

*Dedicating the Clara Shortridge Foltz  
Criminal Justice Center*

BY BARBARA ALLEN BABCOCK

*The following remarks were delivered on the occasion of the rededication of the Los Angeles County Criminal Courts Building on February 8, 2002.*

Clara Foltz moved to Los Angeles in 1906 after the earthquake and fire destroyed her office and home in San Francisco. For more than two decades she practiced law, organized and agitated here. Here also she voted legally for the first time, one of the few early suffragists who lived to do that.

Largely due to Los Angeles progressives, California women won the ballot in 1911. Clara Foltz stood all night in a roomful of roses receiving congratulations for this victory – as she always told the story. Soon, the new voters wanted a prosecutor from their own ranks. Clara Foltz was a natural choice for the first female Deputy District Attorney in Los Angeles. For several years here in Los Angeles, she put out a magazine called *The New American Woman*, and in it she published a column: “The Struggles and Triumphs of a Woman Lawyer.” The first installment promised the story of how “a sensitive, conventional young woman undertook to convince the world that woman’s sphere [the buzzword of the 19th century] was limited only by her capabilities and her powers.”

“On the table-book of memory,” she said, she would throw a few of the incidents of a career crowded with noteworthy incidents and also “startling points of contact with a world I seek to serve and a profession I hope to have adorned.” So she tells again the stories that surrounded her dramatic entry into the profession, how she rode up to Sacramento, free, in the caboose of a cattle car, “with no food but a little bag of boiled eggs” to lobby a bill allowing women to be lawyers – and then became the first woman to take advantage of it, in 1878.

She relates once more how she thought the first woman lawyer should go to the first law school in the state, Hastings College of the Law, which opened its doors in 1879. The Trustees refused her admission, and she sued successfully, sarcastically arguing that the Trustees apparently thought a woman could practice but not learn the law.

In “Struggles and Triumphs,” Foltz spins some wonderful trial lawyer stories from her later career, and gives an exciting rendition of a shipwreck in the English Channel, where she personally saved many lives by her quick thinking. We glimpse in the text how present Foltz was at history – in her words, the “startling points of contact” with the great events and



famous people of her day. For example, at the World’s Fair of 1893, the cultural event of century, she spoke at the Congress of Jurisprudence and Law Reform, the first time in history that a woman lawyer had participated with male lawyers at a great intellectual forum. There she presented an

original idea about the practice of law, the role of the Public Defender. The idea grew out of her own experiences in representing poor people charged with crimes.

However, in her “brief and hastily recorded reminiscences,” Foltz does not even mention the World’s Fair, or many other events in her full life. Instead, she expresses the hope that “Sometime, it may be that from out of the dozen or more scrapbooks that lumber my study, an inquisitive biographer may write the history of the progress of the first woman admitted to practice law on the Pacific coast.” Then, “let wreaths of triumph my temples twine.”

For a start – on this triumphant Foltzian day – I suggest that in the life of Clara Foltz are ideals to which we might dedicate ourselves as well as the courthouse. For instance, she believed that the entry of women into the legal profession would change it forever and for the better. She thought that both prosecution and defense were worthy and important roles in the administration of justice, and filled both herself. Clara Foltz knew, also, that male allies were essential to women’s progress, and finally, she was a self-conscious feminist who, in the everyday practice of law, had a cause greater than her own advancement. She was working for the betterment of all women.

Clara Foltz’s life-long habit of keeping scrapbooks did not serve her well in the end. Only one is known to survive. On the frontispiece she pasted a picture of the LA County Courthouse, where she prosecuted and defended. I am in the process of rebuilding the lost scrapbooks, of creating an archive, and of writing her story in full – doing as she directed a biographer should: “relating truthfully the leading events of the life of the individual,” and writing with “care as to arrangement, and avoiding putting dimmers on the four-flushers, and making minnows talk like whales.”

In constructing the archive, I sought out Foltz’s family. She had five children. Her eldest, “my darling first born” Trella, was thirteen when her mother became a lawyer and was at her side through most of her struggles and triumphs. Trella’s grandchildren – Clara’s great-grandchildren –

*Continued on page 13*

*Blazing New Trails*  
Continued from page 3

committees. His years with Aid For AIDS were also quite successful in the fundraising and development arena. We are fortunate to have someone with his background helping to advance the Society's goals.

Meanwhile, I have been assembling a panel of nationally-recognized litigators and scholars for a continuing legal education panel at the upcoming state bar meeting in Anaheim. The program, entitled *Righting History's Wrongs: WWII Reparations Cases*, focuses on a series of cases alleging art theft and slave labor that are making their way through the state and federal systems in California and may ultimately be taken up by the United States Supreme Court. The program is scheduled for Friday, September 5th. We anticipate a full audience, so please indicate your interest in attending when you preregister for the state bar meeting.

On Saturday, September 6th, we will hold a Board of Directors meeting followed by an informal late-afternoon reception. We cordially invite those of you new to the Society to come meet not only the directors and fellow members, but especially the Justices of the Supreme Court.

Finally, I would like to take a moment to thank Dr. Benjamin Field for providing the CSCHS with the opportunity to publish his book, *Activism in Pursuit of the Public Interest: The Jurisprudence of Roger J. Traynor*, jointly with the University of California Institute for Governmental Studies. Members at the Judicial level and above will receive a copy of the book as a benefit of 2003 membership, and we invite those at the Associate level to upgrade their membership to receive this fine work.

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*Crime in the City of Angels*  
Continued from page 10

Once Upon a Time in Los Angeles – The Trials of Earl Rogers is available through the publisher, Arthur H. Clarke Company, P.O. Box 14707, Spokane, WA 99214-0707, and through retailers.

For The People is available through the publisher, Angel City Press, 2118 Wilshire Boulevard, #880, Santa Monica, CA 90403, and through retailers.

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*President's Corner*  
Continued from page 3

Supreme Court becomes a standard part of California schools' social studies curriculum. And the Society is moving forward to create a web site that will provide an unparalleled resource for Society members, scholars and the public at large interested in the history of our state's judicial system.

These and other projects will require even broader support from the legal community. Consequently, in the next few months, we will be approaching law firms throughout the state – many of which have given crucial assistance to the Society in the past – offering them the opportunity to participate in the Society's renaissance by providing either general support or support of specific projects. And we believe law firms will appreciate the value of such participation, both because of the worthiness of the Society's endeavors and because the Society's higher profile will make more meaningful the public recognition they will receive for their support.

At a time when the economy is anemic and many nonprofit organizations are suffering as a result, the California Supreme Court Historical Society is fortunate to be entering an era of tremendous productivity. For that, I extend my gratitude and my deepest respect to the thousands of California lawyers who have made that possible.

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*Clara Shortridge Foltz*  
Continued from page 8

and their children are all here today.

One of Clara Foltz's great-grandchildren, Truman Toland of Cincinnati, is an artist, and painted a picture of Clara when she was a young lawyer just starting out. This is the picture that has hung in my office for some time. Today the Toland family and I present it to the County of Los Angeles, to the people who administer and those who seek justice in this courthouse, to all who would dedicate themselves to the high ideals in the life of Clara Shortridge Foltz.

Professor Babcock's biography of Clara Shortridge Foltz is forthcoming from Stanford University Press. Additional information about Foltz can be found at <http://www.stanford.edu/group/WLHP>.