

Introduction to the Oral History of

JUSTICE KATHRYN
MICKLE WERDEGAR

JULIA J. NORRELL*

Kathryn Werdegar and I met one another in 1961 in a course on international law at George Washington University Law School. There were only nineteen women in our entire law school class, and even among that small number Kay and I were both outsiders, she from California and I from Arkansas. We soon found that we had entirely different views of and approaches to law school. Even today we couldn't be more different, but our friendship and mutual respect couldn't be stronger or more enduring.

Any Californian was rare at George Washington, but a woman student transferring from a law school in California was unheard of. Kay had completed two years of law study at UC Berkeley's Boalt Hall. In contrast, I was the product of an educated and highly political Southern family. After taking a degree at the Ohio Wesleyan University, I had been a Fulbright Scholar at the University of Madras in India before entering law school.

Kay was as serious and scholarly as I was cheeky and irreverent. She was accustomed to and excelled at the academic life, while I was at home in the rough-and-tumble world of Washington, D.C., where my mother had, in the early months of the Kennedy administration, succeeded my

* Lawyer, lobbyist, and art collector.

late father as a member of the U.S. House of Representatives. In fact, I had taken a leave from law school to manage her campaign.

Kay and I got to know each other when she asked me, “Where do you get your books for the outside reading?” I was not doing any outside legal reading, but I did direct her to the World Affairs Bookstore on Connecticut Avenue near DuPont Circle. In fact, the staff there knew me, but not because I’d gone there to buy law books.

Kay was newly married that year, and soon after our trip to the bookstore I met her husband, David, and went to study with her at the little townhouse in the shadow of Georgetown University that they had rented from Nancy Dickerson, one of the first women political reporters. I remember that first visit because Kay brought out a large binder filled with her notes. “Where are your notes?” she asked me. I produced a paltry two pages, and our friendship began in earnest.

I can say with confidence that Kay was always prepared in law school. She was so diligent that she always researched all points of view. I was just dumbfounded at her work ethic and her love of detail. I think to this day she enjoys preparing, and I think she enjoys the confidence of being prepared.

Trial practice was required of all students in order to graduate. Kay and another woman student were partners, and I served as their witness. They decided to use signs as props while they presented their assigned case on property law. After we picked up the “For Rent” signs they had commissioned from a professional sign store near Georgetown Liquor, the two women practiced and practiced. Then they practiced some more, while David and I looked on in amusement.

In the end Kay received a grade of B in trial practice. It was the only non-A grade she ever got. I can’t say why others received better grades, but it’s worth noting that it was the days of the “good ol’ boys,” and all the professors were men. Nevertheless, she graduated first in our class, displacing another student who had a top academic record and a notable background, including a stint working for U.S. Senator Robert Kerr from Oklahoma.

Kay also had gotten to know my mother, Catherine Dorris Norrell, and was very fond of her. Indeed, my mother liked both Kay and David immensely. I remember we took Kay to the Congressional Club, a club for the spouses of congressional members, which my mother had been president of when my father was in office. Every year the club hosted an event to

honor the first lady, a formal luncheon where you wore hats and gloves. As it happened, Jackie Kennedy was in the midst of a difficult pregnancy, so President Kennedy came and spoke in her place. Kay loved that luncheon and talks about it to this day.

As a member of Congress, my mother could also get Kay and David into the House gallery for events. Over time we introduced them to other important institutions in Washington, such as the Library of Congress concert series, poetry readings, theater, and private restaurants and clubs.

David and Kay were newlyweds then, and they were very sweet together. He knew a lot about food, about art, and he was innately curious. They were adventurous readers, and we were all willing to try something new. We shared many books and people and places in those early months.

But it was a tough year for them in some ways because David had to have gallbladder surgery and his mother, Julia Elting, a matriarch from Bucks County, Pennsylvania, came to care for him. His family was Jewish, and at the High Holidays Kay asked me if I knew of a temple in Washington where she



LAW STUDENTS AT GEORGE WASHINGTON UNIVERSITY —
KATHRYN MICKLE WERDEGAR (RIGHT) WITH CLASSMATE
JULIA J. (“JUDY”) NORRELL, 1962.

could take her mother-in-law. I called a childhood friend whose mother was active in the Washington Hebrew Congregation. After assuring my friend's mother that I was inquiring on behalf of a distinguished Jewish visitor and not just for some curious friend, I managed to acquire for Kay two highly-coveted tickets to the holiday service, a feat that David's mother never forgot.

I suppose my friendship with Kay is partially the product of shared experiences — my showing off the city of Washington, D.C., and she becoming acquainted with it. Though I had no interest or aptitude for the skills every Southern woman (and certainly every Bible Belt Baptist) was supposed to have, I was likely the most Southern person she or David had ever met. Perhaps each of us met a need in the other, or perhaps each recognized in the other an inquisitive bent about larger things. I was myself a great reader and was somewhat hindered in my youth by a desire for affirmation of our humanity, of our very beings. I was delving into philosophy when I might have learned to cook or garden instead. "Oh, let her read," my father would say to my mother.

Kay's approach was more empirical than mine, but her curiosity was as great. She always listened carefully and wanted to learn about a range of ideas, as she does to this day. She knows something about all religions of the world, for example, and she never rejects an idea or a point of view until she has studied it for herself.

Kay and David stayed in Washington a second year so he could complete his military service, and she worked in the Kennedy administration as a staff attorney in the Office of Civil Rights. Just before they returned to California at the end of August 1963, she and I made our way to the Capitol Mall and joined the March on Washington. I think we were both believers, but we couldn't yet articulate our ideas about the changes coming to our world. I do know that in the intervening years the whole question of race and civil rights has been like a tattoo on my Southern soul, one that has been central to my adult life. And I do know that Kay, in her own way and in her own setting, brings to all her efforts a certain recognition of shared social purpose, adhering to both the belief and the practice of love, compassion, and dignity for all others.

I graduated a semester before Kay did, and our paths diverged sharply in the years after law school. While I lobbied in the halls of Congress and started a political consulting firm, Kay took her legal research and teaching

skills all the way to the highest appellate court in California. Although she does everything well, so far as I can tell, she learned something at each stage of her impressive career and came to understand that research and the courts were her natural milieu. She was never one to leap at anything suddenly, but she's a distance runner like no other I know, one who doesn't mind making her way slowly but always aspires to go farther and do better.

I daresay those who underestimate Kay do so at their peril. Her courteous demeanor never betrays her, but she can hold her own in any situation whatsoever, whether it calls for a gentle prod or a razor blade. It became clear to me at some point that she really should end up a judge, and I'm immensely proud that she has done so with such solid results over the course of twenty-five years.

By visiting Kay and David in California many times, I have also had the pleasure of knowing their sons. The first, Maurice, was an adorable baby, and I'm pleased to have been "Aunt Judy" to him and to the brilliant Matthew all their lives and now to the extended Werdegarr family as well: Maurice's wife, Helen Werdegarr, and their children, Ben, Mimi, and Zak; and Matthew's wife, Dr. Monique Schaulis, and their children, Henry and Sena. Kay and David have done a magnificent job at shaping a loving family, at instilling in their children and grandchildren a value system that offers great benefit to them and to society at large. They have most generously shared that family with me.

Although I'm in no position to evaluate Kay's judicial methods or legal opinions, I know her to be inherently oriented towards consensus and inclined to treat all around her with respect, whether they are her judicial colleagues or her staff of research attorneys and assistants. I can only guess that she sets a good example for and even mentors others making their way in the law.

Without a doubt she has set a marvelous example in the matter of personal friendship over more than fifty years, and my gratitude for our relationship runs deep. I don't think either one of us wants to stop learning or achieving, and isn't that the best possible result for any thinking person and for the myriad challenges of our world?

July 2016