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ABA Commission on Women in the Profession

Women Trailblazers in the Law

ORAL HISTORY

of

ROSALIE E. WAHL

Interviewer: Cara Lee T. Neville

Dates of Interviews:

March 18, 2006
July 8, 2006
Alright, we’re out at Rosalie Wahl’s farm in Lake Elmo, Minnesota. We’re sitting in the kitchen. This is Cara Lee Neville, and I’m sitting here with Justice Rosalie Wahl. The ABA Women in the Profession is interested in having an oral history of the Women Trailblazers, especially those who have won the coveted Margaret Brent Award. And I know Minnesota Women Lawyers, and I know I, personally nominated you for one of the early Margaret Brent Awards.

I was one of the first five, and I was very proud that the Section of Legal Education also nominated me.

Everybody was sitting there, watching you get that award, and tears came to my eyes, and I was wondering, you received so many awards over the years, what about that award was different?

I think it was the first time that the American Bar Association had, their Commission on Women -- was that the name of it?

Yes.

Decided to, to honor women lawyers. And I’m sure it was because of the Commission on Women. You know, the ABA hadn’t come up with it on their own before that time. And I can remember being called by Hillary Clinton, who was chair of the Commission, to tell me that they would like me to be one of the first ones. But she wanted to be sure I was going to be
there, because they weren’t going to nominate somebody who wasn’t
going to show up, so I did. And it was very exciting. I mean, one of the
things that excited me most, at this, it was a big ABA meeting, was that all
of my friends from Minnesota came. And I was so touched by that. And I
still remember the other four women who were there, they were just
ingcredible.

Judge Neville: Special for us too, I can assure you. There’s a lot of topics, a number of
topics that I wanted to cover, and we can’t get them all done today, but
I’m going to talk to you about your involvement with the ABA, because I
know that was very important to the ABA, what you’ve done for them,
and it’s important to you. And I wanted to talk to you about judicial
elections, and how things have changed over the years, and judicial
education, which has been something that you spent so much of your life
working on. But right now, what I want to do is start at the beginning, and
I have a picture of you in front of me and it’s entitled Rosalie and her dogs.
(Photo #1) Tell me about that picture, would you?

Justice Wahl: That’s when I’m a baby actually. My father worked at this pump station.
Those houses were where the families lived, and I was born in one of them.
I think in this picture, I can’t be more than a year or older, fourteen
months something like that. And I’m in this little chair, and here are
puppies, puppies all around my feet. So animals have been a part of my
life.

Judge Neville: Where was this?
Justice Wahl: It was in Kansas. It was actually, there was this little town that no longer exists on the Walnut River, which is south of Wichita, and it was called Gordon, Gordon, Kansas. And this was across Walnut River was where this was. It was kind of away from whatever town there was. There are a lot of little ghost towns in Kansas.

Judge Neville: What was your name? What were you born as? What is your full name?

Justice Wahl: For what we know, my families, my father, mother, their name was Erwin. And I was named Sara Rosalie Erwin. And the Sara was from my Aunt Sara, no “h” on it. And I think my father’s mother, my grandmother Erwin, whom I never knew, because she had died before I was born, her name was Sara, so I was named for family people. And Rosalie, I don’t know where that came from. My sister Mary says, oh, she thought it up, because she thought I was so pretty.

Judge Neville: Did you have brothers and sisters?

Justice Wahl: I had two older sisters. My sister Jeanette was four years older, and my sister Mary was six years older. And then about eighteen months later, I had a little brother. So that was our family.

Judge Neville: When I see this, I’ve got another picture, and this one is Birch Creek School 1931-32. Teacher, Faye Simpson. And you’re in this picture listed as Rosalie Erwin, and is this your entire school class? (Photo #2)

Justice Wahl: That wasn’t a class, that was the whole school.

Judge Neville: That was the whole school?
This was in Birch Creek. And when I was four years old, not quite four, my mother died, and so, we children went various directions. But eventually, I got to live with my grandparents, and then with my grandmother, after my grandfather and little brother were killed in a train accident there on the farm. So, this was when I think I was in the second grade. And my sister Jeanette was in seventh, and we walked, oh, I supposed a mile and a half, or something like that, over the hills to school. And that’s my cousin John, so three of us are cousins, and then there are the Hauser girls, Mary and Doris, and then there are the Bosman boys, and then the bulk of the rest of them are the Coatney children. There’s Elsie and Videy and Dorsey, and Lucy and Clifford. And there we are, there we are. That’s our school.

There’s a dozen, dozen children in that school then.

And when we -- I learned. And one of the things I learned growing up and I learned it at school was to, you played fair. You were fair. So I think that was a good ground for a judicial career to play fair. And it was like you needed everybody to play any game. I mean you couldn’t play work up in soft ball unless you have everybody in it, whether they were big or little. So, people were pretty considerate of the young ones and so forth.

How long did you go to the school?

Well, the first year, I was in -- my first grade I went to live with my father. He had remarried, and they lived in a little town called Towanda. Because I guess my grandmother thought it was too far for me to walk to school.
And that was in a little town. Anyway, then, all I remember then was that I learned songs, and I knew I liked to sing, and I learned Roman numerals, which I'm not even sure -- and I got scolded for showing a little girl in front of me how to make twenty. But, then after that, we went back, I got to be with grandma after that. And from the second grade on through the eighth. It was an eight grade school and it was the way the schools were organized in Kansas at that time. That, in our county, there were many school districts and they each had a school. And when we did things together, the whole county went up to Sedan, which was the county seat. So, we had arithmetic contests, and spelling contests, and running and jumping contests. We'd go to Sedan, and we'd do all those things there and interact with other children from around over the county.

Judge Neville: So you were raised by your grandparents then?

Justice Wahl: Well, my grandmother, as I was saying, when I was seven, my grandfather and little brother were killed in this railroad train accident, and then after that I lived with my grandmother. My father came, and my grandmother asked if she could keep me. And so then we moved up over the hill from this farm where we had lived, my grandmother’s family’s farm, to the old stone house which my great grandfather had built on the homestead there. I lived in the old stone house from the time I was eight years old until I was nineteen. So I have very deep roots there.

Judge Neville: You talked about your sense of fairness. From whom do you think you gained that sense of fairness?
Justice Wahl: Well, I think from my family. And I think at school. I think we were told to play fair, you know. I can remember, helping my Uncle Ellis and Uncle Bill. Although I wasn’t really helping, I was tagging along while they mended the fence, the barbwire fence, my two uncles. And I know they were talking about, how -- well, my family was poor. They never had a lot of money but they had land. They were good farmers, but they never had enough to get very far ahead. And very early, I identified with those who were poor. Well, my two, my heroes, when I was a kid when grandma and I lived at the old stone house, my heroes were Abraham Lincoln and Jesus. But I said, I always thought Abraham Lincoln had more fun. But, I learned from the stories that we read in school. And I learned from watching my family. My uncles, they were fair. And I remember my grandfather when he was still living. This was still -- I felt pretty close to the frontier life, and as I lived with my grandmother, especially after that, I did. If anybody came, they were invited to stay for dinner. You know, it didn’t matter who they were. It was a white community, a homogenous community, but out in the hills there lived a family and the father was black, I believe. What was their name? They had beautiful children. And my friends at school, when I was in Henley House, where half of us were white and half of us were black. The girls laughed, and laughed, because this woman out in the hills lived with her husband for twenty years, until somebody told her he was black, and then she divorced him. But otherwise I didn’t have the opportunity to know
people of diverse groups. And even as far as class, and as far as, well in a
real community like that, I mean there was one family that had more, a
bigger farm, and you know probably more money than others, but people
were pretty equal. You know, you are all trying to live off the land and
help each other. They still helped each other when harvest time came. I
can remember helping cook for threshers.

Judge Neville: You mentioned Henley House, what is that?
Justice Wahl: This was at the University of Kansas. And I went there. I graduated from
high school in 1942, and I wanted very much to be a journalist. I thought
the only place you could do that was to go to the University of Kansas,
because they had journalism. I fought, I fought to go. And so my Aunt
Sara, she was, she was the one who was there for me, as far as, helping,
helping with the money. But she didn’t have much, but she shared what
she had with me and grandma. In those hard years of the ‘30s, she sent
grandma $25 a month and me $3 a month to buy things she needed. So I
went to Lawrence and was there the first year. I was there during the
years of the Second World War. And after that first year, this was ’42-43
and the war was really, you know everyday people would -- men would be
gone from the class off to the war. And the young man I was engaged to
had been, he’d been killed in an air force training crash. It just seemed
irrelevant to be going to school. So I went home after the first year, and I
taught in Birch Creek School the next year. Teachers were scarce. I had
eleven kids in eight grades. It was the same school I’d gone to, and my
cousins, and my mother, and her brothers and sisters, and my grandmother
and my grandfather had all gone to Birch Creek School. So I went back
and taught that year. Then I went back to Lawrence and the U. where I
became very involved. When I was home I decided that I wasn’t going to
be a journalist necessarily, although I loved writing and words. I was
going, you know, I went ahead and took some of those classes. But I
decided I wanted to do something that would be more, in my mind and I
thought more of help to people. I went into sociology. I got very involved
in the YWCA on the campus which was working on issues of social
justice -- the last year I was there -- well I was elected President in spring
of, I guess 1945. And all of my friends, all of the Y members earned
money. I think they had to earn $300. They made sandwiches and they
sold them to all the fraternity houses and all of the people. They made
enough money to send me to New York to the Y Presidents school, which
was held at Columbia University at Union Theological Seminary.
So I went off and there were -- it must have been 25 of us from different
colleges. And there weren’t so many men, but the ones that were there
were mostly from the South. I often wondered what happened to my
friends from the South when the Civil Rights Movement came along. But
we lost touch with each other. I came back to KU where we had already
established, we’d had to fight to establish this too -- to use our YMCA
house, Henley House as a residential, inter-racial living co-op. It was a
big brown 3-story house, very homey-looking. We had rented it out to
graduate students. Now we decided that we wanted to have an interracial co-op, so we were living more in line with what we believed. There was no interracial student housing previously at KU. The YW has always been very strong on diversity and on race, fighting against discrimination and that sort of thing. So that’s what we did. We lived there together. There were ten of us at any one time. We had a house mother who was -- she had grown up as a Quaker. She was pretty old by then or so it seemed to me. Her sister taught philosophy there at the University of Kansas. But to everybody who came through, these were very exciting years. I don’t know if anybody who hadn’t lived through them could understand what it felt like. First there was the experience of the war. If you haven’t known what total war is like, you can’t know what we lived through. But it was also -- a time towards the end, when the United Nations was being founded. We thought about that, and we had a mock United Nations. The horizons just expanded, and it really seemed like a very hopeful time.

When national speakers came to campus to speak about their experiences they stayed at our house. We had a chance to talk personally with them. It was a very yeasty time and place.

Judge Neville: And that would have been about forty?

Justice Wahl: We started in the spring of 1945. We organized it -- first we had to convince our YWCA, our Y officers, and they wanted it, they did. Then we had to persuade the town and faculty women who were on the Y Board. Then we had to persuade the Chancellor to do it. Although they insisted
that our parents or guardian had to write a letter saying it was okay if we lived in an inter-racial Co-op. My friend Marge Robins, she was in the house, and she came from northwestern Kansas, and she and her husband Art had married secretly. He was in the Navy, during this time, and so when she asked her mother, you know, if her mother would write this letter and say it was okay for her to live there. Her mother said, “Well you didn’t ask me about getting married. I don’t know why you would want to ask me about living with a few colored girls.”

Many people were supportive. We lived -- next door to a sorority, I can’t even remember which one it was now, and some of the people who had daughters there complained to the Chancellor that there was this house next door where women, both black and white, were living together. The Chancellor said to them, “Well, you know, if you don’t want your daughters to live next door, move them somewhere else.” He was supportive. So we had Henley House. But the man on the other side (of Henley House) removed his machine that fed coal into our furnace and we had to shove coal into the furnace by hand. Those years were very broadening years. The horizon was pushed out for me. There was a lot of emphasis on justice. That was when I first became aware of injustice. I didn’t think about it much when I was growing up, but that’s when I learned about it and that something could be done about it. We started sit-ins in restaurants and at the downtown movie theater.
Judge Neville: Did you think, in those years, that you were ever going to go on further in college, for any more schooling?

Justice Wahl: Yes, I graduated in the summer of 1946. In the Spring of 1945, all the men came home. The war was over, and the men came home. The campus was flooded with ex-GIs. The GI bill made it possible for many of them to go on to college if they were interested. Like the Homestead Act for the Civil War soldiers, the GI Bill was for the GIs in the Second World War. There were a lot of them on the campus. I had a friend who was the son of the Dean of the School of Medicine. My Aunt Sara taught in the School of Nursing there, and had been acting Director of the School during the war years. Ross was Dr. Wahl's son. His stepmother was a good friend of my Aunt Sara. So I had known him before the war, but we hadn't been seriously involved. Ross had been in the Army since 1943. He was in the hard fighting in Europe and in the Battle of the Bulge. So when he came back, I don't know, I didn't plan it, you know, we just fell in love that Spring. I had been going to go to California, to join my dear friend Jeanne Schoemaker where she was working in the migrant fields, because I wanted to work with migrants there as they went up and down the valley-- well I guess I could still go do it now because they're still going up and down the Emperial Valley. Anyway I didn't go. Ross and I got married instead at the end of that August. And I thought a little bit. I did well in English. I did really well in English and the -- some of the English professors there wanted me to go on and do graduate work in
English. And it's foolish. I mean, I wrote well and I liked it a lot, but it seemed rather irrelevant. I mean when you are involved in a war that everybody is laying down their lives for if they have to. And I just didn't really get caught up in that. But then I thought they were going to establish a school of social work there, so I took two or three classes in that. But without ever, I suppose, really intending to go on. Because we were in Lawrence then, two years after Ross and I were married, while he finished his course in Electrical Engineering. That was in 1948. That was not today. Engineers couldn't find a job. This was before Sputnik and before the Cold War and before there was this big we didn’t want Russia to get ahead of us in anything. So then they began to have a lot of jobs. And that was well after, in the 50s here. Later on, when our children were in grade school, schools were teaching languages. Spanish and German down in the grade schools. As soon as the powers that be thought that we weren’t going to be blown up, I guess, they stopped. Anyway, we came to Minnesota. We were in Lawrence until Ross graduated. Then, there just wasn’t any employment. We liked Lawrence, and I think we would have stayed there. I had worked. There had been something organized by Rachel Vanderworth, who was our Y secretary and was a great, she was a great instigator. She inspired us to do things, and she helped establish what was called the Lawrence League for the Practice of Democracy, and it was an interracial group there. And we worked with men and women from all over -- remember -- this is Lawrence. I mean this is Kansas. And
there wasn't any integrated housing on the campus. After we did Henley, a few years, later then they did integrate. But I worked with the Lawrence League for the Practice of Democracy. I was the Executive Director for a couple of years. And I really loved, you know I loved community work. I liked working with people. Then Christopher was born, our first son. And when Ross finished school. He was a year old. He was about a year old, I think, at that time, and we had some friends there that we had lived nearby, in these two little houses on the edge of the river. And we had been dreaming about what kind of a life we wanted. And we wanted to establish an intentional community. I don't know -- at that time there was a lot of -- there were a lot of movements about cooperation and intentional communities and making it -- we thought we could make the world a better place. So these friends had come ahead and they had gotten some land up north of Twin Cities. So we were going to come up and join them, which we did. We came up and worked really, really, really hard and helped build a basement, which we lived in for the winter with those friends. And my daughter Sara was born when we lived there. And it was a wild, rough life. I mean it was very, it was very pioneering. The men worked. I mean Ross had a job with probably Honeywell or something like that. The other one was a lawyer, and he worked for the insurance company, State, no it wasn't State Farm. It was the Cooperative Insurance. And we worked on that. There were three or four other families that we worked together, and we talked about -- we wanted to have our own -- we
wanted to have an enterprise that could support us all and would recognize
the value of work. And we had all this philosophizing that we did, you
know about how we’d really set up a society if we had a chance to do it.
And so we worked on that. And then our friends, the Taylors, bought
some land over here in Lake Elmo. Around the corner was this farm. And
Ross and I moved here with our family, and I’ve been here ever since.

Judge Neville: What year was that?
Justice Wahl: That was in 1955.
Judge Neville: In this very house where we are sitting right now?
Justice Wahl: Yeah, that’s right. It’s been a long time.
Judge Neville: Yeah.
Justice Wahl: And for about ten years, you know, we did a lot of things together, then
the other families moved closer. There were four of us, five of us I guess,
at that time. And we didn’t separate ourselves from the community. We
were very active in the school events and all those things. But we did a lot
of things together in terms of raising a garden together, and doing things
with the children, and going on field trips and things like that. So it was a
good experience. I mean I don’t think something has to be successful for
it to have been very worthwhile, while you are doing it. And I’m really
glad that we did those things.

Judge Neville: I’m going to show you a photo that we’ve got here. I marked it as number
3, but can you tell me about this? (Photo #3)
Justice Wahl: That’s the judge in you. You mark the evidence.
Judge Neville: I know it, I mark my exhibits.

Justice Wahl: Well when we moved -- this is a picture of three little boys. And one of them is my son, Timothy, when he's about five years old, I expect. And two of them are sons of my friend, Francina Seizer, who was one of our friends. We'd lived together at Henley House. She was wonderful, and she came to Minnesota, to the University of Minnesota, to go to the School of Social Work here. And she met Ed, who lived here all of his life, and they married, and so we saw each other quite a bit. And there they are playing, don't they look sweet? Brown was one of our, one of our woman of color. She was a wonderful person.

Judge Neville: And that was here in Minnesota?

Justice Wahl: Uh-huh. And Brown for many years worked as a school social worker, I think in the schools.

Judge Neville: Let me backtrack just a moment, when you were in undergraduate school and a lot of the boys were off at war.

Justice Wahl: There were a lot of military units on the campus. You know, there was -- training people to be doctors, and there were people there at engineering school. Sailors, I mean, there were naval units and army units there for all kinds of training during the war. But there sure weren't very many other men around.

Judge Neville: Were there very many women there?

Justice Wahl: Oh, yes, I always considered this. I mean, I wouldn't have made it happen, but it was from my point of view, it was an opportunity for women to
exercise leadership. The men were gone, we ran everything. I mean we were the editor of the Daily Kansan and I was editor of it for a few months before I was finished. Editor of the Kansan, which was the year book, president of the student council because one of our number who had lived with us at Henley had been on the council some years before. I mean it was like an opportunity that wouldn’t have existed if the men had been there, because it would probably be -- he’d be the president and she’d be the secretary or something like that. Well, here we organized and we ran everything. I was reading some clippings the other day. We organized a group called the Independents. I mean we had, we had sororities and fraternities on the campus, and I had some very good friends there, but there was most-- there was a majority, a majority of people on the campus were Independents, and so we organized the Independents, and we had about four different committees. One of them was to look at the social life of -- see how people were and to see what their living conditions were, because they’d find living conditions. And I’m kind of amazed at what we were trying to do. Well, those were the years. And as I say, I don’t know, I don’t know how women -- they still need the opportunity for leadership. I think that’s why women who go to all women colleges -- you look in the books of who’s listed, you know, in Who’s Who of Women and who’ve done things, and many of them come from colleges where they’ve had, you know, famous professors and people who were their mentors who were very active in a lot of fields. Like men have
always had, you know people to sort of mentor them. So I don’t know, I haven’t followed up too much to see how we are getting girls and women a chance for leadership, you know in the schools, that sort of thing. Because you do have to, I don’t know, I guess you have to work at it. We were just lucky that we didn’t have to work that hard because we were the only ones there to do it, you know. So we got to do it.

Judge Neville: Well you had two or three children as I recall before you decided to go to law school?

Justice Wahl: I had four children.

Judge Neville: Four children.

Justice Wahl: Four children and they were all in elementary school here over in Lake Elmo. Oh we live in the country here. And I had began to think that I needed to, you know, my husband was working as an engineer, but it cost a lot of money to raise four children. And so I’m thinking I should get a job and help support these children. Well, when you’ve have a degree in sociology that’s sixteen years old, there’s not a whole lot you can do. And about that time, at the universities and the colleges, they were beginning to recognize that women were coming back to school to take their education further then they had. And so, the University of Minnesota had a Women’s Center and I made an appointment there, this was in early August and I couldn’t get an appointment until you know September or something like that. Well, in the meantime, I never thought of being a lawyer. I didn’t know any lawyers. But I had spent a lot of time
organizing people in community issues for the county library and for school bond issues and so forth. And was just really pretty tired of sitting outside of doors while the people inside and at that point they were men. They were all men who were making the decisions. And, so I had gone, we were in the fourth district. We’d been in -- where I live now we’d been in four different districts, congressional districts. So it would be a terrible place to try to, you know, be a politician. But anyway this time we were in with the fourth district which is St. Paul. And we’d gone to some dinner for Joe Karth and.

Judge Neville: Joe Karth?

Justice Wahl: Joe Karth, he was a Congressman there for a long time. And I sat next to Mary Lou Klas. I didn’t know her, never met her. But here’s this woman who’s younger than I am, who had several children, whose husband was a lawyer and who herself was a lawyer. I think practiced together. And I thought, afterwards I thought, you know, if she could do it, I could probably do it too. I’ve had a lot of inspiration from people younger than I am. I don’t think people have to be older before they can be your mentors. And at that point, this was early August. And this was in 1962. In the summer of ’62. And there wasn’t the great crush on the law schools. There were only two law schools in the state. William Mitchell which was a night law school and most of the people worked during the day and went to school at night and the University of Minnesota. So those were the two. And it wasn’t hard to get in, you know. I mean I hadn’t taken the
LSAT, and they said oh, they said, when I went to talk to them at Mitchell, “You can take it the next time it comes up.” So when it came up, it was December and I had been in law school for about four months at that time. But anyway, I decided that I would go to Mitchell, because I wanted to be home when the kids came home from school. And it was a -- so for all those years, actually it took me five, because the second year I was in law school, Jenny was born.

Judge Neville: That’s your daughter?

Justice Wahl: And my daughter Jenny, I have two daughters. And so then, I have five children. And I missed a week of school and I took two fewer credits that semester so I had to stay on and take the -- well what I missed was of course, called Sales and so then they switched over to teaching the UCC by the time that -- but they were going to give the Bar exam in Sales and it was no longer offered at Mitchell. I didn’t realize that I was in big trouble. And I think Dean -- Doug Heidenreich was the Dean at that time. And he must have figured out, that, you know, here is this poor woman who didn’t know what she was into. And he was the one who taught sales and he taught the Uniform Commercial Code. He taught me all by myself, one whole semester, every Thursday night for three hours. I sat across from him at his desk and he taught me Sales.

Judge Neville: How wonderful.

Justice Wahl: Because that’s what -- and I didn’t ask for it. You know, they were just so good. They were so good to me. I always figured they wanted me to
learn all the law I could learn. But that was just uncalled for. I mean, he
didn’t know I was going to be on the Minnesota Supreme Court. He just
thought I was a poor woman with a lot of kids who needed to take Sales.

So I could take the Bar exam.

Judge Neville:  Well he was my prof. for the UCC, as well -- the sales part of it.
Justice Wahl:  He’s a good person.
Judge Neville:  He was a very good person, is a very good person. Let me show you
something that is a photo that I’ve got here. In 1961, it says. Tell me
about that. Now that predates and is about the time that you’re starting
law school? (Photo #3)
Justice Wahl:  Well we lived here -- ’61? That was like the year before. I started in the
fall of ’62. And I was, you know, home with the children and doing the
big garden and doing all the -- we had, well actually we got 20 acres and
we sold 8 to some friends. And so then we had 12 acres. So we had a lot
of land. Raised a big garden and --
Judge Neville:  Did you work outside the home ever before you?
Justice Wahl:  Not until after I went to law school. I never did. Well, when I went to law
school, it was like, I must confess. I liked the freedom that came from not
having a job outside, being here, and working here all the time with my
family. But I could control my own time and I could do things. And I
also -- this is a bad confession. I knew that it would take a while to get, to
become a lawyer. And if I went to Mitchell it took even longer. Actually,
it took -- it’s suppose to take four years. But I had to take, I went that fall.
That's when I took this course in Sales, then I took the Bar in the middle of the winter. And I knew it would take a while, and I didn't care if it took a while before I had to go out there in the grubby, grubby world, you know. Anyway, in law school, I was -- there were only two women in my class. And we were in different sections.

Judge Neville: Who was that?

Justice Wahl: Ellen Dresselhuis. She practices here in St. Paul. I think she did sex discrimination cases and that kind of thing. I don't know, is she still practicing?

Judge Neville: I have not seen her for a while, but that does not mean she isn't.

Justice Wahl: Anyway, there were two of us and then there were the men. And I actually think my age made more difference. I mean, I was 38 when I started, and you know I was 44 or so when I got through. I was probably old enough to be the mother of some of them anyway. And that probably made more difference than gender. And a lot of them had been in the service, they'd been during the '50s, had been in the Korean War. So they had a lot of things in common, and I, you know, came in at 6 o'clock. For all those years, I was putting supper on the table at 6:00 and going out the door and driving off to law school, and my family carried on, you know.

And after Jenny was born, well Sara was a senior. Well, let's see, she was a senior in high school the year I graduated from law school. But I could never have made it without their help. I mean, Sara was so great. Well they all were, but I think she took more responsibility for Jenny when she
was little. And that made it possible for me to go to law school. And I, at that point, felt like I had a tiger by the tail and I couldn’t let it go. You know, I’m kind of stubborn about when you start something you should finish it.

Judge Neville: Did you feel any discrimination at all in law school because of your gender?

Justice Wahl: Never, I never did. And there was only -- the only woman faculty person was Carol. She was the librarian, but she also taught research.

Judge Neville: Floren, Carol Floren.

Justice Wahl: Carol Floren. She was the only one. There weren’t any women faculty people. And I was very busy but I never had. I mean one of the things I missed and that I realized later that most law students had. They had little study groups, you know. I never had a study group, I just had to study by myself. Anyway, this picture is in 1961, and I hadn’t started to law school yet. And this is my Aunt Sara and my Aunt Gladys. My Aunt Sara was kind of the mother person in my life. She and my grandmother. My mother was the oldest in her family, and she had two sisters and three brothers. So I went to live with my grandmother. Aunt Sara and my grandmother really raised me. Aunt Sara was the one who, she was a nurse and she was in nursing education. She had wanted to be a nurse apparently when she was young. When she graduated from high school in about 1920, and it wasn’t very popular to be a nurse at that time, so her parents didn’t much want her to, so she waited until she was 21, and then
she went off and she was a nurse. She always thought that women should be able to earn a living. Women should be and, I think originally, she thought I should go to a teacher’s college and become a teacher. But that wasn’t what I had in mind. I wanted to be a journalist to begin with. I was sort of -- I think I was a very bullheaded child. I don’t know how they handled me. But anyway that’s my Aunt Sara and Aunt Gladys, and they had come up here to visit that summer and that was really wonderful. (Photo #4 - missing)

Judge Neville: What did Aunt Gladys do?

Justice Wahl: Well she was married and lived on a big farm in Birch Creek, and we lived in Birch Creek. My grandma and I lived in the old stone house, and Aunt Gladys was married to my Uncle George. And he probably had more land than anybody else in the community. She lived there until their son and a daughter grew up. Their son got married, and so Aunt Gladys and Uncle George moved up to Niotaze, which was about three miles away on a hillside, into the house that Uncle George’s parents had move into when Uncle George and Aunt Gladys got married, so they could live at the farm. And she -- I don’t think she ever lived anywhere more than five miles from where she was born. And so they lived there and she was a kind of a mover and a shaker in the community. Aunt Sara now, Aunt Sara was an adventurer who went all over. She got her nurse’s training and she got her bachelor degree there at Emporia and she would go out -- she went out to San Francisco in the late 1920s to take a course in
operating room things at Leland Stanford. And she would do other things like that, you know, she was keeping up. She’s one of the people who helped get nursing education really professionally in Kansas. So I’m pretty proud of that. But it was from her that I knew, women could earn a living. I never thought otherwise. I never thought that I wouldn’t. Then I got married, and it took me a while to get back on track, but --

Judge Neville: And at some point you became unmarried, at what point was that?

Justice Wahl: After 25 years, this was hard. I mean, actually when I think of all the people, the younger and middle aged. All those people we’re sending to Iraq. It will change their lives forever. And we don’t know how much. I mean people who were in the World War II. Ross was in the Battle of the Bulge, and it was a terrible, terrible experience. He was one of two people who came out of his company. And it didn’t hit him until years later when he actually, I think it was post-traumatic stress, but it was like down the road when he just kind of fell apart. Life became really difficult. And there wasn’t much help around at that time. He began drinking, which he’d never done. And it just reached the point where -- well I went on 10 years, and of course I wouldn’t have Jennie if I hadn’t done that. Jenny was our fifth and last child.

Judge Neville: Were you in law school when you were divorced?

Justice Wahl: Oh yes, during that time. Well in fact, it was the first year I was in law school. I was taking criminal law, and we were learning about alcoholism and all of the terrible things that happened when Ross kind of fell apart.
But he wanted me to go to law school. And I wouldn’t have been able to go without his help.

Judge Neville: And then you had Jenny?


Judge Neville: And then -- so there you were in law school divorced with five children?

Justice Wahl: Well, I wasn’t divorced yet. I graduated from law school. I don’t know, when I went to law school, I was older, you know, I was in my mid-40s when I graduated, and law firms weren’t hiring many women. And I actually didn’t want to have a regular legal career, like being a partner in a law firm. I was interested in constitutional law, I was interested in writing and speaking, and I had done a lot of appellate work. I worked with the state public defender when I first graduated and eventually argued 109 cases before the Minnesota Supreme Court for indigent defendants who were convicted of felonies. And that’s what I wanted to do. I graduated in 1967. In 1966, the State of Minnesota had set up the Office of the State Public Defender. Paul Jones was a very good person and good lawyer who was open to hiring women in his office. There were three of us women appellate lawyers. He let us work part time. I worked three days a week so we could be home, more with our children. He was great, he was just great.

Judge Neville: Was that C. Paul Jones?

Justice Wahl: C. Paul Jones, that’s right. I went back to Williams Mitchell eventually and developed their criminal clinical program because that came along at
that point. And that’s where I was. I was there for four years, from 1973 until 1977. It was in 1977 that I was appointed to the court.

Judge Neville: Who were the other women you worked with at C. Paul Jones’ office.

Justice Wahl: Well of course one of them was Roberta Levy, who became a District Court Judge in Hennepin County and, in fact, the Chief Judge at one time. There was Doris Huspeni who also was a District Court Judge in Hennepin County and then was on the Court of Appeals. Molly Raskind was there. Molly’s husband was a professor at the law school. And she worked there. I don’t remember what she did afterwards. Her family was grown, and it wasn’t, I think, as important for her to earn a living, as it was for me. At that point, I had to earn a living. I was working at the State Public Defender’s office writing briefs and arguing cases. The three women in our office were over at the Minnesota Supreme Court all the time. Sometimes we’d be over at the Court two or three times a week. So I argued before this court that I eventually was a part of. And I used to think, when court was over and everybody’d stand up and the Justices went out to the conference room. I used to think “wouldn’t it be nice to go in there and sit with them and see what they talked about, after the arguments?”

Judge Neville: Did you know much about their process even though you were appearing in front of them?

Justice Wahl: I didn’t really.

Judge Neville: It was a mystery how they did it?
Justice Wahl: Well it wasn’t exactly a mystery, but I was very pleased when I went on the court to discover their process was a lot like our Quaker business meetings are. But, we did usually vote up or down. Each of us had a place -- Seniority was important, but it was important to know that you were going to have a time to talk. And you didn’t have to, you know, butt in, or worry about not being heard. When we discussed the case, cases were assigned to each of us. So if it was my case, I reported on the case, when we went back to conference. We talked about the issues, and how they might be resolved and with a proposed disposition. And then we went around the table, the conference table, in order of seniority, except for the Chief Justice. We started with Judge Otis who was the Senior Justice. Oh, he was so good. Then we would go around the Table. And for three years I was number 9, so I got to talk last, except for the Chief Justice. And he talked last of all. I liked that, I liked that system. I would always make copious notes of what each member of the court said, how they felt and suggestions they made, and tried, if they more or less agreed with me, tried to write an opinion that would include things that they had suggested. I think it is very important to try to have an opinion that we could all agree with.

Judge Neville: Do you think it was your English background or the sociological background or what do you think really made you such a good Justice, aside from your sense of fairness, which would be obvious? Educationally, what did you feel prepared you best for that job?
Justice Wahl: Well, as you know Carie, when we become judges, we take everything with us that we had learned up to that point. And that’s why I consider it so important, especially on an appellate, well on the trial court too, but in a different way, on an appellate court to have people there who’ve had different experiences. Certainly growing up a woman in this society is different than growing up a man. And even though you go through the same kind of experience, the way you experience it is different. And to get some idea of how a decision in a case would affect everyone in the state. It’s always troubled me that these cases come up with usually two parties, and somebody gets the decision in their favor. But it affects everybody out there, who weren’t necessarily represented. On the court, on an appellate court, you’d need to have, you know, you need to have some experience about what people’s lives are like and how this decision will affect the public generally and not just the people who are before the court. And it made a difference -- my gender. My court was pretty good about gender things. They were good on discrimination cases and so forth. I think it almost made more difference that I came from the background of criminal defense than that I was a woman. They had never had anybody on the court from that point of view. Or who had that kind of a practice. Well George Scott was there, and he had been Hennepin County Attorney for 17 years. Fallon Kelley had been a U.S. District Attorney who’d help put some of the mob away. There were those three of us anyway who worked together a lot on behalf of the criminal justice system because we
could see how cases that came up, how they would affect both sides, and all the people out there. That was interesting. But you do need a variety of experiences, I think. I remember one of the members of the court told me, oh a few years back. He said, “I just don’t think we have enough difference of opinion. We are all too much in the middle. We need people further out who can make good arguments. Really get you to think.”

Judge Neville: Let me show you another photo that we looked at earlier today. Can you tell me who’s in that photo and when that occurred? (Photo #5)

Justice Wahl: Well, that’s my Aunt Gladys there. That must have been when she came up, and that’s me and the four children I had at the time -- Christopher and Sara and Timothy and Mark. We are up in William O’Brien Park. And I expect we’d gone up there for a picnic and an outing.
Judge Neville: Tape 2. After you had -- finished -- law school and had started working for C. Paul Jones. C. Paul we all call him here. Right?

Justice Wahl: Yes.

Judge Neville: You somehow became involved in the clinical program at William Mitchell. Can you tell me how you got involved in it?

Justice Wahl: Well, how the clinical program got started, our Supreme Court, in their own rulemaking power, decided, before the U.S. Supreme Court decided, that if you were going to go to jail, you had a right to an attorney. And that’s what our court decided, that if you were convicted of anything which meant you might spend time in jail, which meant misdemeanors. I think at that point, we already provided lawyers for indigent people who were charged with felonies, but this meant misdemeanors, and there weren’t lawyers out there to do it. And the body politic wasn’t geared up to start paying the lawyers to do it as they did later. And so, it was a perfect opportunity to use the law students. And so the court promulgated a student practice rule. The students, and these were senior law students, student lawyers, they could appear in court under the supervision of a licensed attorney. And they could represent misdemeanants and, they could work with legal aid and work for people who couldn’t afford a
lawyer. Basically, they weren't taking money away from lawyers who were out there working. They were representing people that couldn't afford a lawyer. So this was the perfect opening for clinical education.

That's when it started. And at the public defender's office, where we did the appellate work, my friend Bob Oliphant was there. He had been with Judge Haney, a federal judge in Duluth, and he was all excited about the clinical program. Actually he did the NITA program, which was a National Institute of Trial Advocacy, out in Boulder. I was out there one summer. Sara was out there one summer. Bob started the clinical program at the University of Minnesota.

Judge Neville: At the University of Minnesota first?

Justice Wahl: Yes, yes. Their first program. And at that time, he got some of the big law firms to let some of their fine young attorneys come and spend some time. I think they did this for free. I don't think they paid them. It gave them a chance to get into court and try cases, which they didn't necessarily get, in their law firm. So there were some people like that. And he developed the clinical program and I worked with him, and I worked with the students in the Courts. I worked mainly in Minneapolis. Municipal Court. Then, I had a call from Dean Douglas Heidenreich at William Mitchell. He asked me to come over. He asked me if I would come to Mitchell and start a criminal clinical program. They were going to start the clinic and Roger Haydock was going to do the civil program. And I worked that summer helping on some of his cases. I can still remember
going to court with one of the law students who was helping a woman who was trying to change her name in court and her son’s name. That was when we established the clinical program. Roger did most of the civil matters and I did the criminal clinical program where we worked in St. Paul, in the lower court, where people who were charged with misdemeanors would come. They had absolutely no money, and so we would represent them. I would be down there with the students. I could only do 30 students I think. Students used to stand in line outside the door at law school registration so they’d try to get in that class, because it was their opportunity to appear in court. They also got to try some cases under an attorney who was with the public defender’s office. So it was exciting. I was there for four years. And every morning at 8:00, I would be down in the court with some students, and we’d be interviewing these -- probably the worst clients they’d ever have. And it was a wonderful experience for the students. They learned so much. And ethics came into play right away. And all of a sudden they realized, “you are one of them.” That this client was relying on you. And what happened if he went to jail for 90 days might have been because you didn’t do as good a job as you could have. I never saw people work so hard as these students did. They did memos, they did motions, as well as participate in trying cases.

Judge Neville: We did our own investigations, I remember too.

Justice Wahl: Yes, I know it. And the clients had probably never had such good representation. Because the public defenders, didn’t have enough time.
They didn’t have time to do the kind of thing that the students did. I wished every law student, before they got out of law school, could have that experience of sitting down there in the court looking at the system of justice from the bottom up. And seeing what it looked like and never forgetting it.

Judge Neville: It was one of the best legal educational experiences that I had. Did you ever have any students that got in trouble in the program that you remember? I mean, I remember everyone working so hard, and we were down in what we called the pit. It was that court room in St. Paul.

Justice Wahl: Yes.

Judge Neville: It was that court room in St. Paul. And I remembered that if I had any time off from my job that I worked during the day while I was going to law school at night, that I would run over to St. Paul and see if there were any openings. To see if anybody would toss me some cases, so I could get extra cases. But I always wondered did anybody ever get in trouble over there. Did we ever do anything that was so stupid that caused a problem?

Justice Wahl: Well, I can remember. These clients, they might have been without money and without a lot of education, but they, I don’t know if they realized what good representation they had, but they knew that these were student lawyers because they were under a regular licensed attorney. But one guy said, “I don’t want no chicken shit lawyer.” But the students worked so hard. And I don’t know that they ever did get in trouble. I remember over in Hennepin County. This was when I was at the
University of Minnesota, with that program, I think this was Deborah Hedlund who's now a judge. She got, I don't know, she almost got thrown out by this old cranky judge, when she was a student-attorney there. And it wasn't anything bad. I think she just stood up and really tried to represent the person she was representing. But, I can remember too...

Judge Neville:  
Hedlund, Deb Hedlund. Yes.

Justice Wahl:  
How shocked I was, when I first -- when I was with the students down in Minneapolis, I tried some cases there too, and I can just remember how shocked I was, when the judge denied the admission of some evidence. I wanted to put in about the client's good character. He denied it. What is this -- how am I suppose to be able to get this in? Well, you learn the realities of life.

Judge Neville:  
So you not only did the appellate work when you were with C. Paul Jones, but through the clinical avenue, you were actually doing trial work too.

Justice Wahl:  
Right, right. And continued with the appellate work with Paul. I had an appeals clinic and students would -- we did about 15 appeals, I think, a semester. I was still working with the State Public Defender, and each of the students would work on a case -- and I would say to them, "you know, this is not just to be good enough to pass this must be good enough for the Supreme Court and good enough for this person you are representing." In Court I was the attorney of record. But the students worked on this case and if they were around when the case was argued they got to come up
and sit there while we argued the case. That was fun. When I went on the
court. I didn’t miss anything but the students. I did miss the students.

Judge Neville: What prompted you to go for the Supreme Court, or did you or did
someone push you or make the suggestion to you? How did it come about
that you actually were in the mix coming from the clinical program and in
C. Paul’s office.

Justice Wahl: I think there wouldn’t have been any women on the court if it hadn’t been
that the women here in Minnesota became very politically active. This
was the end of the ’60s and the beginning of the ’70s -- the women’s
movement was really gearing up. That was when the Women’s Political
Caucus was founded. That’s when the DFL Feminist Caucus, a
Democratic Farmer Labor, and the IR Republican Caucus and the
Feminist Caucus. Women were really involved, and it was because of the
DFL Feminist Caucus. I can remember being at the annual DFL Feminist
Caucus meeting, in February, 1977 when Governor Rudy Perpich came to
speak. The room at the women’s club there was full. You know that
room down there. And the governor said in his speech, and he didn’t have
to say it, because politicians will always say I’ll appoint women.
Governor Perpich said “when there’s an opening on the Minnesota
Supreme Court I will appoint a woman.” Well, there he said it. This was
in February, and this was the year that the U.S. Congress was going to
create new federal judges, and Minnesota was going to get two. So we
thought, this would be it. Walter Mondale was the Vice President and his
old law partner Harry MacLaughlin was on the Minnesota Supreme Court. We knew he was going to get appointed to a federal district judgeship and when that happened there’d be an opening there and that might be the one we were looking for. Well, the Congress was so slow, but finally early in May, Judge Larson took senior status. And there was the opening. Within three days, Gwen Jones, who was a reporter with the Minneapolis Tribune wrote up a story reminding Rudy of his promise. Nailing him to the wall. And so this went on. I think there’s never been a time when a member of the court has been appointed who went through this kind of a process. Usually you open the paper and here’s the governor and on one hand is the justice that just retired and on the other hand is the one who’s just been appointed, and nobody knew there was going to be an opening. This went on in the papers. There were people who said “oh what woman can do this?” Well, maybe Sue Sedgwich could but, you know, but they couldn’t think. But there were 18 candidates by the time we got down to the wire. There were 18 applications and nominations, and the women lawyers were very active in it. They had a process to interview people.

Judge Neville: Do you remember who the other ones were that were on the list with you?

Justice Wahl: Well I remember some of them. There were a lot of them. Esther was on there.

Judge Neville: Esther Tomljanovich.

Justice Wahl: Tomljanovich.

Judge Neville: Who later went on the Supreme Court.
Justice Wahl: And I think Doris Huspeni was, Sue Sedgwick was, Roberta Levy was. Well it finally came down until there were seven. The women lawyers submitted a list. The DFL Feminist Caucus submitted a list of candidates that they felt were good. And the Women's Political Caucus submitted a list. And I was on each one of those lists which didn't hurt. People could also apply separately to the governor, and they did. He asked the women lawyers to have each candidate go through this interview process so he'd have the benefit of that. He had a, I don't know if you'd call it a kitchen cabinet or what, but he had a little group of counselors who advised him. And in the papers, the appointment was played up in the papers. You can see it in these books I have. There would be a picture of seven women then it would be down to five, then it was down to three.

Judge Neville: Who were the last three, do you remember?

Justice Wahl: Well, Roberta Levy and me and who was the other one? Diana, I think. Diana Murphy.

Judge Neville: Uh-huh.

Justice Wahl: And then it was down to two. And at this time, this was like first week in June, I think it was going to be the 6th. This was the year that the Congress had given money to every state. I don't remember how many thousands of dollars, to have a women's meeting in that state of all the women. I mean demographically across the board, to have this big meeting and the women would come together and they would discuss issues that involved women that they felt were really important to them.
And then they would make recommendations. And this one was going to
be at St. Cloud. I was going and Sara, my lawyer daughter was going.

We were going together. The day before we went up, to St. Cloud, I had a
call from Ray Bohn, who was Governor Perpich’s appointment person.

And he had said the Governor would like to have a -- talk with me. Could
I come over? I was over at Mitchell teaching, you know, and I got to
wash my hands first. Then I went over.

Judge Neville: Now is this ’76 or ’77?

Justice Wahl: ’77. This was in June of 1977. And I -- all the years that I had gone to the
Supreme Court I had gone up the east wing stairs up to the court. This
time I turned left and went down to the Governor’s office. I went in
Governor’s Perpich’s office. There was this great impressive reception
room there. I was called in to see Governor Perpich. I had never really
met him before. When he stood up, I was amazed at how tall he was.

Then he sat down and asked me two questions, that he was interested in.

He asked me what my position on the death penalty was, and he asked me
where I stood on Roe v. Wade. Then he took me into a little conference
room off of his office and here were his counsel. There was Bill Kennedy,
there was Hy Berman, Terry Montgomery was there. Who were the
others. There were two or three others. We just had a nice conversation.

I just talked with them and then I went away. And I’m sure that they
interviewed Roberta Levy that same day. But I didn’t hear anything, and
then the next day we were going up to St. Cloud where the big women’s
meeting was going to be held. There were three or four thousand women
from all over the state there. Sara and I drove up and we got in to our
motel at the end of the afternoon. The phone was ringing and it was Ray
Bohn. Ray Bohn said, "Well, the Governor really hasn't made up his
mind, but we just wanted to know where you were." And about that time I
wanted to say, "if the Governor doesn't know it yet, he can just take it and
stick it," but I didn't say that. Later Ray Bohn called and said that they
were going to make the announcement that evening. So we went in a car
caravan over to the gymnasium there at St. Cloud College. It was a huge
space packed full of women. Joan Growe, who was Minnesota Secretary
of State, was chair of the convention. They stopped what they were doing
to make this announcement. Joan Growe had these little slips of paper in
her pocket, which I think are now at the Historical Society, when she
made these announcements. The Governor was going to appoint a woman
to the tax court. I can remember that. He was going to appoint Esther
Tomljanovich to the District Court, in the Washington County. And there
hadn't been any women on that court. There had been, there was maybe
one or two women at that point on the District Court in the State. Sue
Sedgwick was in Hennepin. And Gail Murray may have been up in
St. Louis County.

Judge Neville: And Sue Sedgwick didn't come on by way of appointment. She came on
by way of an election.
Justice Wahl: She ran, she got it, she did. I don’t know what happened there because Sue certainly, why she wasn’t one of the last ones, because she was, she was one of the first that was chosen for the Court of Appeals. Then Joan announced that the Governor was going to appoint me to the Supreme Court. The auditorium was just went wild. The women really just went wild. And then I got to make a little speech. Actually, I think that that little speech I made there, and the one I made when I was sworn in, are pretty good. I had prepared this and I would have given it if anybody else had been appointed. It didn’t have to be me. That was just important. There never would have been a woman appointed if it hadn’t been that the DFL women were politically active. Anybody who thinks they get where they are by their own efforts alone is just wrong. That’s for sure. But it was so exciting when I gave the speech and this of course was at the time that the equal rights amendment was out for ratification by the states. My speech wasn’t a very long speech, but at some point in the middle I was saying, I was remembering some of our famous foremothers. I was remembering Sojourner Truth who said, “ain’t I a woman.” And I said, “Ain’t we women? Ain’t we women enough to make the equal rights amendment the law of the land.” The women just fell out of their chairs. It was just incredible. Even the pro-lifers who were there forgot and stood up. It was amazing. That was in June and I wasn’t, actually appointed yet. Judge MacLaughlin didn’t leave the Minnesota court until the third day of October. I had this
whole summer. William Mitchell let me stay there. It was nice. I had my office and we talked to people. I took that opportunity to go, and beginning with the Chief Justice, and going down in order of seniority. I had an interview with each member of the court. I talked to them about what they have done before they came on the court, what they had let go of, and what they felt was important. I talked to all of them. It was good. Then, on the third of October, I was sworn in as a member of the Minnesota Supreme Court.

Judge Neville: Were there any questions when you got sworn in that you went back and thought, Gee, I wish I would have asked them this?

Justice Wahl: Well, then you could. I used to go to Judge Rogosheske, Judge Rogosheske and Judge Otis were so good. They had always been kind to me. I had a special place in my heart for them because they had always been very comforting to me when I argued those criminal cases, for the poor old indigent felons. And some of them were so terrible. And we had to argue all of the cases, good or not. They were very understanding. And then they thought that I did a pretty good job.

Judge Neville: Was there a time that you turned around and looked at what you’re doing and said, what in the world am I doing here? Or did you just forever say this is the place I was meant to be, this is just so great for me?

Justice Wahl: Well, I don’t know. It’s just like in my lifetime. I found myself doing things that I never would have thought I could have done beforehand. I mean starting the clinical program was one. Being in court with the
students. Being on the court. And I think, it was an opportunity, I had a lot to learn. I don’t know if there are differences, especially, but I think that women generally have to feel like they can do the job perfectly before they will accept it. And men accept the job and then learn how to do it. There’s no way you learn how to be a judge, except by doing it, and so there was so much to learn. It was a nine-member court at that time -- all men. These men were wonderful and I learned so much from them. For three years, the membership of the court didn’t change. I sat down at the lower end of the conference table in my old number nine spot and listened and learned. I learned so much. My colleagues were always helpful. Sometimes I’d go down the hall when I was working on an opinion. Whenever I had a question, I’d go talk to the chief or I’d go down to Judge Rogosheske.

I had been asked by the Unitarian Society in Minneapolis to speak for the public induction of a new minister, at the induction ceremony. They wanted to have a member representing the community. When they asked me, I went down the hall to Judge Rogosheske and I said I didn’t know if this was intermingling church and state. I asked him, “should I do it?” “Well, “he said,” when archbishop Roche was sworn in, the whole court sat up there.” So, I decided if the whole court could see Archbishop Roche, then I guess one of us could go to the Unitarian Society.

Judge Neville: You had mentioned earlier that you are a Quaker. Were you always a Quaker? When did you become a Quaker? Why did you decide to
become a Quaker? And let me preface this question by saying I saw
Robert MacCrate past president of the ABA last month in Chicago at the
mid-year meeting.

Justice Wahl: Oh bless him. How is he?
Judge Neville: And he absolutely adores you and never fails to tell me to say hello to you.
And he mentioned to me for some reason, at this last meeting, he said that
I was to remind you of a time when you were at a meeting and things
apparently were not going your way. And he also is a Quaker I believed.

Justice Wahl: Really, I didn’t know that. I don’t think he is. I’d more likely think he
was a Presbyterian, but I’m not sure.
Judge Neville: He said that, things were not going the way you wanted. And at some
point you called for a vote. And ordinarily, being a Quaker, you go by
consensus. And he said he remembers looking at you and saying “Rosalie,
how could you call for a vote?” He remembered that. And wanted me to
be sure to tell you that and to mention it when we were doing this oral
history. But he just thinks so wonderfully of you.

Justice Wahl: Oh he’s so great and kind. They were so good to me the year I was chair
of the section.

Judge Neville: Of legal education?
Justice Wahl: And he was president of the ABA and he was so good. And he was so
interested in legal education. And then it was after, it was even after he
retired, I think, that we had this study of American law schools and so,
Bob MacCrate, we got him to be the chair of the study committee. Which was really good. I got to pick the people who were on the committee.

Judge Neville: Did you become a Quaker early in life?

Justice Wahl: I grew up in the Methodist church in a little stone Methodist church on the hillside in Niotaze about three miles away. There weren't enough of us in any of the little churches around to have a minister. About once a month, some old retired minister or some young seminarian would come by and preach. But in the meantime, we were always there. I guess that's when I decided that the church wasn't the preacher. The church was the people. Because we were there, we were there every Sunday. And it wasn't until I was in college I think that I began reading and finding out about Quakers and Quakerism and thinking "that really sounds like what I am." One of the things that really drew me to it was the fact that women could speak equally with men at meetings. At that point, they surely weren't very many women in any of the ministries, any of the denominations. I liked that. I wanted to be an Unprogrammed Friend, which is the silent meeting.

Justice Wahl: Well our housemother at Henley was a Quaker. She and her sister, who taught philosophy. They had grown up in a Quaker family out near Wichita. When Ross and I went to Kansas City, we attended the Penn Valley Meeting. When we came to Minnesota, we became members of the Minneapolis Meeting of the Religious Society of Friends. It is a Programmed meeting, but it was the only organized meeting around
through which you could get membership in the Religious Society of Friends. So we joined that meeting. Then a group of us, when there got to be enough families, we established the Twin Cities Meeting of the Religious Society of Friends which is Un-programmed. We organized that and I was there till -- when was it? We moved over here and drove in all this time. And then there kind of were enough of us, of our friends who lived around, that we decided we should start a little friends meeting of our own. So, we started a little meeting. It's the St. Croix Valley Meeting of the Religious Society of Friends and we are still going.

Judge Neville: And you started that?

Justice Wahl: I was one of the founders, one of them. There were others.

Judge Neville: Did you ever have any cases that you recall involving church and state, where you felt that that type of background either helped or -- put you at a disadvantage?

Justice Wahl: A thing that interested me when I got on the Court was the way they conducted business, although as I was telling you we had this kind of formal system of seniority to speak. The way the Court decided cases was very like our Quaker business meetings. It wasn't formal, and it wasn't big motions. We talked about it and we saw how people felt, then tried to come to a decision where we could be unanimous. So that we could do it.

Judge Neville: I'm going to show you a couple of pictures. Now you said in 1977 was when you were appointed. These pictures are just one year before your
Justice Wahl: Can you tell me about what you were doing there? And did you continue doing that after your appointment?

We had this group of friends who came and we gardened together. This is my friend Raquel and I, and we are over shoveling manure out of some barn that somebody gave us so that we could put it on our garden. (Photo #6) And this is a picture of me digging in the dirt. That's the garden there. Digging in the dirt. (See Photo #3 again)

Judge Neville: So you did a cooperative garden? You were still doing that?

Justice Wahl: Yes, we did it together.

Judge Neville: Did you do that even after you were on the court?

Justice Wahl: I think by that time probably not. By that time our children were pretty well grown, except me with Jenny. But they were in college by that time, most of them. So we didn't continue. We got so busy. When I was working full time and going to school, we didn't have time to do this. This was in the earlier days. But I always liked to dig, I always liked to plant things.

Judge Neville: As we sat here in your house when I came up the first time, we were able to look out your window and there were deer out here.

Justice Wahl: There still are. If I sit out here in the morning long enough there's maybe a whole string of deer will go across the south border there. And there may be turkeys, wild turkeys come along. Once I looked out in the rain and here are these big old turkeys going along with their wings hanging
Judge Neville: Did you ever keep animals out here on the farm.

Justice Wahl: Yes, when we first came. When we bought the place, we bought the cow that was in the barn. Her name was Molly. I was the only one who knew how to milk. So I milked Molly and this was when I had all these kids. Mark was just six months old when we came here. I did the milking and we had this other family of friends nearby, our friends the Taylors. Together we bought a pasteurizer. I did the milking and we pasteurized the milk and our two families drank it, drank the milk. And then after -- oh I don’t know how many years -- we were in our Friends meeting. We were trying to decide this was in the ’50s, and we were trying to decide which conference in Quakerism there to join. We were Unprogrammed Friends. There’s Friends General Conference which is “silent” or Unprogrammed meetings. There is another conference for the Programmed pastoral meetings. Anyway, we were trying to decide -- I had hoped that here in the Twin Cities, we could have a united front, because there was our group which was unprogrammed and there was the Minneapolis Meeting which had a ministering secretary. And I had hoped that we could be united but our Yearly Meeting, wouldn’t accept dual membership. So I realized at one point, I can still remember our meeting when I realized I couldn’t go on wanting this because it wasn’t going to happen and that our meeting wouldn’t move ahead unless we went with
Friends General Conference. And so it was like something just let go and I was able to say “okay, let’s do this.” Then I came home and I sold the cow. I was able to let go of the cow, too, and that was good, because it was getting pretty hard.

Judge Neville: I think we are going to stop right now. And start again right where we left off. Maybe have to back track.

Justice Wahl: Those are all my children at that time, that’s where they were.

Judge Neville: Okay, we’re back on the tape. Today is the 8th of July, 2006. With Justice Rosalie Wahl. And we are sitting at her wonderful kitchen table looking outside. And we have a picture here in front of us. And Rosalie, can you tell me about that picture?

Justice Wahl: This is a picture of my family at that time out in front of our big, big oak tree. (Photo #7) And my Aunt Sara who is a very important part of our family is there. And there are my sons, Christopher I think and Timothy and there’s Sara and Mark and Jenny. And me and my Aunt Sara. That was about 1972.

Judge Neville: So you have five children. And Sara is the one that I know best who is in the County Attorneys office.

Justice Wahl: That’s right.

Judge Neville: And she’s married to Judge Michael Davis, who’s on the federal court, and they have a son if I recall correctly who is -- is he now a lawyer?

Justice Wahl: They have two sons.

Judge Neville: Two sons.
Justice Wahl: Their older son Michael is in the -- he's working for some kind of a financial institution down by Chicago. His company sent him over to England. He's been over in England for the last year, but I think he's probably coming back now. And Alex is still in college. At Dayton University. That's where they are. Probably Michael will go to law school, but he hasn't moved in that direction, yet.

Judge Neville: Did any of your other children become lawyers?

Justice Wahl: No. None of them did. Jenny took a course at St. Paul Technical College, I think, in being a legal secretary. And she was hired the day she walked out of there. Then she went into computers and that's where she is now.

Judge Neville: Just a moment, I'm going to turn this off and make sure it's loud enough. All right, we are back on here. All right, and so Jenny decided to be a legal secretary for a little while and worked in a law firm, I believe you said.

Justice Wahl: Briefly, long enough to see working for some of the women lawyers there that she didn't want to go into law. They had to work so long and hard. Then she went into computers and that's where she is.

Judge Neville: Do your children live around close to you now so you get to see all of them or have some of them scattered about?

Justice Wahl: They are all here. My son Chris is in Duluth, Timothy is in Mahtomedi, he was by this morning, Sara's in Minneapolis, Mark's living here now, and Jenny is in St. Paul. I'm very fortunate to have them around. I've noticed my friends whose children live all over the country are more likely
to be those whose children went to college back East. And then married somebody from there and then who knows where in the country they’ll be. So I’m very happy to have my children nearby.

Judge Neville: And this picture. Do you remember anything about this one? This is just of you standing there, looks like. . . . (Photo #8 - missing)

Justice Wahl: It would have been, I think, at the same time.

Judge Neville: It could have been?

Justice Wahl: I think whoever took it -- yes, I think it is the same time. This was a pretty tumultuous time in our family. It was about the time or shortly after the time that my husband and I were divorced. And the family gathered round.

Judge Neville: When was that? When were you divorced?


Judge Neville: ’72? When did you start law school?


Judge Neville: How many years did you do [The Clinical Program at Mitchell]?

Justice Wahl: Well, four it was I think. And then, let’s see I went there in. Well it must have been the summer of ’73, it must have been when I started. And then, in ’77 was when I was appointed to the Minnesota Supreme Court. So that was about 10 years after I graduated from law school. I mean, I was older when I went to law school. I was 38 when I started, and I was about 45 when I finished. It took me longer because of having to miss some time. And there I was.
Judge Neville: How did you raise all of those children while you were going to law school?

Justice Wahl: Well nobody can go to law school with a family if their family isn’t 100% behind them. And with friends. I could never have done it without friends. When Jenny was born, of course, the second year I was in law school. And I’d gone to Mitchell in the first place -- well there were only Mitchell and the University -- because it was a night law school and I could be home when the kids came home from school. I had four children at that point. And so when I started to law school, they were all in elementary school. The second year I was in law school Jenny was born. So here I had her. And my good friend Peg Stevens across the meadow would come over in the mornings and take Jenny, this little old baby over, a toddler and her mother-in-law was there, Omah. And they took care of Jenny in the morning so that I could study. Because, you know, I had to study. And I just couldn’t have done it without friends. And then when Jenny was a little older, I took her to the daycare at the Child Development Center there at the University, when she was three and four. And my friend Raquel Wood, I would take her in, and she’d stay with Raquel and Raquel’s little daughter Mina, who was a little younger. Then I’d go over at noon and pick her up and take her over to the child care center on the campus, one of the U. programs. I couldn’t have done it without the family and the friends. I don’t know how anybody does it otherwise.
Judge Neville: Did you go right into the public defenders office, the state public defender’s office with Paul Jones? C. Paul Jones after law school?

Justice Wahl: I graduated, mid-year, it must have been whenever that term was over. But I didn’t get my -- I didn’t get my diploma from Mitchell until after I had already been sworn into the State Bar. Because I took the Bar exam and then I went right to work for Paul that summer. Immediately after. Then Sara, I could never have done it without Sara, because she was, she helped, well all the family did, but Sara was the one who helped so much with Jenny when she was little. That first summer she was here, Mark was pretty young and Jenny was little. And Sara was here watching over them with her Dad and the others. But Sara was the one who did most of the work. She really helped.

Judge Neville: How old would she have been about then?

Justice Wahl: Well, I graduated from Mitchell, the year she graduated from high school. So she would have been 17 maybe. She started school a little early 17 or 18.

Judge Neville: When you were working for C. Paul, your work was primarily appellate work?

Justice Wahl: Yes, yes it was. We did post-conviction remedies. And I did a few other things. Such as post-conviction hearings. I remember going to Duluth representing this woman, who was Ojibwe. She had been convicted of third degree murder. I don’t believe at that time that she was arrested, she actually -- the case was she actually shot her sister-in-law. And they’d
both been drinking. I don't think it was on purpose, although she didn't like her sister-in-law anyway. But they were very drunk and when she was given her -- when they arrested her and gave her her warnings, I never thought she understood English well enough to understand.
All right, we are back on the tape. And I’ll check it again in a couple of minutes. But we were talking about a case that you had with a woman, who was an Ojibwe, who had been charged with murdering her sister-in-law, but you felt she did not understand her rights adequately because of her lack of English skills. Let’s pick it up from there.

In the meantime, she had been in prison in Shakopee, and that was when -- what was her name, this wonderful woman who was the warden out there who took a great deal of interest in the women.

Jackie Fleming?

No it was the one before Jackie. She was very great. And, anyway, she had had Bessie be her housekeeper. And actually, Bessie’s English had gotten much better in the meantime. Well, I was, I mean part of the argument was that she hadn’t really understood the meaning. I mean yes, she could speak English, but it was more like, you know, “How is your family, Ms. Googleye, and nice day,” and that sort of thing. But to understand what your rights were is something else again. And, so that was the argument. But all this time she had spent at Shakopee and been working with the warden there, her English had improved considerably. And so, she’s on the stand here. And I had looked all over. We went up that morning and I had had to go to the St. Louis County jail. It was ricing, and so all of the Indian people who might have been, you know...
interpreters were out getting wild rice. So I had to go to the jail to find somebody who could come to court and be the interpreter. And so this person, I was questioning him, and it was a question of where he had to be. Anyway, Bessie was correcting him. I mean she understood, she was better than he was at that point, and her English was better. So that wasn’t very good; that didn’t work very well. And, I think it was because I don’t think she did understand her rights at the time. But she’d learned a lot more English in the meantime. And the lawyer who had represented her had been a public defender up in northern St. Louis County. And he had come, he had come, well, I guess he had been subpoenaed to come to the hearing. And, we got up there and we didn’t get heard until after 4:30, and they were there all day long. I took -- and we had just taken Bessie with us and the warden from Shakopee, and we went out and looked at the rose garden. And we looked -- I mean things were a little informal in those days. And, so then there it was at 4:30 when we finally had the hearing in front of Judge Odden, who was up there. And the lawyer who had represented Bessie Googleye at this trial had been there -- had to wait all day long. And as he sat there and thought, his memory sort of returned to him quite a bit about what had happened. And, I think, he thought that she understood. Anyway, his memory was pretty good by the time we got into court. That was something.

It was post-conviction remedies. We did do some of those post-conviction hearings, which had just started. And, after the office was established in
1967, I guess or '66, and I started working for Paul Jones in '67. Soon as I got out doing appellate work. And a little of the other things. And Paul was one of the -- he was a wonderful, well, he’s a wonderful person, a wonderful lawyer, a wonderful administrator. He was somebody who would trust what you did, you know. I mean he’d turn something over to you and he wasn’t looking over your shoulder every minute. Then he also was one of the first employers that did kind of flexible time. Because I worked three days a week, and he had gotten Bobbi Levy, and she worked three days. And I think that Doris Huspeny did too. So here we were. I mean he was getting, you know, good women who’d done well in law school and making it possible for them to work for his office by making their time flexible. So that was pretty good. And, I think he was one of the first who did that.

Judge Neville: What are the biggest changes that you’ve seen for women since then who are raising families? Who want the opportunity to raise families, besides flex time? Maybe that’s it, or have you noticed anything else over the years?

Justice Wahl: Well, after, of course, when I went to law school, you know from '63-'67 which is when I graduated. There was only one other woman in my [tape skip], I guess, who didn’t have a husband and children or any of that. And, then women started coming in, in great numbers, you know, into the law school. And mainly because people have been out there in the civil rights movement and some of the other on-the-street kind of things. And,
the women had gotten really interested, and so they decided, you know, they wanted to go to law school. So a lot more of them came in.

Judge Neville: Alright. I'm sorry we were interrupted. Go ahead would you?

Justice Wahl: Women became more interested in law school. They kind of went two routes. There were some women who wanted to have their children and then go to law, have their children and then go to law school. And there are others who wanted to go to law school and have their children at the same time or when they started practicing. There were those options, that was for them. It was great. After I went on the court, we did the bar admissions ceremony. And to begin with, when I first went on in '77, I always watched very carefully and I marked all the women, to see how many there were. And it reached the point where I didn't have to do that because there were then so many women in the bar.

Judge Neville: As I recall Mitchell had a child care center that they started as well?

Justice Wahl: They did. In fact, they started it when we moved down to Our Lady of Peace, when Mitchell took that over. And we had, the clinic had, a room clear down at the end. And after they moved the clinic, I guess they made room for it upstairs or something, that space became the child care center. In that case, space there. Yes they did.

Judge Neville: So they didn't have to just work flex time or go to school just part time. They could go to school during the day school, because Mitchell had a day school and a night school when they started?
Justice Wahl: Well, when they started out, it only was like started at 4:00 in the afternoon. I mean, they may have a full time day program now, I don’t know, but it was only evening to begin with, and then they moved it so they started at 4:00 o’clock. And now I guess, they must -- I can’t keep up with it.

Judge Neville: We have another picture here and this one appears that you’re . . . .

Justice Wahl: That’s the campaign trail, we’re on the campaign trail. (Photo #9 - missing.)

Judge Neville: Ah, tell me about that.

Justice Wahl: Well.

Judge Neville: How long did the campaign go?

Justice Wahl: Well I was, I went on the court in October, October the 2nd of 19, 1977 I guess. And the law here in Minnesota is that if you’re in office for more than 13 months before the next election, then you have to run. So I had to run just one year later. And it was like having two full-time jobs at the same time, because here I am, anybody going on a court as you know, you don’t learn how to be a judge except when you’re on the bench, and you have those cases, and you learn. There are no real schools. Well, there may be some now and their education, and so forth, but, there sure wasn’t then. So I had to run the next year, in 1978. And all that year, as soon as that was announced, about one week after, well, it’s right after my first opinion came out in which I had reversed some criminal conviction out of Ramsey County. And I think it had been a case that
Judge Plunkett had handled. Well anyway, he announced that he was going to run for the Supreme Court. And so then, by the time the next summer, when the filing was over, I had three opponents for the primary election. And one of them was, well, Jerry Plunkett and Dan Foley and Robert Mattson, Sr., were the three. And it was quite a horse race. This was on the campaign trail. It had to go state wide, and my work at the court went on, because of the election was in early November. So this, we had to travel all over the state. So I’d be reading briefs on the way and talking everywhere we went. I’d meet with all the lawyers and talk with all the lawyers, and I’d usually meet with women’s groups too. Well, anybody else that asked me, but that was, I can’t remember where it was, probably here in town someplace. But I am making a speech, as you can see, and you get to the point where you don’t have to think twice about what you’re saying because you’ve said it so many times. You show up, you can just tell them what it is you need to say.

Elections look as though they may be different nowadays, as a result of the recent Supreme Court case on Republican Party v. White and the case they call White II that came down out of the 8th Circuit that the U.S. Supreme Court denied cert. on that now says judges can run with political endorsements and so forth. What do you see happening as a result of that, since you ran for election?

Well I like it that there are nonpartisan systems. And there were no endorsements, of course, although anybody could support you if they
wanted to. You couldn’t have kept them from it. I don’t know. We had the Code of Judicial Conduct, and you weren’t suppose to talk about issues that might be coming before the court and your position. Nowadays, I understand, as near as I can understand it, you could be asked what your position is on abortion. What your position is on affirmative action. What your position is on whatever. And, you know, you can say if you want to. I think if I were running today, I wouldn’t do it any differently, even though the rules have changed. And I don’t think I’d affiliate with the party. If they want to support you, that’s okay. I mean, it just -- anything that gave the impression to people that you would have made up your mind before you went on the court, how you would decide a certain case, just seems to me so wrong. And when you’ve given your position on these things, you know, people have to think that that would weigh heavily. And, of course, it’s always there. When you get to the court, people bringing their beliefs and their opinions as well as their legal knowledge and their reasoning skills and so forth. And when it comes right down to it, I remember cases where there were good arguments on both sides. Really good cases, there are good arguments on both sides, and it might go either way. And it was kind of at times like that, that it mattered, you know. Whether conscience kicked in or not. It mattered which side you chose then, because it could have gone either way. So, maybe it does. I mean, we don’t leave behind our beliefs when you’re go on the court. Just try to recognize that you got them and not let them
influence unduly, the decision you have to make. But if people have an idea before they come to court that you’ve already made up your mind on their issue, they can’t feel like they have an independent judiciary.

Judge Neville: Were the campaigns expensive back then? There’s a lot of talk about campaign finance nowadays?

Justice Wahl: Well, this was the first really big state-wide campaign. And we had to have a Citizen’s Committee. They always had a Lawyer’s Committee, and in every county, the lawyers kind of got together and put an ad in the paper for the justices that were running. And they had never spent much money at all. And I know Judge Otis, when I was -- they had a fund for this, for helping judges run, and it was like $10,000 or something. I think all together -- we had to raise money. We had, you know, to -- well, actually, did things that I might not have done on my own. We had billboards and we had buttons and stuff. There’re probably collectors’ items now. Wahl for Justice, and so forth like that. But, we raised, I think probably $29,000 dollars, I think. We didn’t spend any money. We didn’t have money in hand that we spent, and we did have, well, we had good volunteer help. Wonderful volunteer help. For -- to run the office that we opened in Minneapolis, because we had to have a central office. And we -- i can’t remember if we may have paid some staff person to help some. But $29,000 is like peanuts I suppose, in some races today, when I hear about those Texas races. And I don’t even know, well, I do believe that some members of the court didn’t run again, because they didn’t want
to have to go through that. They didn’t want to have to go through the financial stuff. I think Ed Stringer maybe was one of them.

Judge Neville: Who?


Judge Neville: Okay.

Justice Wahl: And I can’t remember the other. But I think today, even though, I don’t know, I just probably wouldn’t answer. You know, I said, make no comment on how do I stand on these issues. I have a record of sorts and if they want they can look up to see, how I voted, or what I’ve written in the opinion. And they can probably figure out where I stand. But hopefully those things don’t enter in, you know, in a way, that would be really unfair to the parties. Although -- this is funny. We feel strongly about some things and each of us does. And I think I recognized on the court that each one of us on the court had something that we felt strongly enough about that we weren’t going to go no matter what, in that direction. And it was there. That part of it was there. But usually, there are two sides -- two sides with the legal support for both sides -- and so you go either way.

Judge Neville: The campaigns this year, they’re saying, are probably going to be, there going to be some nasty campaigns. But at the least, I think projections are the next round, they may become more nasty, just because that’s what happened around the country. Did they have TV ads? Or radio ads?

Justice Wahl: Of the nearest thing that we had, it was a time, that was the year that Rose Bird was running in California too, and they were trying to defeat her, and
they were defeated. They were using these ads. One vote she cast on something, and then they’d put her in the paper, “Rose Bird is not in favor of capital punishment” or something like that. And so Bob Mattson started doing that kind of thing here. I mean, it’d be things like, I’d written a dissent, it had to do with the Fourth Amendment, search and seizure, entry. And “Ms. Wahl is for letting drug dealers go free on the streets.” There were a lot of those. I’ve saved them. That was kind of wrong, I thought. But, as Judge Scott always said, he said, “Don’t get into a pissin’ match with a skunk.” You can imagine him saying that. Well, that was his answer, you just don’t respond. You don’t respond to some of that stuff. I don’t know. I don’t think people, I don’t think that people generally would like that kind of a judicial campaign. I don’t think they would like to have it. I don’t think they would like it to be nasty. I think that they’ve trusted the kind of nonpartisan approach there’s been. But, you know, that’s the way it’s going to go. There are going to be people out there running with the Republican label and they’ll probably be running against judges who may have been seated for a long time, who haven’t voted the way they would have liked. And if you’re following a party line, you get the party list, well, there you go. So, no, I’m not in favor of that. And if I were running today, you know, I wouldn’t. Well, you’d feel free to go speak to anybody. And I did. Well, I went to the, I think it was the State Labor Convention in the State, up in Duluth. And one night, I ended up, I don’t know how this happened, on the stage with
all of the DFL candidates for election that fall. I don't know how I got in there, but I got out pretty fast. I don't think they asked me whether I could do it. I think they just wanted to, I think they wanted to identify. Because I wasn't, I wasn't identified publicly with either party. I had always been a small d - democrat. But I've never been anybody who'd done anything big in the party or been an official or anything like that. But I'm still a small d - democrat. They wanted to be sure people knew. The people who were Democrats knew where I stood on it. Now, I can remember, oh my goodness. We had this huge thing. I think this was Joe Summers. Speaking of Joe Summers, I think this was Joe's idea. We had this huge fundraiser down at the Old Court. What do they call it now, Landmark Center. Huge, big, full of people, it was a big, big, event. I'm trying to remember. The one we had there, we got the support of both parties actually. And we had -- it was an election year and we invited everybody. I think this was Joe's idea. Governor Perpich wasn't too happy with having all these people who were running for office for the Republicans. But they were all there. And we got a bunch of money, and it was a nice open kind of love affair. Yeah, that was fun. In fact, it was pretty interesting. I liked the campaigning. But it was like having two full-time jobs at once, because the work at the court didn't stop. It just piled up. Hearing cases, and that was when we were having, well sometimes, we'd hear them five days a week, hear cases. That was when there were so many and they didn't have any procedure. We didn't have a Court of
Judges; everything came to the Supreme Court, out of the district courts. That’s where your appeal was. It was killing, it was killing the people on the court.

Judge Neville: We’ve moved into your study, and in the study I see pictures of Norma Winkler, (Photo #10) and I know Norma and Lynn Hecht Schafran, who I just talked to recently.

Justice Wahl: Did you?

Judge Neville: Worked together with you here in Minnesota and elsewhere on a number of issues. How did you get involved with them and how did -- I know you worked very closely with them, particularly with Norma. How did you get involved with them?

Justice Wahl: Norma was this remarkable woman who was, I think she graduated from Berkeley, had her Ph.D. from there, and she was a professor of sociology, and I think she taught at University of California at Santa Clara or someplace like that. And she took some time off for two years to work. And I don’t remember if she worked with Lynn, but it was the first program that kind of looked at, gender. Because women scholars were beginning to think; you know, we had thought that when we had enough people in the legislature, enough women, we had laws, and we ought to be able to change the way, the things that bothered us. Turns out, it didn’t change much. And so then, we figured out that the big catch was to hit these judges and how do these judges, you know, if judges had prejudiced ideas about what women were like and what they needed. It didn’t matter
what the law was. You know, you were going to -- whatever the judge decided, that’s what was going to happen. Well, there was this national study that Lynn Hecht Schafran and Norma, what was it called. It went on for two years. So Norma took a leave from her job. She was keenly, acutely aware of social injustice, and she cared so much about gender fairness in the courts. And so, she helped. Well, what happened was the National Association Women Judges was organized. And one of their members was from New Jersey, from the New Jersey Supreme Court. And she got this idea that we should see if gender really did make a difference in how women were treated, whether they were witnesses, whether they were victims, whether they were parties, whatever. Were they treated differently because of their gender. So they did the first study and her chief justice there in New Jersey thought it was a good idea. So they did this study in New Jersey. And I think that Norma came and was their consultant.

Judge Neville: Would that have been Marilyn Loftus?

Justice Wahl: Yeah, it would have. And so then, I think New York was the next state to do a study. The whole idea was, and it was extremely important to have the highest court in the state sponsor the study, because they could do something about it and they’d open up. You know, if the Supreme Court says you’re suppose to do this or you’re suppose to have these hearings and so forth, you’re going to have them. And the court was in a position to change some of the things that showed up, that were not fair from a
gender point of view. So it needed to be done. Then they realized it
needed to be done in every state. Because, you know, we’d say, and
people in New York would say oh sure they may be biased in New Jersey,
but we’re not biased in New York. So you had to study New York to see
if, in the courts there, and to see if it made a difference. And the same was
true out here. And we had, this was like in about 1980. And Cheryl
Hvass was president of the Minnesota Woman Lawyers. And they’d
heard something. I think that her brother had heard Norma Winkler speak
to the judges, and so, they invited her here for some seminars or
something we were giving, and Sara brought Norma up to the court, and I
met her. We just like hit it off right away. It was just great. And I was so
interested in what she was doing. She did a good deal of writing and then
we didn’t see her much, except she said, if you ever want to do a study in
Minnesota, I would be willing to help. And then she got in touch with me.
The chief justices had had a meeting. There’s a general meeting of all of
the chief justices of all the states, and they had gotten to make a
presentation, there. She and probably Lynn. And lot of the judges had
come up and had wanted to do this in their own courts, so she said, Judge
Amdahl was there. And so, she said I’d be willing to help Minnesota. So
I took this letter down to Judge Amdahl and I said how shall I answer this
letter? When the women judges had met here, well you spearheaded an
effort to collect money, to pay for this manual how to make the studies,
and I still have my first one. That was going to be published that fall B--
and he said, “When that comes out, then we will get started.” That must have been in August when I talked to him. So then, it came out and then, so then I thought, well, it’s just a matter of going to the court and saying, we need to do this, now here, you know, let’s do it. But my gosh, you know, you get this manual, and there’s all this work you have to do and all this organizing you have to do, before you even make a presentation to the court, so that they know there’s lots of evidence why you need to make a study of whether there is gender bias in the courts. But, we did that, and our court just thought we should do it. You know they just went [right along]. I don’t remember if you were there Carrie, you might have been. Maybe Harriet was. Anyway, he said, “Well of course, you know, of course there shouldn’t be gender bias in the courts. But there isn’t any.” I mean you know the judges who were there just couldn’t see it, just couldn’t see how women might be treated differently. And -- but they were willing, they were willing to learn. I think we remember saying later on when we did the study that there were three groups of judges. One of them knew what was going on and were working on it and they knew what to do about it. One of them were teachable, and the others weren’t ever going to change, you know they were immovable. So, but fortunately there were enough that really wanted to change. I remember when the study came out, when we published the, you know, our report on gender bias in the courts, or I think we said gender fairness in the courts. And there was a big judges meeting up at Maddens or some place up there, and
I think Judge Popovich and I were going to go up and, you know, and tell
the judges I’ve got to speak. Of course, when they had it on the agenda it
was like ten minutes before noon. After some particularly dull thing in
morning. So we had this little bit of time to speak. But when it came out,
the judges were like getting down there early in the morning and sneaking
around and trying to get this. They were scared, they were scared of what
I was going to say, you know I mean they were afraid they were going to
be roundly criticized. But they all, I mean there were judges on the
committee and they had an opportunity to be heard. It was quite an
experience.

Judge Neville: And that was followed up with the racial bias study?
Justice Wahl: Right. The legislature had wanted us to do -- well they paid some money
for both of them. I think they paid $25,000. And, so, we said we would
do the race bias. The gender study first, because there was already a
model for that. It had been done, we knew how to do it. And the race bias
study was kind of based on that. But it was more difficult. I mean,
everybody has a gender, you know, and you can, I mean, even guys didn’t
mind being called male chauvinist pigs. They kind of like that. That was
a badge of honor. But when you get into race, there are just so many
complexities in it. To be called racist is a terrible insult, you know, I
mean, it’s like, it’s really bad. So we wanted to do the gender first. But
we told the legislature that we’d do race next, which we did. And, in both
cases, we reported to the legislature because the recommendations that
were made and in every area, I mean in the gender study, the big thing that emerged as the number one problem was domestic violence. Which really hadn’t had much done about it. And, so we reported both to the court and to the legislature. Because some of the recommendations needed legislation. And we had on the committee, Ember was on the committee and she was --

Judge Neville: Ember Reichgott.

Justice Wahl: Reichgott. She is a great legislator, I tell you. I have watched her working over there and she got things done. So we did that with both and when we did the race study, we did so many hearings. Oh, these were, I mean it was a fantastic experience, but you just sit there. We went around all over the state, our task force did, and held hearings. And I’d just, sit there, both in gender and in race, and just sit there for three or four hours in the evening, and hear these people come before you and tell you what our system had done to them. Pretty bad. But, I think, you know, the reports were, in fact the Minnesota gender report which Norma, of course, she was with us always. I don’t think we paid her anything more than her airfare, but she came whenever we needed her and she was here. She was right on the spot. Helped us, really helped us. And this, our gender report was used as the model all over the country. And Norma, you know, really took it around and so forth. So then -- and that was published in, I think, the William Mitchell Law Review. And, then, when we did the race biased study, I think Hamline Law Review published that. And so these
are there and they’re there now. You can take them off of the shelf, you
know, if you wanted them. You may still be able to get one from the
court, but at least you got a law library and you can get both of them. And
find out, I mean there were to be implementation committees where
recommendations in every area that we studied, like in gender. The big
hot spot, of course, was family law. I mean this was a whole area of
domestic violence and the whole divorce law and how that was carried
out. And there were -- that was really the hot spot. Guys were really hot
spots too. I mean that was -- we heard from guys that didn’t like having
the light turned on.

Judge Neville: Domestic violence had also touched on that quite a bit?
Justice Wahl: Well, that really came out. I mean I don’t know that we’d been doing too
much about domestic violence before that. But they were right, we heard
a lot at the hearings. And, in fact, there was this one great group over in
Minneapolis that was the only group I knew on domestic violence that was
multi-cultural, you know, and you really need that for people. When you
are being beat up, you know, and your cultural background says that you
are not suppose to complain or so forth, you need to have people who are
very sensitive to your own things.

Judge Neville: Your own cultures.
Justice Wahl: Right. But, you know, we made recommendations to the court and some
of them; I mean then we had an implementation committee. I remember
on gender, we had our final meeting in the morning of all the whole task
force and there were lots. And they were all there, you know, I mean we had 35 people there and you know about 16 judges, and there were lawyers and public members and it was something. And that afternoon, we had the first meeting of the implementation committee. So we started right in working on these recommendations. And to this day, I mean of course, some of them can go on forever like you should have judicial education. The main thing you can do about judges is to make them aware of what their biases may be, and once they are aware of them it’s a little harder to, you know, to ignore them. And, so there’s still, you know, traditional education. I think that’s included in the new judges thing, whatever their training is when they come on the court. And the judges turn over so fast. You know, there are very few judges. Oh my gosh, it’s been so long. And there are very few judges on the bench now who were then. So, you know, you have to have a whole new bunch of people coming all the time and you need to make them aware. Because when they come on the bench, they come with whatever they’ve got in terms of their attitudes and how they would -- you know, a lot of times they didn’t even know, aware of how they might rule, based on gender. I mean not even be aware of it. So, I don’t know how -- the implementation committees are still suppose to be going. And somebody should call up the state, the court administrator and say “How’s it coming along? Have you got all these recommendations taken care of?” Is the Committee still working? Unless people ask, unless somebody, I don’t know, unless you
have somebody on the court that cares a whole lot, this isn’t going to be high on the priority of the court. And, you know, over in your court. I remember talking to Pam Alexander, she, of course, was on both of those. Unless there are those of you there who raise it, it isn’t going to happen. And that take a lot of guts, you know. I don’t know how its going now, but you’re suppose to have, I guess some training all the time.

Judge Neville: I recently saw some results from the Minnesota State Bar Association’s Sage Committee. Kind of a follow-up group to this.

Justice Wahl: To the gender study?

Judge Neville: Yes.

Justice Wahl: I remember, it kind of -- the Bar did something and Hennepin County and Ramsey County both had some follow-up to see about, if there were gender in their associations. And I think they even looked at law firms.

Judge Neville: And I wish I had those numbers with me, but many women find the -- still find the gender bias, particularly in the law firms. That’s there. But there is somebody still looking at it out there. But to try to find out what’s going on with the implementation committee is a little bit more difficult.

Justice Wahl: (OVER TALKING) You see that’s an ethical court. Unless you have somebody on the court that pushes it, isn’t going to happen. And I remember. Well, Mary Lou Klas was, you know, just great. She was number one on the domestic violence thing, and Mary Lou was on our implementation committee. And I tell you, I think that some of them anyway down in Ramsey County -- she was the one that brought it up and
Judge Neville: Well, so you’ve been off the bench for ten years now, so you may not ...

Justice Wahl: Twelve.

Judge Neville: Twelve. So you may not be watching as closely as you used to. But now we have only two women on our Supreme Court as opposed to four during the period of time when you were there.

Justice Wahl: When I went off, you know, I took the majority with me. And, I know there haven’t been four since. And there don’t need to be an equal number, but just to know that it can happen. And that it’s okay.

Judge Neville: Do you think that, that has an influence on it. That there are only two women on the Supreme Court, out of the seven?

Justice Wahl: What has an influence?

Judge Neville: The follow through on the implementation for both gender and race?

Justice Wahl: Race. Well, I don’t know who advises the governors who make these appointments, you know. I don’t know how much you can do about that except to be really aware, aware of it. And to know, you know, that you need diversity on the bench, and you need women. I mean you certainly do. Because growing up a white male in our society, you see things and you experience things in a certain way. And there are a lot of other people
out there, women and minorities, that don’t go through the same kinds of experience. And they sure need both of those.

Judge Neville: What do you think is the biggest change that you’ve seen on the Minnesota Supreme Court, from when you left or when you started, maybe, until now? Have you seen any change in anything or is it just the same old going on that it was before? Or have you noticed any kind of change?

Justice Wahl: Well, we’re probably not that close. But when I went on the Minnesota Supreme Court, it was the time when there were nine members of the Court. That was before the court of appeals came in when they switched over then to having seven on the Supreme Court. And it was a wonderful Court. I mean, they were just wonderful judges. And I was on there three years before there was any change in the composition of the Court. And then, Fallon Kelley and Walter Rogosheske retired. So, then there were new people on. But there wasn’t another women, until Jeanne Coyne was appointed. And there were only the two of us. Well, towards the end when Rudy was appointing people. He appointed Esther and he appointed Sandra, not long before he left office.

Judge Neville: Governor Rudy Perpich.

Justice Wahl: Governor Rudy Perpich. Rudy was not afraid of strong women, you know. He used them in his administration, and he appointed them to the bench. And, oh, he was good, he was good. But, I don’t know. As I say, I don’t know who advises the governors on these things. There never has
been a woman, I don’t think. Although once, Rudy had a counsel. Maybe they still have a counsel, and Esther was on it. And they made recommendations to the Governor. There were several of them.

Judge Neville: It was the precursor to the Merit Selection Commission. I mean, it was really a merit selection commission without being called that, is my recollection. But it wasn’t formulated by statute until much later.

Justice Wahl: Do they still have that?

Judge Neville: Yep. But not statutorily --

Justice Wahl: Not to the Supreme Court?

Judge Neville: Statutorily only for the trial courts not for --

Justice Wahl: Court of Appeals or for the Supreme Court.

Judge Neville: Have you seen any change?

Justice Wahl: I don’t know in terms of the Court itself, I’ve had, I mean, I regret to say that I have felt glad not to be on the Court because I’d probably spend my time writing dissents. But, you know, I don’t know. I guess Alan Page probably does some of that.

Judge Neville: Alan Page, who’s now been on the court longer than anyone else currently sitting on our Court.

Justice Wahl: Right. But I remember when they started, Alan was the senior member of the Court and he had had about six years experience. And, then all of these new people who hadn’t had, you know any judicial experience, at least on the Supreme Court.

Judge Neville: Alan Page was on the court when you came on?
No, no. Jeanne Coyne came on five years after I was on the court. And then towards the end of my time, but before I left, Esther Tomljanovich and Sandra Gardebring had both been appointed. So there were four of us. I mean, at that point, and at that point, the members of the number of Court had gone down to seven. So, we had a majority on the Court. And this old reporter from the New York Times came out and wrote a big story about it. And did a big picture. And it was really something to have a majority of women on a highest court of a state. There wasn’t any other. Washington may have had since then. But, I don’t know. It has seemed to me, you know, I suppose they are doing the best they can. But I don’t hear a lot of talk about justice. And you have to have people on there that care about that. You have to have people who care about gender and race. Because they’re the ones, when we were doing those studies -- well I mean Sue Dosal is still there. But, boy, I mean, she knew the interest, and she participated in both those studies and made the office of the court administrator really open to it. But if there’s nobody up there pushing, other priorities are going to come in. And the priorities are going to get chosen. So you really need, you really need, you know people up there on the court who care? I mean when I left, we were having the Implementation Committee. We were having monthly meetings. Anyway, we had on the Committee, people coming in from around the state, which meant they had to take the day off from judging, if they were the judges. And then their expenses had to be paid. So, I mean you know,
that was just the follow-up. And unless you have somebody up there that
says, "Yes, we're going to do it." And the administrators know that the
Supreme Court is on top of it, it won't happen.

Judge Neville: Let me ask, since you've spent so much of your time on legal education,
and you worked and chaired the ABA Commission on Legal Education,
what changes have you seen in legal education over the years, that you are
aware of? Both the good things and those that you think maybe have not
been for the better?

Justice Wahl: Well, I don't know that I remain close enough to give a good view of it.
But, one of the things I think happened, and it was really good, was about
the whole movement on clinical legal education. Because, actually
clinical legal education can be adapted to any subject. You know, I mean,
you can have, I remember, you know, business corporations. You know,
they can hook up with some, you know the interns, or they can do studies.
You can have a clinical program there. And just about anything. I think
there has been more. But, to begin with it was mostly, well the student
practice rule. It was, you know, you could represent indigents, or you
could work for legal aid which didn't charge. The whole idea, I think was
not to take any business away from lawyers that might get some. End of
Side A.

SIDE B

Judge Neville: I'm sorry, I just turned the tape over. Okay, go ahead. We were talking
about --
Justice Wahl: I think the law schools, Mitchell and the University of Minnesota, Hamline and now St. Thomas. I don’t know that law school as well. But they have really, you know continued and developed their clinical programs and made it an important part. What are you looking at?

Judge Neville: I’m looking at a picture of -- I don’t know what this is. It says a favorite picnic with favorite clerks. (Photo 11) (2 Photo’s).

Justice Wahl: This was when I retired and there were all kinds of events. And the clerks had a great reunion. So a lot of them made efforts to come from all kinds of places. So there we are, that’s ’94, I guess.

Judge Neville: Did they stay in touch with you over all those years?

Justice Wahl: Well, I’m in touch with some more than others. And, of course, some are around here.

Judge Neville: Sometimes I felt that I was kind of a mother figure to many of my clerks. That they would all come back when they had problems, I’d hear from them. Do you hear from your clerks when they run into some gray clouds?

Justice Wahl: Well, not seeking advice. (Laughter) But, some of them I, well I mean, like Richard Breitmann and Laura Cardwell, and Eleanor, who was my secretary at the time. We still meet and have lunch about quarterly. But others, they get together. We have a picnic every year. And they come and bring their families. And --

Judge Neville: There are a lot of women law clerks in there I’d say.
Justice Wahl: Well, I had some men, they have some men too. I remember -- it was when I had Sheryl, Sheryl Grassmon was my first clerk and then Stephanie Wilbanks. And while Sheryl was still there, I had two. We got to have two for awhile. And, I went over to, oh, what’s that fancy school over on River Road? I can’t think. But, anyway, the headmaster there. I was asked to come and speak at their chapel or something. And, afterwards, the headmaster said, “You said something about, you know, that you had two clerks and they were both women.” My gosh, judges have had two clerks, who were men forever. And whoever called it to anybody’s attention. I mean, really. But that’s, you know, it’s there. It’s kind of like, well the judge, “he.” Or, maybe not so much with the young ones, that this is a position with the role for men. You know, it was so long. I still feel like, unless we keep at it, women lawyers keep at it, as they are doing, and get involved, they’d look around tomorrow and there would be nothing but white male judges. I mean, I just think you have to hang in there. And its so much better when we have a good diverse group. This was a picture of when my papers were presented to court. (Photo 12) That’s my family who were there.

Judge Neville: Oh, how wonderful. Now, tell me who’s in this picture?

Justice Wahl: I think everybody was there, except for Jenny. Jenny wasn’t there.

Judge Neville: Tell me who’s in this one?

Justice Wahl: Oh, this was taken when my papers were presented to the Court and all my family came. This is my daughter Sara and her husband, Judge Michael
Davis, and these are their sons, Michael and Alex. And that’s my son, Timothy and his wife Carol. And their son, Henry. They have two other children but they weren’t there. And, then that’s my son Mark. So, that was pretty nice. That was quite an event.

Judge Neville: Now, you say when your papers were presented, what do you mean?

Justice Wahl: Well, the (TAPE WAS ON PAUSE FOR A FEW MINUTES NO SOUND)

Judge Neville: All right, I was asking you what it meant when you were presenting your papers to the Court? Can you tell me what that meant, exactly?

Justice Wahl: I, think, primarily as and, I think Judge Sherron was the first one. Marvin Anderson who was the State Law Librarian, a great State Law Librarian. I helped hire him to begin with. He and Susan Larson, who I think is still with that office, worked as each judge retired to make a book of their judicial practice, their law practice if they had it. Opinions on the Court and pictures, etc. And, so I had a book and it was presented to the Court on that occasion. As far as other papers are concerned, most of those are at the State Historical Society.

Judge Neville: All right, now you’ve retired. What do you do -- what have you been doing in retirement? What haven’t you been doing in retirement?

Justice Wahl: I’d have to go and look at my calendar, you know. One of the things I’ve been doing has been coping with a memory that doesn’t remember everything.

Judge Neville: You could have fooled me.
Justice Wahl: But I certainly have continued to maintain an interest in the things that were really important to me. And try to encourage those who are still doing the things I can’t do. Like, pro bono work, and like legal aid to the disadvantaged. Well, one of the things that we did too, when we studied race, about how important it was to have interpreters. Because we found, you know, when we did that study, that it was really, really hard to get an interpreter who was adequate. Sometimes they’d get, just another person, somebody who was with them -- which isn’t so very good -- when this thing happened; whenever the incident happened. And this other person is translating. You can’t know if this person was involved in it too. But they do have now, regular certification for interpreters, which is very good.

Judge Neville: Well, I know recently, you were on a CLE Program that I co-chaired. That was an honor to have you there. That was wonderful. It was on Separation of Powers. And you were really getting wound up. It was great. It was just great. And, we ran out of time. I had to do the timing on that. It was just hard to tell you, “times up” because I wanted to listen to you so much.

Justice Wahl: Well, I continued on in the American Bar Association with what was called the MacCrate Report, which we did. I think that must have been in 1994 or so, which has been used in a lot of law schools, in terms of clinical standards and all kinds of other things. So, I maintained an interest in that and I always go when I can, when they’re having the Legal Aid Dinner. When they are getting money for legal aid -- or for Smirls in
St. Paul. Just to encourage them and to let them know I’m still expecting them to do well. They do such good things, and they work so hard. And they don’t get paid very much, these lawyers. So, that’s my chief interest, now in the legal system. I think everybody should have access to the courts, but they should also have good counsel. It doesn’t matter if you have a right, if you can’t take it into court and present it so that you get it upheld.

Judge Neville: I’m sitting in your den right now and looking all around me here and into the next room. And there are literally, hundreds upon hundreds, upon hundreds of books sitting in these two rooms. Have you had more time to read for pleasure or have you done something else? You are spending more time with your family.

Justice Wahl: Well, all these books. These books are primarily my religion and psychology books. And the law things are over here more and over here more. And out in the other room. And then I have just a whole library of things. I’m interested in literature; classical literature. And, especially in women writers. I have, I think, everything Virginia Wolfe wrote. Everything Willa Cather wrote. And St. Vincent Millay’s things. And, I have other things I’d like. I have Thomas Hardy, too. I’m very fond of Thomas Hardy. But I know where things are, and I can go and lay my hand on them. I have a group of books about Native American Culture; and African American Culture and by authors in those fields too. I’m just hungry for books, and usually when I get hold of them or others I get, I
know, that sometime, I'm going to want that book. Sure enough, it might be ten years later, but I have a need and I go pull it off the shelf and there it is. And, I have friends that write books and I have all their books.

Judge Neville: After all these years, if you were going to tell a young lawyer or a young woman, let's say, starting high school or somebody just starting college, what would be words, sage words of wisdom that you may give to them, Words of advice, to help them get through the trials and tribulations, if any, of life? What advice would you give them?

Justice Wahl: I don't know if I have any advice. But I certainly would encourage them at whatever, you know, if they're going into the study of whatever they are doing to learn while they read. That's one thing you learn in law school. I don't know if you remember when you started in law school. With me all of a sudden, I realized how many things I'd missed before. It all jumped out at me, so I learned to read, I learned to write, I learned to think, and I learned to speak. If you can do those things, you can be a good lawyer. But you can just about be a good anything that you want to be. But you really have to apply yourself. There isn't any easy way. I got a letter from a boy, when I was on the Court. He lived in White Bear, and he said "now, I want to be a judge. How do I do that?" And I said, "Well it's a long road. And even wanting to be a judge doesn't mean you'll get to be one." It's a little like being hit by lightning.

Judge Neville: True.
Justice Wahl: Because there are vicissitudes. I guess, now, with merit selection of judges, people can apply, can't they? But I don't think the days are past when the governor doesn't have some advisor or other who has his eye on people -- probably recommends people for appointments.

Judge Neville: But I think we have a good batch actually.

Justice Wahl: It's terrible when you don't. When you have a bad judge it's awful, its awful. And yet, I always thought I could walk into a court room and sense from the atmosphere in the court room, what kind of a judge you had. If it was tension, if it was really tense, you know, you knew there was a judge that maybe made everybody go spit their gum in the basket or was kind of not very polite to people.

Judge Neville: Or treated people.

Justice Wahl: Well there was one thing in the clinical experience with the students. You represented probably these, the worst clients you'd ever had. Poor old codgers, you know. You'd go into the court holding the same end of the stick. And, you'd see how the judges treated these people. Whether they treated them with respect, or whether they were sort of supercilious or, you know, you can tell, you can tell. And, I would judge, judges by that. How they treated people before them. I remember Judge Summers, he was always so great. When I was thinking back when there were no women judges, back when, you know, when was I going to want to, was I going to throw my hat into the Supreme Court thing. I'd been working, you know. We'd been working, and the women lawyers did this big
survey. Took two years of all of our women lawyers. We thought, well the reason the governor doesn't appoint us to commissions and courts and so forth, is he doesn't know who we are. He didn't know all the things that we can do. And so we are going to get this information, and we are going to give it to that governor. Well, I was on the committee that did the survey, the questionnaire. And, then I got the questionnaire, and I kept it for a couple of years before I sent it back, because one of the questions was, "Would you be willing to serve on the bench?" Well, I didn't know because at that point I had only seen, I mean, being a judge had been sort of any image in my mind of a very, kind of a mold that you had to be poured into. But I had known people like Judge Summers who was very much himself. And, still a very good judge. And that was what I wanted to do if I was going to be on the bench. I wanted to go on being myself. But also, being a very good judge and not being poured into some kind of mold, which I hope you don't. I'm sure you are not in anybody else's mold, Carrie.

Judge Neville: Well --

Justice Wahl: We must be getting to the end, here.

Judge Neville: We are and that's why I was going to ask you if there was any advice you wanted to give to anyone, any closing comments that you would like to make?

Justice Wahl: Well, you know, as I said for the young. If they can speak and write and think, and know how to read, you know you can be a lawyer. If that's
what your thoughts are. And, check with people. Have models for the
people. I mean, if you want to be a judge, you know, watch some of them.
Watch Judge Neville. Watch some of those people on the courts and see
what they do. I mean, of course, you can tell more about the U.S.
Supreme Court because there’s more written about them. But, have, you
know, have people you admire a lot and try to emulate them, I suppose, in
a way while still being yourself. I mean, you don’t have to change, you
don’t have to change who you are to be what you want to be. Okay.

Judge Neville: Thank you, and thank you for the honor of letting me do this for you.
You’ve been a role model for so many women, in our state. And it has
meant so much to us to have someone to look up to for all these years. It’s
been fabulous. And it’s been an honor to do this.

Justice Wahl: That’s great.