I'd worked in it and had good relationships. In sports, I love Cardinal baseball more than anybody so I could keep up with the boys and fit into their cliques but, you know, sometimes there's other things that, at least I wanted to talk about and it really was...it was just a wonderful experience. I can still remember the women I met by coming down to some of these women lawyers association meetings in St. Louis and it would give me the spirit to go back and...because sometimes you questioned your identity, like, how am I to behave in the courtroom? Do I behave like that certain male attorney over there? There was no female role models who I could emulate in the courtroom and you could see certain male attorneys that you liked but I wasn't sure that was me because there were no women around but being able to develop new colleagues, albeit almost two hours away, really, really was a good experience for me.

Blanche Touhill: How did you move then...did you marry the dentist?

Mary Russell: No.

Blanche Touhill: You didn't?

Mary Russell: No, and then I figured, I'm stuck in Hannibal.

Blanche Touhill: So, go on. You were in the practice. Now, how did you get into the judgeships?

Mary Russell: Well, I think it was just being at the right place at the right time and we're now talking about being the early 1990's. I had been practicing since '84 and Govern Carnahan was becoming the governor and his theory was there should be more women on the bench and a couple of the current judges at that time on the Court of Appeals...I would argue cases in front of the Court of Appeals and the Court of Appeals in St. Louis had had a history of holding dockets in Hannibal and dockets in Cape Girardeau so that if you had a case, you wouldn't have to drive to St. Louis to have your appeal argued. You could do it right there at the Hannibal

courthouse. So every time I argued appeal, I just went across the street from my law office to the courthouse to do so and that was very convenient for myself and less expensive for my clients in having to pay me to travel to St. Louis. So I kind of got to know some of the Court of Appeals judges and, again, they were all men except one woman back in those days and they said, "You ought to consider applying for the Court of Appeals" and I'm like, "You're kidding? I'm in my mid 30's; I don't even know what the process is. I don't have any under...how would I get picked? There's all these wonderful attorneys from St. Louis, men and women. How would I even have a chance?" and I was told then that, of course, Governor Carnahan is doing all he can to help promote women and put more women on the bench because the Court of Appeals in St. Louis, 14 judges, 1 woman out of the 14 and they said, "You know, I really think you'd have a pretty good shot." Well, I had the kind of practice where I did a little bit of everything. I was pretty diversified, A to Z in the civil arena, very, very little criminal work. So I had that broad experience. I had made lots of friends through all these associations and I was willing to work hard. So the other judges explained to me how the process worked, how judges became appointed to the Court of Appeals and said they would do what they could to help me but, of course, there's competition in St. Louis. That's where most of my competition would come from, no guarantees. So I applied, it would have been 1994. There were three openings coming up on the court. The first one, I knew, I probably wouldn't have a shot. The word on the street was, Ronnie White, an African American, was going to get it and he would be the second African American to ever serve on that court so I thought, why waste my time? But there were two more judges getting ready to retire and there were going to be two more openings. So I thought, what the heck, I'll go ahead and apply for this next one and the word on the street was, Bobby Dowd, the famous Dowd family in St. Louis, is probably going to get it, and I thought, well, it wouldn't hurt for me to go ahead and then just try anyway and I'll maybe get myself known and I'll maybe be in a position where I could launch and be successful in the third try. So I applied and I met this man named Bobby Dowd and he had heard about me and I think he might have been a little worried about me and he said, "Now, if you don't say anything bad about me, I won't say anything bad about you and I'll help you the next time" and I thought, well, I don't run a negative campaign anyway. Mine is all positive. I don't have any reason

to talk negative about you. I interviewed with the commission and, again, being at the right place at the right time, the commission was chaired by Ann Covington who also wanted to see more women on the bench and she was the kindest person. I went for my interview with her, as you had to with all seven commissioners that screened the applicants. They vetted out the applicants and determined who would be the three finalists and she was the chair of this commission. She said, "What can I do to help you?" put me at ease. There was another woman on the commission who had a daughter who wanted to grow up some day and be a lawyer, so she was anxious for women to succeed and the other male members, luckily I did fine with them too and so when the commission selected their three finalists, they picked Bobby Dowd, me and another male attorney, Steve Koslosky. Do you know who I'm speaking of?

Blanche Touhill: Yes.

Mary Russell: So we were the three names and I got word of it before I even got back to Hannibal. I finished my interviews in St. Louis and on the way home, they called and told me and so I thought, well, that was pretty easy. Then the three names went to the governor and I interviewed with the governor and...I'll have to backtrack for a second: I knew the governor because when I was in college, I was very active in Young Democrats and very good friends with all of his children and helped on his campaign in the ways that a college student could: parade or door-to-doors or attending meetings. I certainly never wrote a check at that level, in my life. So, we knew each other. I didn't think that would guarantee anything. I was still a little girl from Hannibal and I got to compete against all these big boys in St. Louis and also, during that time period, Judy Moriarty, our Secretary of State, was going through the impeachment process and Governor Carnahan had come to my office, my law office in Hannibal and shut my door and sat down and said, "Would you ever consider being Secretary of State?" and I was like, "Oh, my gosh, no." I was 34 or 5 at that time and I..."No," and he goes, "Well, I just wondered if you would ever consider it," and I said, "Well, Governor, I really want to be a judge some day," and a few weeks went by and I was at a Mizzou football game up in the lounge area and there was Governor Carnahan and his staff and he pulled me aside again to a private area and said, "Have you thought anything more about this? Would you consider being the Secretary of State?" and I said,

“Governor, you know, I really don’t have any interest in that. I don’t want to have to have a campaign or run for office. I would be very happy being a judge some day.” So, in any event, when he picked Becky Cooke, I was thrilled because I thought, oh, he can’t make me do it, can he? I don’t want to do it. So in any event, Becky Cooke became our Secretary of State and did a wonderful job. In any event, when the time came for the governor to pick one of those three finalists for the Court of Appeals, I still knew Bobby Dowd had it and that maybe I’d get another shot with the third vacancy and I was off at a meeting in Tantara and the phone in my hotel room rang and it was Roy Temple, the governor’s assistant, saying, “One moment, can you hold for the governor?” Well, the rule was back then that if you didn’t get it, the staff would call and tell you, “Sorry, nice try; you didn’t get it,” but if the governor called, that meant you got it and I’m thinking as I’m holding, oh, no, the governor’s going to say I got it and I really wasn’t expecting it. I knew it was going to be Bobby Dowd and I’m not quite ready in my practice. I’ve got to wind it down. It’s going to take me forever. Oh, my gosh, and the governor got on and said, “Mary, I’m sorry, I’m committed to the Dowd’s but I would really like to have the opportunity to appoint you.” I memorized those words because I thought, I don’t want him to ever change his mind because he said, “I’d like to have the opportunity to appoint you.” So I quickly applied when the third opening on the Court of Appeals came and I got it. And so I was 36 years old by that point. I was the youngest person ever to be appointed to the Court of Appeals – Eastern District and I moved from Hannibal, sold out my interest in my partnership in the law firm and moved to Kirkwood and was engaged by that point to the man I did marry and it was kind of like the Beverly Hillbillies, moving to the city but here I joined this court with, at that time there were 12 men, 1 woman and then me as the new member and these men were older. I didn’t know how I would fit in with them. They were presumably much smarter since they’re from the city and they were men, but soon they became some of my best friends. I became the chief judge there eventually and it was a wonderful relationship.

Blanche Touhill: Talk about getting on the Supreme Court.

Mary Russell: So then, after a few years, as many judges think, it’s time for more elevation and so I applied one time, fairly early in my tenure on the Court of Appeals for a Supreme Court vacancy and didn’t even make the top

three. I was still pretty young. I was probably maybe 40ish and didn't even make the three finalists. One particular panel, several of us went and applied and it was an all-male panel, not to say that my gender had any influence on that or not but in any event, it didn't, I didn't make it. I applied another time when Governor Holden was the governor and I was on a panel with Lars Stiff and Rick Titleman and Lars Stiff was selected and so another couple years went by...another year went by and there was another vacancy and I knew Judge Titleman would be able to do it hands-down so I didn't apply and he got it. But in the next vacancy, I thought, you know what? I think I've got a fair shot. I don't see anybody as being a real front runner but I think that maybe I might have a shot. So I applied and I got it and that was 2004, Governor Holden and I was very appreciative because the other two finalists with me were two strong Mata attorneys and myself and Governor Holden had lost the primary, it was lame duck governor and could appoint who he wanted and had no pressure from any particular group to appoint anybody. So I felt like the governor got to pick who he wanted. So that was a wonderful experience. That was kind of the peak and the valley of my life because I got the appointment from Governor Holden, the phone call on a Monday afternoon and my father died the following Sunday in his sleep and then my mom died 29 days after that. The day after I got the call, Mom went in for emergency surgery and had inoperable colon cancer that we all just thought, well, chemotherapy will fix it or radiation will fix it and then my dad died in his sleep and then Mom died. So it was kind of the worst of times to the best of times, as the old expression goes and so I love my life in St. Louis. I love being a part of the Forum on a more regular basis, all the activities and my husband and I had been married at that point for about nine years but we'd never really lived together. We had had this commuting marriage because he was a lobbyist in Jefferson City and we commuted back and forth and so, to simplify our lives, we decided that we would sell the condo and just live in one house together, and I'd always wanted to live with my husband. I always wanted to be on the Supreme Court so that was wonderful. We could be together and I could have the job I always wanted. At the same time, there were many a tear shed about leaving friends and co-workers in St. Louis.

Blanche Touhill:

Let me change the subject for a few minutes but then I want to come back to your legal career. If you had been born 50 years earlier, what do you think you would be doing?

Mary Russell: I'd probably be doing something very traditional, female. I was just lucky because I was part of the second wave of, I would say, the women's movement, was I had the benefit of women that came before me that burned the trail, that made it acceptable for a woman to be in the courtroom. I was never the first at anything. I might have been one of the few women at the table in many activities and in many professional activities but I wasn't the first. So someone had already opened the door for me and all I had to do was just push it just a little further open and I am grateful for those women that were brave to do that. I don't know if I could have done that. I think I wouldn't have been satisfied staying in a traditional role. I think at some point, I would have broken out of that but early on, I didn't quite have the confidence that I was quite an equal to men mentally or professionally but I think it probably wouldn't have taken long for me to see that I was and that I was an equal and should have been treated that way. So I probably would have been a Johnny latecomer to the table. So I probably wouldn't have stayed in a traditional role but I probably would have started somewhat in a traditional role. I had several job offers after college in lieu of law school. One was being, like a press secretary for the congressman I worked for and one was working for Proctor & Gamble. I've always wondered if maybe I would have moved up the ranks in the corporate world in Proctor & Gamble or some similar company but I admired those first women that went to law school and the first women on the bench but, you know, there were certainly times in my law practice where some of the men made snide remarks. Some of the men couldn't stand losing to me. One guy said once, "Well, you must be sleeping with the judge." Another man, I knew he was lying to the judge and I talked to him about it afterwards and he said, "Well, if you can't stand the heat in the kitchen, better get out." But generally, I was well prepared; I was honest with the judge and I had a good relationship with the judge...all the judges I appeared in front of. I always felt like I was treated fairly and sometimes maybe even a little better.

Blanche Touhill: Talk about the International Women's Forum. So you joined it when you lived in Kirkwood?

Mary Russell: Uh-huh, yeah.

Blanche Touhill: And then you just stayed with it all these years?

Mary Russell: Well, you know, I take that back now. Let me correct that: I joined a lot of women's organizations when I lived in St. Louis. I didn't become a member of the IWF until after I was on the Supreme Court and I was invited at that point, yes.

Blanche Touhill: And do you find that a good organization?

Mary Russell: It's a wonderful organization. You know, I don't get to attend every event like I wish I could because of my, sometimes, geographical schedule and conflicts but I have met women from so many different professions, so many different careers that sometimes you get blinders on. For example, in the legal field, you mess with lawyers; you deal with other judges. You don't interact with people in other careers and it's been wonderful to learn about other disciplines. The programs that we have are very stimulating. The tours or behind the scene activities are very exciting and just being able to commiserate with other professional women, despite our different careers. There are so many things that we have in common and can help prop each other up and support each other and learn from each other and just make us better people.

Blanche Touhill: Talking about your legal career, you must have seen a lot of changes and reform in law in your career and do you want to comment on any of those? I mean, you have the...what have we done in Missouri? I think it's a better state than it was 50 years ago as far as reaching out to children in need and women. Do you want to comment on any of that?

Mary Russell: We are much more cognizant of children in our state. We have a lot more organizations like (CASA?). The court appointed special advocates that they came about after I left the practice, where volunteers are appointed to be the voice for children in the courtrooms, that are there because of no fault of their own but because of an abuse or neglect situation where they've been living. We have a lot more groups that go to bat for women who are abused. That was just starting as I was leaving the practice in my town, women abuse shelters, the adult protection orders for women that were abused at home, and it was always something that probably went on but was never spoken above a whisper and it was a shameful thing. I think there's more societal awareness of these wrongs that are committed against those who are defenseless and voiceless people.

Blanche Touhill: I assume retirement homes?

Mary Russell: Yeah, and a lot of that's been done through legislation, you know, protection...

Blanche Touhill: But the courts rule on those?

Mary Russell: Oh, definitely, yes. The laws that are passed that outlaw abuse against elders in nursing homes and...yes, we definitely see those and it's very sad but courts are usually the ones that tackle things that sometimes politically can't be accomplished. For example, one time in this state, blacks and whites could not marry. One time in this state, if you were a married woman, you could not teach school. The Supreme Court of Missouri ruled that that was an equal protection violation because married men could teach school. So it's been interesting to see those kind of changes and even just courtroom procedures have changed. When I first started practicing there were a couple of counties in my area that if you were a woman litigant or lawyer, you could not appear in the courtroom if you didn't have a skirt on and I recently wrote an article about skirts in the courtroom, talking about the first women in private practice in the rural areas in our state and one particular lady I interviewed said that when she was practicing in Southern Missouri, there was an actual sign on the wall that said, "Women jurors and women litigants must wear skirts" and she was a lawyer. It didn't say lawyers had to wear skirts but she was a lawyer so she came to court in pants, very nice pants outfit and the judge corrected her and said that she could not appear in front of him without a skirt on. It didn't hurt her case any. She had a criminal defendant and that bought him some more time outside of jail so she was glad to get that extra few days and then come back and appear again, but she took the sign off the wall and took it home with her and still has it. But, I talk to young attorneys now and say that that was a rule and they're astounded about the differences of how women are treated in the courtroom today, and Missouri is slow in moving in a lot of areas. At one time we were the bellwether state but I think we're on the slow end.

Blanche Touhill: Now that I think about it, when I look at old movies, I see the jurors were all men. Was there a law that said that they had to be...

Mary Russell: Yeah, women were prohibited from being on juries, yes, mm-hmm, and I can't tell you the year when that changed but definitely, sure.

Blanche Touhill: Would you like to mention anything as we close this interview?

Mary Russell: Well, I feel like I've had a very fortunate professional career and a lot of it I have to attribute to being just at the right place at the right time. I was born at a right point in our society in our state, when women were starting to be considered equals in the courtroom and equals in various non-traditional professions. I was at the right place at the right time and knew the right people when I applied to be a judge and I've been very fortunate that I've always thought if I was born 10 years earlier, that I might not have been able to be in the positions that I've been able to have been in. I appreciate the opportunities I've had to serve and there's so much more that needs to be done. I'm in my first seven months of my two-year term as chief justice on the Supreme Court and that's a position that we rotate amongst ourselves and just recently came back from a meeting with some of the other state chief justices around the country and, by the way, there are over 20 female chief justices in our nation now and come back energized with all kinds of ideas and programs that we need to do and I'm still young enough and still have plenty of energy that I want to take advantage of this small amount of time that I have to be a leader in helping correct some of the things that need to be improved upon and I recently gave the state a judiciary address to the legislature and was very pleased to have both sides of the aisle give me standing ovations. So that was a highlight so far but there's a lot to do and I'm anxious to keep working.

Blanche Touhill: Thank you very much.

Mary Russell: Thank you.