



Marygold Melli

April 15th, 2008

Oral History Interview

**Interviewed by: Sarah White
Interviewed in: Madison, Wisconsin**



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Transcript of oral history interview with
MARYGOLD MELLI for Dane County Bar Association

Interviewer: Sarah White

Date of Interview: 4-15-2008

Location:

Transcribed by: Ann Albert

My name is Sarah White. It is April 15th, and we're in Madison, Wisconsin in the office of Marygold Melli to conduct an interview for the Dane County Bar Association Oral History Project. And why don't you give me the spelling of your name so the transcriptionist can get it.

A Okay. My first name is Marygold, M-a-r-y-g-o-l-d, all one word. It's not an I. It's a Y. People call me Margo, M-a-r-g-o. And my last name is Melli, M-e-l-l-i.

Q And was that your maiden name?

A No. My maiden name is Shire, S-h-i-r-e. And that was how I graduated from law school and was admitted to the Bar.

Q Uh-huh (affirmative). And start at the beginning. When and where were you born?

A Well, I was born in northern Wisconsin in Rhinelander. But my first memories are of Mississippi where my

1 family lived until I finished first grade. So I went
2 to first grade in Jackson, Mississippi, and we moved
3 -- this was the depths of the Depression.

4 Q What year were you born?

5 A I was born in 1926.

6 Q Okay.

7 A So this must have been 1931. I still wasn't finished
8 first grade. And maybe 1932. I don't remember. It
9 was the depth of the Depression. My father lost his
10 job. We moved to Milwaukee where my grandmother
11 lived. And I went to second grade in Milwaukee.

12 And then my father got a job in northern Wisconsin
13 in Antigo, and I went to third, fourth, fifth, and
14 part of sixth grade up there. And at that point my
15 family moved to Madison, and I've lived here ever
16 since.

17 Q Oh. Okay. What did your father do?

18 A Well, my father was -- he actually when I was -- when
19 we were in Mississippi and when I was a child he
20 worked for a soda pop company.

21 Q Oh.

22 A His uncle owned a big Coca-Cola franchise. And in
23 Mississippi my dad worked for Dr. Pepper.

24 Q A southern drink.

25 A Yes, it was a southern drink and still is. Well, it's

1 pretty national now.

2 My mother was a school teacher, and she also was a
3 piano teacher so that part of my memory of my
4 childhood was my mother teaching, her pupils giving
5 performances. And she taught music in the public
6 schools, and they would have things like that. So I
7 remember going to them.

8 Q I imagine. At what point did you? ???law school?

9 A Well, not my parents. I -- you know, it's hard to
10 know. I was a big newspaper reader. I think that's
11 how I learned to read. And my father used to -- my
12 father had an industrial accident when he was a very
13 young man. He lost his right hand. So in order to
14 read the newspaper, he had to set it on a table. So
15 he would set it on the dining room table, and I would
16 sit on his lap. And when I went to first grade I
17 could read. So I was a big newspaper reader and a big
18 reader in general.

19 And I can remember noticing that lots of the
20 important people were lawyers in the government. And
21 I remember also that I think it was Oliver Wendell
22 Holmes said that law was the calling of thinkers. And
23 I remember thinking to myself, well, I'll have to earn
24 my living all my life and I'd like to do something
25 where I had to think. That was about in, you know,

1 seventh or eighth grade at this time.

2 Q So you began shaping yourself for college.

3 A I began thinking about going to law school and telling
4 people I was going to be a lawyer, and nobody
5 discouraged me, so I went ahead.

6 Q So you did not run into people who said, well, women
7 don't do that, get over it?

8 A Not very much, No. My father had three daughters, so
9 he thought anything we did was fine. And my mother
10 was sort of an early feminist, and she thought that
11 was fine. And I don't -- it wasn't -- I don't
12 remember people thinking that I couldn't do it. So --
13 and it didn't dawn to me that I couldn't do it either.

14 Q That's good not to put roadblocks up for yourself.

15 A That's right. I can remember when I was an
16 undergraduate, 'cause I went to the University. That
17 was why my family had moved to Madison so we could go
18 to college 'cause we didn't have much money. We could
19 live at home and go to the University.

20 Q Sure.

21 A And I can remember one of my political science
22 professors stopped me one day -- I guess I'd gone in
23 to ask something -- and then he said to me, "Are you
24 thinking of getting a Ph.D. in political science?"

25 And I had said no, I was thinking of being -- you

1 know, going to law school.

2 And he said, "Well, nobody will hire you as a
3 lawyer. He said, "Why don't you get a Ph.D. in
4 political science."

5 And I said, "And who would hire me to teach
6 political science at the University?" Because then
7 the faculty here was overwhelmingly male. Now it's
8 just predominantly male.

9 Q That's quite a spirited conversation, I think.

10 A But when I did go to law school, of course, it was a
11 male place.

12 Q So you graduated from the UW and went straight in?

13 A I went to law school -- I went to law school as an
14 undergraduate. Back in those days, you could transfer
15 into the law school, take your last year as electives
16 in the law school and get both, you know, an
17 undergraduate degree, which is what I got, and then go
18 on to get your bachelor's degree in law school rather
19 than, you know=.

20 Q So was the whole thing accomplished in four years?

21 A No, no, no. You had to have -- you had to have three
22 years of college, and it was your final year. And
23 with me, actually it was only my final semester
24 because my major professor said I had to take another
25 -- couple other courses in order to get my

1 undergraduate degree. But I did transfer as a senior
2 into the law school.

3 Q Uh-huh (affirmative).

4 A And there were lots -- I can remember --

5 Q Tell me some things about law school here, the
6 traditions. You already said it was all male.

7 A Yeah, it was all male. And this was right after World
8 War II, so my law school classmates tended to be older
9 than I was, a little bit older than I was. They were
10 veterans of one of the most terrible wars in history,
11 you know.

12 Q Would this be 1945-46?

13 A Let me see. '47.

14 Q Fall of '47?

15 A They were all back. And I'm sure there were some
16 people like myself who, you know, had not been in
17 service. But that was rare because when I graduated
18 from high school, everybody was drafted, all the men.

19 Q Right.

20 A So they were veterans.

21 Q And a couple years older than a typical student?

22 A Many of them were, yes, I little bit older. Lots of
23 them were married, you know. It was an unusual time
24 at the University.

25 Q Yeah. It doesn't sound like a typical student body;

1 does it?

2 A No. It was not the typical student body. One of the
3 faculty members once said it was the best student body
4 they ever had because these young men back from
5 service, they were married, they were determined to
6 get on with their lives. They weren't out partying or
7 anything. They were very serious, very smart, you
8 know. So it was a great experience for me because I
9 met some people who had done all sorts of interesting
10 things too.

11 Q I suppose so.

12 A But I can remember the first -- walking into an early
13 what was some sort of an explanation of law school,
14 and I was late, as usual, and I pulled open the door
15 and I looked in and said, my gosh, it's a men's gym
16 class 'cause it was all a sea of males. And I shut
17 the door. And then I heard the, you know, the person
18 addressing them -- I think it was the dean of the law
19 school -- saying, "And in the law," etc., etc. I
20 thought, oh, my Lord, I've gotta walk in. Well, I
21 walked in.

22 And so the classes were very, very heavily male.
23 I think there might have been three, maybe five women
24 in my class at the -- there were three when I
25 graduated, and maybe -- I had organized at one point a

1 little luncheon group for the women getting us
2 together, and I asked women lawyers 'cause there were
3 so few role models for us --

4 Q Yes.

5 A -- to come and talk to us about, you know, their
6 pursuits as lawyers. I had someone who was an
7 assistant attorney general and a practicing lawyer
8 from Portage who was a trial lawyer. But I think
9 there were about 15 people who came, you know.

10 Q Uh-huh (affirmative). That's the whole state. That's
11 about as many as you could find.

12 A No. But I mean 15 law students. So it was a small
13 group.

14 Q Yeah.

15 A But people always say to me, "Well, were the men
16 hostile?" No, they weren't. Now, I thought about
17 that afterwards because women coming in later years
18 claimed that they felt hostility. And sometimes I
19 think maybe they just didn't regard -- I was younger
20 -- they didn't regard me as competition. I don't
21 know.

22 But the faculty were very nice too. They didn't
23 say to me you shouldn't -- except for the dean, they
24 didn't say to me you shouldn't be here taking a man 's
25 place or anything like that.

1 Q I do think there's something to what you're saying,
2 that women at that time ????? and it doesn't look
3 very threatening

4 A That may be.

5 Q But suddenly when it's a third of the class --

6 A (Unintelligible).

7 Q Yeah. So in some ways it would be easier for your
8 next generation then. (Unintelligible).

9 A And I was on the law. I was a good student.

10 Q Uh-huh (affirmative).

11 A And I think -- I think after they found out that I was
12 a good student, they were even more respectful, you
13 know, so --

14 Q So respected you academically?

15 A Academically.

16 Q Uh-huh (affirmative). Did you have a favorite course
17 or professor while you were in school?

18 A I loved it. I really liked law school, and I liked
19 the intellectual demand and the interplay with the
20 instructor. So I was -- I guess there was one of the
21 grades of the law field, a man by the name of Willard
22 Hurst taught, and I think I took all the courses that
23 he offered.

24 Q Is it spelled Hurst like --

25 A H-u-r-s-t, not like the other one. The first name was

1 Willard.

2 Q Uh-huh (affirmative).

3 A But by and large, I just liked law school.

4 And there was a faculty member, maybe you heard
5 about him from other lawyers, a guy by the name of
6 Herbie Page, who taught contracts and wills and --

7 Q P-a-g-e?

8 A P-a-g-e, Page. Anyhow, he was supposed to have an eye
9 out for the girls. And I can remember -- I can
10 remember I was doing a -- I was on the Law Review and
11 I had to do a note, you write a little article, you
12 know, and research and it so on. So my colleagues on
13 the Law Review decided that I should go and talk to
14 Professor Page about my article, which was a conflict
15 of law issue. He taught conflicts of law.

16 Q Right.

17 A And I always remember, and I said, "Well, maybe I
18 should go see somebody else."

19 "Oh, no," the fellow said, "Margo, you should go."
20 I knew what they had in mind. So I thought, "Well,
21 I'll go up and check him out."

22 Well, all the tales were somewhat right. He went
23 in and he locked the door. You know, another
24 professor would probably leave the door partly open if
25 he had a woman in there.

1 Q Right. Right.

2 A And then he would sort of sit next to you kind of
3 closely, so I would kind of move into the next chair
4 or something. It was a large office. But, you know,
5 nothing happened. We just chased each other around.
6 It was an interesting experience.

7 Q A joke on the faculty side, I suppose.

8 A Yes.

9 Q So -- and that wasn't a typical day.

10 A No, it's not a typical day.

11 Q And you were living at home and coming to classes
12 full-time or --

13 A No, I came full-time to school.

14 Q No outside (unintelligible).

15 A And -- but, you know, many of my fellow students were
16 in the same situation 'cause they were married. They
17 took a bus up to a place called Badger something or
18 other, Badger Village, I guess they called it. They
19 had taken over barracks that the Army had had.

20 Q So the married student housing.

21 A Yeah. And then there was a married student housing so
22 that the -- well, it didn't feel that much out of
23 (unintelligible). Anyway, I kind of enjoyed it.

24 Q Where did your family live?

25 A Here in Madison.

1 Q Right.

2 A Within walking distance. I lived over on West Wilson
3 Street, and in those days, of course, lots of people
4 lived downtown.

5 Q Really?

6 A There was a -- now it's -- Doty School is now condos.
7 That was a grade school. And I lived about a half a
8 block from there.

9 Q And you knew Rosemary?

10 A Rosemary and I went go St. Rafael's, the grade school,
11 together. And there was a grade school there. There
12 was a grade school where the administration building
13 is on Washington. There was a grade school. There
14 was a grade school at Holy Redeemer. So there was a
15 family -- families lived downtown in those days.

16 Q Yeah. I wish I'd been here for those days, frankly.
17 Well, let's get you graduated then. You got out
18 of law school.

19 A Okay. I graduated, and --

20 Q What year?

21 A One of my favorite stories about getting a job
22 involved the dean of the law school because back in
23 those days, the law firms, for one thing, there
24 weren't that many law firms.

25 Q Uh-huh (affirmative).

1 Q And they weren't hiring that many lawyers. And the
2 law firms would write to the dean and make
3 arrangements to come to the law school. He would put
4 up a list of the students that they could interview.
5 And the students would check this out and go to the
6 interviews.

7 My name, although I was near the top, the second
8 in my class, I think, was never on that list. So I
9 went to the person who ran the placement bureau and I
10 said, "How come I'm not on that list?" And he said,
11 "Oh, Margo, the dean chooses those people. You'll
12 have to go speak with him."

13 So I'm not a very brave person, at least defending
14 myself. And I went to see him, and I asked him, you
15 know, why my name was never on the list. And he said
16 -- I remember he kind of straightened himself, and he
17 said, "Well," he said, "Ms. Shire, none of those law
18 firms would hire you. Why should I waste their time."
19 So --

20 Q He had his own world view; didn't he?

21 A Yes.

22 Q How did you get around that?

23 A Well, I didn't get hired by a law firm. What I got
24 hired to do was some of the faculty members were
25 involved with the Ford Foundation, I think it was, at

1 the time was much interested in improving law. And
2 they may have gotten money from them, but also the
3 State Bar was interested in law reform at the time, as
4 they always are. And they -- they had set up a new
5 organization called the Legislative Council. Maybe
6 you've heard about that.

7 Q Uh-huh (affirmative).

8 A Well, this was brand new back in 1950 when I graduated
9 from law school, and one of the first projects was to
10 to codify the criminal law. And so -- and as I say,
11 several of the faculty members from here were involved
12 in this project, and they hired me to do the research
13 and drafting.

14 Q Right. Okay.

15 A And that was my first job.

16 Q As a worker in the (unintelligible).

17 A Uh-huh (affirmative).

18 Q Do you recall names of the people who were hiring you
19 there?

20 A Oh, well, there was -- they're all gone. One of the
21 people was a faculty member by the name of Jacob
22 Boysher (ph), Jake Boysher. And I can't remember the
23 name of the other one. He left here to go to NYU.

24 And then I worked with a colleague who ended up
25 being a colleague of mine at the law school by the

1 name of Frank Remington. He was brand new on the
2 faculty back then.

3 Q How interesting then this would be for a person
4 looking for thinking work.

5 A It was a wonderful job. And not only was it a
6 wonderful job, but you worked with, you know, the top
7 legislators, so I got to know people like Warren
8 Knowles, whose name I'm sure you've heard.

9 Q Uh-huh (affirmative).

10 A And there were people from the Attorney General's
11 Office who were prominent lawyers, you know. It was a
12 great project. And of course, people met me in that
13 project, and then I got hired to do other things. I
14 have never looked for a job.

15 Q The contacts you made.

16 A Each contact I would go on to something else. And so
17 I went on to -- one of the projects I went on to was
18 codification of the Children's Code.

19 Q Yes. Okay.

20 A And, ah, and that was great fun. The legislature had
21 hearings around the state, and I went to all these,
22 you know, and met 18 million judges and so on and
23 social workers around the state, and it was --

24 Q This is to gather information about how they were
25 practicing?

1 A How things were going. And then we worked on -- we
2 amended the law. We came in with a revision of
3 Chapter 48 of the statute.

4 I also worked on -- got hired to do a revision of
5 the platting statutes. Now, that may sound strange to
6 you, but when you buy a house, it's in a plat.
7 Remember? The land. And of course, this was --
8 things were just beginning to wake up after World War
9 II, and then the Depression and World War II people
10 were building all these houses, they were platting
11 land, and this was --

12 Q (Unintelligible).

13 A -- a big topic, you know.

14 Q Okay. So --

15 A And that was a very interested project too. And
16 again, I traveled around the state to see what was
17 happening.

18 Q Well, now what was that like? You would be with a
19 group of your peers on this project?

20 A Well, some of it I did by myself, you know. I would
21 go to see how registers and -- I mean, how registers
22 of deeds were handling these platting things and so
23 on, and I'd go to interview them. Some of it I did
24 myself.

25 Q Did you have a car, or were you taking a train?

1 A No. I took a car.

2 Q You had a car?

3 A I had a convertible.

4 Q (Unintelligible).

5 A No. You got mileage.

6 Q Yeah. A convertible. What kind of car?

7 A It was a Studebaker, which was --

8 Q Well, probably that was a lot of fun to travel the

9 state.

10 A It was. We learned a lot about the state because then

11 the next job I got --

12 Q Okay.

13 A -- was an executive director of a newly, relatively

14 new -- I think there'd been one executive director

15 before me, something called The Wisconsin Judicial

16 Council, which still exists. (Unintelligible) the

17 Wisconsin Legislative Council, for that matter. And

18 at that point the legislature and the -- not so much

19 the legislature, but the Wisconsin Bar had decided

20 that we should reform our court system. We had a

21 multitude of different courts here in Dane County. We

22 had a small claims court. We had a superior court.

23 We had a county court. We had a circuit court. They

24 all had different jurisdictions, and if you filed in

25 one, you couldn't -- what they wanted to get was what

1 they called a unified court system. In other words,
2 you would have one court with various branches so
3 people could be -- that cases could be transferred
4 around and stuff, which is how we worked.

5 Q About year are we in here now?

6 A That was 1955.

7 Q Yes. Okay.

8 A 1955, yeah. I went to work for them in 1955. But I
9 had all these successes. You know, the Criminal Code
10 had been adopted. The Children's Code had been
11 adopted. The platting statutes had been adopted.

12 Q Uh-huh (affirmative). Did you begin to have other
13 legal clerks and such working for you some point
14 there?

15 A Once in a while, I would have a law student, but by
16 and large I didn't supervise other lawyers because
17 they worked as their own individual, you know, and
18 they didn't have money to hire more than one person, I
19 guess.

20 Q Well, that sounds pretty self-directed.

21 A Yes, it was. You always worked with an -- all of
22 these things I've worked with a committee of
23 legislators, and I got to know an awful lot of
24 legislators. And I also got to be pretty good at
25 getting things through the legislature. So, as I say,

1 it was an interesting time for me.

2 Q Uh-huh (affirmative). I should think so.

3 A And then when we -- so the job of trying to unify the
4 courts to go into a single court system, that requires
5 a lot of travel too around the state. Again, as I
6 said, my car kind of could smell a county seat, if I
7 can put it that way.

8 Q I'm trying to picture what the nitty gritty of that
9 work would be like. I mean, people have their old way
10 of doing things.

11 A Some of them were downright rude, you know. I think
12 sometimes I would walk in and they had been thinking
13 of all these nasty things they were going to say, and
14 there was this kind of sweet little girl, you know.
15 And they really -- although I had one judge throw his
16 telephone across the room at me because he didn't like
17 this idea, Mrs. Melli.

18 Q We're talking heavy phones too.

19 A Yes, they were heavy phones back in those days.

20 A But it took sort of short of a -- I developed a thick
21 skin. I developed a way of being nice when people
22 weren't being nice to me, you know, all good traits
23 for lawyers, so --

24 Q I notice your name changed to Melli in there
25 somewhere.

1 A Oh, yeah. I met my husband -- I should go back. I
2 met my husband in law school. And as a matter of
3 fact, law school was a good place because I met all
4 sorts of young men. And, of course, I can remember
5 the phone ringing and somebody saying that this is
6 John Jones, and I said yes, you know. And he'd say,
7 I sit two rows behind you in Property." Well, you
8 know, the class tended to me to be just a sea of male
9 faces. But anyhow, I met lots of very nice young men,
10 and one of them I ended up marrying right after I
11 graduated from law school.

12 So I was admitted to the Bar under my maiden name
13 and never got around to changing it until years later
14 when I think I was filing an amicus brief in something
15 and the clerk called my office and said, "You know,
16 don't you think you ought to change your name because
17 you're registered under another name," my maiden name.
18 And I had never -- I hadn't thought about it.

19 Q Right. One of many little issues.

20 A So anyhow --

21 Q So there we have you in the 50s driving around the
22 state.

23 A Yeah. Well, by this time it was 1959. And one day
24 this dean of the law school called and wondered if my
25 husband and I -- it was my husband and I, I remember

1 that-- would like to have dinner with him and his
2 wife, and he offered me a job. I think the law -- you
3 know, who know? I think the law school was probably
4 thinking they ought to hire a woman or something. I
5 don't know.

6 Q Woman (unintelligible).

7 A So they decided they would offer a job to me.

8 Q Okay. And was your husband practicing here in town?

9 A My husband practiced here in town. He was -- he went
10 with a lawyer who had left a big firm -- well, not big
11 firm. In those days a big firm was nine people. So
12 the fact that he and another lawyer worked together,
13 that was very typical. Either lawyers were individual
14 practitioners or there were two or three, you know,
15 together. And so it was McAndrews and Melli was the
16 name of the firm eventually.

17 Q Okay.

18 A By the tame time I came to law school, my husband had
19 decided to go off on his own. And then that grew into
20 a firm which today is Melli, Walker, Pease & Ruhly,
21 not a terribly big firm by modern standards, but very
22 very big by the standards at that time.

23 Q Yeah. Isn't it something?

24 So he was settling on his career path, and now
25 teaching comes calling for you?

1 A Well, it came along for me, but it also came along for
2 me at a time when I had been married about nine -- we
3 got married in 1950. This was 1959. We were
4 interested in a family. We didn't have one. So we
5 applied to adopt a child. And so I said to the dean,
6 well, the adoption agency in those days -- nowadays, I
7 don't know if you pay much attention, but mainly
8 people go and they get a baby from somebody who's
9 gonna have a baby. It's very entrepreneurial. But in
10 those days, it was very bureaucratic. You went to an
11 agency. And so the agency would not place a child
12 with a mother who worked, as a matter of fact.

13 Q Were they typically religious agencies or state?

14 A No, this was a state. Of course, and I had -- there
15 are religious agencies. I had decided that I would
16 apply to the state because I had gotten -- I had seen
17 how it operated when I was doing this Children's Code.

18 Q Uh-huh (affirmative).

19 A And I thought the State had higher standards than the
20 others. I was probably wrong, but, you know, that was
21 what I thought, so that's where I applied. They all
22 had the same rule, that you couldn't work and have a
23 baby placed with you, which sounds kind of strange
24 nowadays, but --

25 So I said to the dean, well, I would be -- I

1 thought I'd be interested in teaching, but, you know,
2 he ought to realize that if we got a child, why, I
3 would have to take off, you know.

4 And that's what happened. I taught for a year.
5 And they -- the agency called and they had a child,
6 and so I quit. And then I came back later on
7 part-time. And I never worked full-time. I always
8 worked -- or as my husband said, I was paid part-time,
9 but --

10 Q Well, let's talk about that for a minute. What were
11 pay scales like at that time?

12 A Well, let me see. When I graduated from law school, I
13 made \$3,000 a year. And I think that was probably the
14 highest that any of my colleagues made. First, the
15 guy who was a little bit higher than I was in my class
16 went with a big Washington, D.C. law firm, and that's
17 what he was paid. Well, you know, \$3,000 in
18 Washington, D.C. and \$3,000 in Madison, Wisconsin
19 is --

20 Q Even then there was a difference.

21 A There was a difference, and I was -- I thought I was
22 paid pretty well.

23 Q Yeah.

24 A When I came to the law school, I was -- that was in
25 1959, and I think I was paid \$7,000.

1 Q Uh-huh (affirmative). When you were full-time.

2 A And I was full-time.

3 Q Well, it sure doesn't sound like much money today,
4 does it? But it was good money for the time?

5 A Yes, yes. And I can remember they published it --
6 well, and I must have made something less than that --
7 well, I don't know what, but working for, you know,
8 the Wisconsin Judicial Council, but I remember they
9 published my salary in the newspaper and a friend of
10 mine calling me and saying, "Oh, do they pay you that
11 much?" I had the feeling she thought, "Well, Margo,
12 you aren't worth that."

13 Q So when you taught full-time that one year, what
14 courses? Several or --

15 A Back in those days, the dean thought that you should
16 sort of teach through the curriculum. So I taught --
17 I can't remember what it's called. It was Sales and
18 Secured Transactions. I taught, um, I can't remember
19 what these things were called. They've got different
20 names today. Business Organization. I taught what
21 was called Domestic Relations. That was now called
22 Family Law.

23 Q Okay.

24 A And I don't remember what else.

25 Q So you had to prepare to teach a number of different

1 topics?

2 A Oh, it was -- you really worked hard. I'll tell you.
3 Oh, yeah. So it was how you were. But it was
4 interesting, it was fun, and I had great colleagues.
5 I really liked it.

6 And again, one of my stories about what you do --
7 'cause I ended up teaching criminal law or kind of
8 specializing in juvenile law and family law. The dean
9 said to me early on, he said, "What areas would you
10 really like to specialize in, Margo?" And I said,
11 well, I'd like to specialize in the family area.
12 "Oh," he said, "you don't want to do that. There
13 isn't really any law there."

14 Well, you know, when I had done this Children's
15 Code revision, I had done a lot of background reading
16 and I could see that things were about to change. We
17 were in the midst of a huge revolution in our
18 attitudes towards the family and children and so on.
19 And I turned out to be right. But at that point, this
20 course called Domestic Relations was sort of a
21 stepchild in the law school. It was taught by a
22 downtowner, although a couple of the senior faculty
23 members had taught it at one point, and I remember
24 when I started teaching it, both of them gave me their
25 books, you know, and patted me on the head and wished

1 me luck, but they -- I had the feeling that both of
2 them thought it was kind of a, you know, an
3 unimportant field. You wanted to deal with tax and
4 real estate and things like that. So it was this
5 two-credit course but the time I left, it was two
6 three-credit courses plus several seminars.

7 Q Uh-huh (affirmative). It grew into a whole
8 specialization.

9 A It grew into a whole specialization, yeah.

10 Q Well, talk to me about how you do that. How does
11 something grow and gain credibility to get the
12 administer to hear you?

13 A It wasn't me. It was the field. I had an expanding
14 field, you know.

15 Q What did you observe going on when you say there was a
16 revolution in the attitude?

17 A Well, I could tell the attitudes towards marriage and
18 divorce was changing. The attitudes towards
19 family-related -- well, once you began to have a
20 larger divorce population, and much concern about the
21 people who were divorced, this was also beginning to
22 be a problem.

23 Q The rates of divorce were concerning to society in
24 general?

25 A What was happening to the children and so on. So you

1 began to have much more, you know, interest in the
2 public in this area, and therefore, the area began to
3 expand. We've had a lot of legislation in the area
4 and so that -- things that I think maybe the law
5 school just hadn't thought about before. I said, oh,
6 that's an important issue, you know.

7 Q And your voice was heard?

8 A Oh, yeah. They were -- again, my colleagues I thought
9 were wonderful to me.

10 Q Uh-huh (affirmative).

11 A So I don't know that people nowadays pay that kind of
12 attention. They assume that that's a whole big area
13 by itself. But then they didn't.

14 Q So now it's the 1960s, and you're here on campus and
15 you're raising a family. How quickly did the children
16 come?

17 A They were -- we had four children, and they were about
18 two years apart.

19 Q Okay.

20 A So when I -- I quit when we had the first -- adopted
21 the first child.

22 Q That would have been about 1960?

23 A That was 1960, right. And then the following spring,
24 the dean said, you know, "Nobody else really wants to
25 teach that Domestic Relations course, Margo." So I

1 came back, and they paid me on kind of a per credit
2 basis for doing this.

3 Q Uh-huh (affirmative).

4 A And at the end of the semester, I said to him, "I'm
5 not gonna do that under those terms anymore because it
6 doesn't pay for my baby-sitting even." And so I then
7 was reappointed to the faculty. As I say, I never --
8 I was always part-time.

9 Q The understanding was that you would be part-time and
10 get paid part-time?

11 A And mainly, I taught what eventually became family
12 law. I taught -- well, I taught criminal law, I
13 taught criminal procedure because those were things I
14 had worked on the Criminal Code on. And I taught, you
15 know mother things mlike we had a course called Law
16 and Society, which I taught. But I always did this on
17 a half course load, see.

18 And again, one of my favorite stories involving
19 the dean who hired me was that after a number of
20 years, he said to me, "You know, we should be
21 considering putting you up for tenure." I was an
22 assistant professor, and I should become an associate
23 professor. "But," he said, "the University won't give
24 you tenure if you're only part-time. You have to be a
25 full-time faculty member to get tenure."

1 And he said -- and he had a scheme. He said,
2 "We'll appoint you full-time. You teach full-time for
3 a year." This was about 1966, I think. "You teach
4 full-time for a year, and then we'll send you up."
5 Honestly, as a full-time member, then you can go back
6 to being part-time.

7 Q You get the prize.

8 A You get the prize. He was very supportive, I thought.

9 Q Well, that is supportive.

10 A He was very nice to me. And I said, kind of drawing
11 myself up, you know, full 5'3", I said, "You know, if
12 the University is really serious" -- and they were
13 beginning to really be a little threatened by the
14 interest in women's rights and so on. I said, "You
15 know, if they're really interested in promoting women
16 on the faculty, they should recognize that women have
17 other obligations and they should be willing to give
18 me tenure as a part-time."

19 Q You go, girl!

20 A A half-time faculty member. So he said to me that,
21 "It's your life, Margo. If you want to take that
22 chance and get turned down, that's all right with us,"
23 you know.

24 So they sent me up, and nobody raised a question
25 at all about it. They just gave me tenure.

1 One of my colleagues who served on the -- it's
2 called the Divisional Committee, which is what passes
3 on this. And he said nobody even raised the question
4 that I was part-time. And he wasn't there for most of
5 the discussion. I don't know what the discussion was,
6 you know, but he said that when he was there, nobody
7 -- he was there to answer questions about the law
8 school, first of all. And they didn't raise any
9 questions about that, so I got tenure.

10 And years later when the women's movement became
11 very prominent and there was a big hullabaloo about
12 not giving women -- not giving women tenure as
13 part-time employees because women did have children to
14 raise and so on, I can remember one of the very
15 militant women on the campus called me, and she wanted
16 me to sign this petition. And I said, "I can't in all
17 honesty do that because I'm a tenured professor and
18 I'm only part-time, and I got tenure as a part-time
19 professor." Well, they were pretty unhappy with me,
20 but --

21 Q (Unintelligible.)

22 A One of the things about being a faculty member, you
23 were asking about -- I don't remember what question
24 made me think of it -- in the 1960s, I was appointed
25 to a state board that in those days was called the

1 Board of Public Welfare. And you were appointed by
2 the governor, I guess. Yeah, I was appointed by the
3 governor. And you -- this board was the governing
4 body, in a sense, for all of the institutions, the
5 prisons, the children's institutions, you know, the
6 mentally -- for the mentally ill.

7 Q Right.

8 A It was a fascinating time to be on this board because
9 they did so many things and you learned so much.

10 Q And that was a time we're thinking around
11 institutionalization; wasn't it?

12 A That's right. They were beginning then.

13 Q But mostly in the 70s.

14 Q They were more in the 70s, that's right. As a matter
15 of fact, the board was changed at the end of the 1960s
16 and I was no longer involved, you know. But at the
17 time, it was a great experience, and you learned an
18 awful lot.

19 Q Well, let's see what else we have to say about the 60s
20 and then maybe come back to that a little bit.

21 A Okay.

22 Q And I wanted to ask you about your publishing. At
23 some point you began to write?

24 A Yes.

25 Q When did the writing and publishing begin for you?

1 A Well, ah, I think probably there was always something
2 being done, you know.

3 Q I mean, even as a beginning professor there would be?

4 A Yeah. But I had done an awful lot of writing when I
5 was doing all these other projects, you know. So I
6 wrote Law Review articles about subdivision
7 development, you know, and --

8 Q While you were working on platting.

9 A Yeah, 'cause I was working on the platting stuff, and
10 on various things in the criminal area, criminal law
11 area, and then the juvenile area.

12 So when I came to the law school, as a matter of
13 fact, one of my colleagues said to me afterwards, he
14 said, "With your background, we would probably have
15 recommended you for -- appointed you as an associate
16 professor, but because you were a woman and we were
17 taking this chance on hiring a woman" -- because they
18 were worried about what would happen, I guess -- that
19 they had appointed me as an assistant professor. And
20 so I had done stuff before I came, and then I still
21 did things along the same line.

22 One of the things that I was -- one of my theories
23 that I had and some of my colleagues' theory was that
24 the juvenile justice system was not a child welfare
25 system at all. Back in the early days of the 20th

1 Century when they started juvenile courts, they were
2 started as sort of nonlegal courts. And one of the
3 things that -- one of the changes that came in with my
4 tenure with the Children's Code was that we began to
5 look at the delinquency stuff as being more related to
6 the criminal law stuff and thinking that these kids
7 needed some rights when the cops picked them up and so
8 on. When they were put in an institution, it wasn't
9 to be nice to them. It was a correctional one.

10 So anyway, one of the things that we did in the
11 1960s was we came out with a law school case book, and
12 it was called Criminal and Juvenile Justice
13 Administration. I might even have a copy. I think I
14 loaned my copy to somebody and they never returned it.

15 Q That happens. Okay.

16 A So -- but, you know, it was kind of fun. You'd be in
17 the airport and somebody would come up and say are you
18 the Melli of whatever the book was.

19 Q So the interest in children's welfare and publishing
20 kind of came together?

21 A Yeah, kind of came together, that's right, yeah.

22 Q The tape is about to end, so I think I'll just ask you
23 to pause while we turn that over.

24 (Pause)

25 Q This is Side 2. It's still April 15th, and we are

1 still talking with Margo Melli.

2 So we were talking about the publishing work that
3 you were doing and your focus on children's welfare,
4 and I'm sort of thinking about the social milieu that
5 you've got. There's rising concern about youth in
6 crime, sort of the gang phenomenon, of course, the
7 gangs appeared in bigger cities and I suppose there
8 was some concern about that, and of course, it was the
9 sixties on the campus and it was probably unfolding
10 around you.

11 A Yeah.

12 Q How did these things work into your thinking about
13 your work and your life?

14 A Yeah. Well, and, ah, in the early -- of course, we
15 had the whole Vietnam fiasco. And then in the early
16 70s, I served a stint as associate dean at the law
17 school, and I can remember the students -- mind you,
18 I'm a part-time employee.

19 Q Right.

20 A So my agreement with the dean was that I would be
21 there as associate dean from 9:00 to 3:00 because I
22 had to get my kids to school -- by this time they were
23 in school -- and I had to pick them up.

24 Q You were fitting in a professional career in between
25 the brackets of school.

1 A In between the kids. And I can remember I would get
2 here at 9:00 'cause I'd drop them off at school at
3 8:30, and I had to park my car, and the kids would be
4 lined up outside my office because they saw me as
5 somebody who was sympathetic to their worries because
6 they were all very conflicted about the fact that they
7 had they were called S deferments because they were
8 students.

9 Q Yes.

10 A And of course, a lot of students did things -- a lot
11 of people, including the last two presidents of the
12 United States, did lots of things to try to get out of
13 going to Vietnam; right? So -- and they were young
14 people, and I guess they saw me as being sympathetic.
15 Of course, I can tell them about World War II. I can
16 remember them saying to me, you know, Professor Melli,
17 what was it like to be in a war that everybody was,
18 you know, was in favor of fighting? Of course, we
19 were in favor of fighting it because we thought that
20 we didn't want to lose.

21 Q Right.

22 A But it was a very difficult time. But one time I
23 remember I was teaching class, and we had all these
24 riots on the hill. I was teaching class. We had --
25 the law school being on the hill, we had to close down

1 campus sometimes because the tear gas got so bad that
2 we couldn't, you know, tears were streaming.

3 Q It was coming in?

4 A It was coming in. One day I was teaching class, and
5 the classroom was a downstairs. It's still there.
6 And there was a door here and a door here, and the
7 instructor's desk and so on is here. And the students
8 were out here. And all of a sudden, the door swung
9 open and a young man came running through, and he came
10 -- and I kind of -- I looked and I started to say
11 something, and the door opened again and a police
12 officer waving a billy club -- I had never seen them
13 do that -- came running through too, you know.

14 Q Full speed at the war here.

15 A That's right.

16 Q What terribly difficult times.

17 A They were very difficult.

18 Q When a classroom, the ivory tower of college, that
19 should be apart from that.

20 A Yeah. But it wasn't, you know? And of course, the
21 students were very conflicted about it all, you know.

22 Q Uh-huh (affirmative).

23 A They were trying times.

24 Q Yeah.

25 A Yeah.

1 Q Now, I'm thinking you're trying to -- you've got a
2 domestic life with your children.

3 A Yes.

4 Q And then you come to school and the battle is running
5 through the classes.

6 A Everything. And I can remember I had -- I had hired a
7 woman as a housekeeper by this time, and she would say
8 to me, "Mrs. Melli, you shouldn't go down there. You
9 could be killed," you know, particularly after the
10 student was skilled at Kent State. Maybe you've heard
11 about that.

12 Q It sounds like you didn't have a lot of personal fear
13 about it.

14 A No, I didn't. And it might have been my ignorance
15 because I can remember saying to one of my colleagues
16 at the law school who was in the Army Reserve because
17 a lot of these people kept their rank, you know,
18 captains and whatnot. And this man was still involved
19 with the National Guard. And they -- I don't know if
20 you know this, but they had the National Guard here at
21 the campus. And you had to -- you had to have -- in
22 order to get into the law school, which was one of the
23 buildings on the hill, you had to show your ID and so
24 on. And I -- these guys are standing with these guns.
25 And I said to my colleague, I said, "Those guns aren't

1 loaded, of course?" This was before Kent State. And
2 he said, "Don't kid yourself." So --

3 Q My God. (Unintelligible)

4 A I just didn't really think that anybody would think to
5 shoot somebody on campus.

6 Q On campus.

7 A Even if they were going to riot, it doesn't seem to me
8 to be -- but anyhow, they were trying times, yeah.

9 So -- but in the 1970s --

10 Q Uh-huh (affirmative). Let's move on.

11 A -- this family law area began to really move because
12 the divorce rate was going up. Actually, the divorce
13 rate had been going up, you know, since -- the divorce
14 rate had been going up since the 1890s, and then it
15 really went up after World War II and then just kept
16 going up. You know, it evened off sometime in the
17 1980s, I think.

18 So you have all these problems of child support,
19 and we had something which was called AFDC at one
20 point and various names. But what was happening was
21 people would get divorced. They went on welfare, as
22 they said.

23 Q The economic cost of divorce.

24 A Yeah, of divorce was just -- it still is, of course.

25 But it has begun to take sort of a backseat. Then it

1 was very important.

2 Q Driving families to welfare that would not have
3 otherwise.

4 A That's right. So much attention began to be paid to
5 this and to the issue of child support. And I'm --
6 you know, you go in to get a divorce, and the judge
7 has to determine, has to divide the property, has to
8 -- if there is any. With most people it's almost
9 usually dividing the debts, rather --

10 Q Yes.

11 A -- than property. And then you set -- the big cost of
12 divorce for lots of -- for the majority of people with
13 children was the child support issue.

14 So I began to wonder how judges decided this. And
15 so I got some money and hired somebody to help me, and
16 -- but I did most of the research myself. I went down
17 to Dane County, got the records from from the Clerk of
18 Court and the Family Court Commissioner's Office and
19 so on and went through to see, you know, how much --
20 how they were setting child support and came up with
21 all this information. I guess I ended up with a
22 hundred cases, which was a lot, but was a lot of work
23 for me.

24 And a few years earlier, I had also been involved
25 with -- I forgot to tell you that. When I came to the

1 law school, the dean said to me, "We will make you the
2 faculty advisor to the Legal Aid Society." This, as I
3 always said to everybody, was because I was the newest
4 faculty member, and that was what he usually did. But
5 I got really involved.

6 Q And Legal Aid Society helps out people who can't
7 afford their own defense and everything?

8 A Low income, yes, uh-huh. So I got very much involved.
9 And some of my students later on became Dane County
10 circuit judges, you know. So it was a wonderful
11 experience.

12 Q I bet it really put you in touch with the needs of the
13 poor.

14 A In touch with the needs of the poor, and then it was
15 more one of my colleagues who got involved with this,
16 he got some money from the Ford Foundation to set up
17 -- this is before the State provided defendants who
18 were poor with counsel. While I was teaching here at
19 the law school, I was a lawyer, the United States
20 Supreme Court said that -- determined that if you
21 were, you know, charged with a crime for which you
22 could be imprisoned, the State had to provide you with
23 a lawyer if you couldn't afford one yourself, see, but
24 that was a federal mandate. That was a federal
25 mandate that came down, yeah.

1 Q Wow. Wow. Okay. So you're analyzing these cases to
2 see (unintelligible).

3 A I'm getting this confused. I was going back to the
4 child support. The reason I got off on this other
5 stuff was because of my interest in the poverty stuff.

6 I had been involved in part of -- well, you know,
7 I'll have to backtrack. Lyndon Johnson's what was it?
8 Great Society? Remember?

9 Q Uh-huh (affirmative).

10 A So one of the things, the federal government was going
11 around was setting up on university campuses research
12 things, institutes to research the causes of property
13 and what to do about it.

14 Q Oh, my God.

15 A And I was appointed by the chancellor to a committee
16 that ended up setting up something called the
17 Institute for Research on Poverty here at the
18 University. Perhaps you may have heard of it.

19 Q I've heard of it, yeah.

20 A So over there some people got very much interested in
21 child support because that was the one of the big
22 causes of poverty, divorce or unmarried mothers and
23 their children.

24 Q (Unintelligible).

25 A And so my little study that I did, I took over there

1 because they had, you know, social scientists who
2 could understand all my little things that I had
3 gathered. Well, they ran this through their computers
4 or whatever, and they came back to me and they said,
5 you know, what this shows us is that by and large,
6 when judges set child support, it's dependent on the
7 number of children and how much the father makes.
8 Well, I don't know if you've paid much attention to
9 those things, but eventually that's what -- the
10 federal government came out requiring states to set up
11 guidelines, and they set up the guidelines universally
12 throughout the country and looking at the number of
13 children and how much the supporter made, see.

14 So I came out with this, and I got connected with
15 the Institute of Research on Property. And I did -- I
16 did a lot of my writing with them, you know.

17 Q So this became a longstanding --

18 A Oh, yes. I still am an associate editor of that. And
19 as a matter of fact, I have another one of their
20 social science types who did all the, you know, the
21 whatever you call it, the number crunching. And I
22 have an article coming out in an international journal
23 this spring looking at child custody things, you know.
24 But -- so I still have friends over there.

25 Q That's interesting in that it seems like the

1 individual judges were arriving at the law
2 (unintelligible).

3 A That's right. They were by themselves, but it was
4 very ad hoc and you couldn't predict it 'cause the
5 statute says said they shall set an amount that's just
6 and reasonable.

7 Q That's a lot of room and no easy way to look up what
8 other judges had done.

9 A That's right. So it was really -- it was really very
10 timely when I was interested in it. And then as I
11 said, I ended up drafting a lot of stuff because they
12 needed a lawyer. You know, made lots of friends.

13 Q Well, tell me more about your interests
14 (unintelligible) in poverty, the family, the welfare,
15 the juvenile stuff.

16 A (Unintelligible).

17 Q Okay. Now we have changing technology coming into the
18 picture there. You mentioned they used computers to
19 crunch the numbers.

20 A Yes.

21 Q And we're talking pretty early.

22 UNINTELLIGIBLE, UNINTELLIGIBLE

23 A Yeah, although I don't know, you know, what

24 Q Find a doctor and do those things; right?

25 A But certainly, we didn't -- we didn't begin using

1 e-mail and stuff like that until the -- I think maybe
2 the late 1980s, 90s. And I was a reluctant person on
3 the e-mail. I said I don't need that, you know.

4 Q Well, you know, when I talked to, you know, practicing
5 or the retired lawyers I've interviewed for this, it
6 seemed like the technology that really changed things
7 was the Xerox machine when that came along, what
8 people did in law offices was changed by that.

9 A And even what we do here. When I first started, if I
10 wanted to reproduce a case for my class, I had to get
11 a secretary to type a stencil for a mimeograph
12 machine, you know.

13 Q Right.

14 A Well, you didn't -- you didn't do much of that because
15 there was a major problem; right".

16 Q Right.

17 A To get something.

18 Q And so much of law school is reading.

19 A Oh, it is. When you want to be able to supplement
20 what was in the case book, it was something -- for
21 example, in my area of family law, as we now call it,
22 I wanted them to see some of the Wisconsin cases which
23 might contrast with what was in the case book. But
24 you had to -- we had a typist here -- well, she was
25 ran the law school. Her name was Nellie Davidson.

1 And Mrs. Davidson, you'd have to go and see if she had
2 time to type your case for you.

3 Q Yes, yes.

4 A Well, then of course we got to being able to Xerox
5 stuff. And now, of course, we just we cut and paste
6 and take it down to the guys in the copy shop; right?
7 So it's amazing.

8 Q That's amazing.

9 A You know, I made some little notes here too I thought
10 might be helpful.

11 Q I'm seeing involvement in the Bar examination process.

12 A Oh, yeah, yeah. But before that I was going to tell
13 you -- 'cause that was in the 1970s.

14 Q Okay.

15 A You know, I was -- I was -- what do they call it? The
16 Squeeze Generation? I -- my mother lived in Madison.
17 She was a widow. My father died in I think 1972 --
18 1962, excuse me, maybe '61. And my mother lived
19 alone. She didn't like to be alone at night. She --
20 my mother taught piano. And so for many years, she
21 taught my children all how to play the piano. And she
22 would have them, after she retired, you know, in her
23 seventies, which is about the time that I was having
24 these little kids, she would have a piano recital, and
25 she would always have it at my house. People always

1 say, why do you have a grand piano? And I always say
2 my mother taught my piano lessons and thought I should
3 have a piano.

4 So -- but --

5 Q But did she come to live with you then?

6 A No. She didn't want to do that. And I don't think my
7 husband wanted that either. And -- but she lived --
8 she lived maybe 15, 20 minutes from where I live. And
9 I stopped over every day.

10 And my children loved her. And they went to
11 Edgewood. And a couple of them I would carpool. The
12 carpool when it was their turn to pick up my kids, I
13 had them take them to my mother's because my mother
14 lived on the west side. They went to Edgewood.
15 Edgewood is on the west side. Most of the people
16 lived on the west side. I didn't want to ask them to
17 go over to where I lived, you know, which was --

18 Q Right. It made company for your mother and
19 (unintelligible) for the kids.

20 A Oh, it was wonderful. They loved it. But my mother
21 died in 1989, all those years, and my father died in
22 '72 -- '62.

23 Q Right, 20 years.

24 A Yeah, it was almost 20 years. I went every day to --
25 when I was in town.

1 Q It's pretty hard for me to imagine how you fit all of
2 this into a day.

3 A Well --

4 Q Take care of your more than part-time teaching load.
5 Crazy. (Unintelligible) I do a little laundry now
6 and then.

7 Q But the housekeeper helped.

8 A Yes. One of the women who was -- who would help me,
9 she came every day, and she came for a month. I don't
10 remember how long she stayed, but she taught me all
11 sorts of things, how to really wash clothes and how to
12 keep things clean. And she is now in her late
13 eighties, and we go out for lunch once a month. I
14 still keep in touch with her. She's a really lovely
15 woman.

16 Q Did you have role models or women you could look to
17 who were successfully juggling this much?

18 A My mother did. But I guess not. You know, I don't
19 remember having time to think about that.

20 Q Now, what else is on your notes to talk about?

21 A Oh, I was going to tell you one of things that I also,
22 because I taught at a university, you got involved in
23 University affairs.

24 Q Yes.

25 A And I served on all sorts of committees, particularly

1 because at one point in the 70s and 80s they began
2 looking for women. I can remember I said to my friend
3 Shirley Abrahamson, who's the Chief Justice of the
4 Supreme Court here now, I said to her, "You know, it
5 used to be nobody wanted me because I was a woman, and
6 now they all want me." And she said, "You just relax,
7 Margo, and take it." So anyhow, I served on -- I was
8 elected at one point to the University committee,
9 which is the governing committee of the whole
10 university, which had not had many women on it before
11 that, you know, and I served a term as chair of that
12 committee. And that was a wonderfully interesting
13 experience because I learned all about the rest of the
14 University.

15 Q That you hadn't been exposed to.

16 A This is a large and complex university, yes. So it
17 was an eye opening experience and one that I'm glad I
18 had, you know.

19 But then you asked me about the Bar Examiners, and
20 that's another one of these things. I served on the
21 -- I was the first woman to serve on the governing
22 committee, the executive committee of something
23 called the National Conference of Bar Examiners.

24 Q Okay.

25 A And the National Conference of Bar Examiners by the

1 time I came along was engaged in developing the tests
2 that are given to lawyers to be admitted to the Bar.

3 Q Someone's gotta do it.

4 A All states give -- require you to take an exam, except
5 Wisconsin. If you graduate from Wisconsin or
6 Marquette, you don't have to. But this is the only
7 state in which that's true.

8 And this organization had started in the 1930s.
9 It was just a chance for the Bar Examiners to get
10 together. You know, they go to the American Bar
11 Association meeting and they get together and exchange
12 ideas and so on.

13 But then in the 1970s -- mind you, back in the
14 1930s, there weren't that many lawyers. But after
15 World War II, we -- the law began to be a profession
16 that was very interesting and lucrative. And you look
17 at now, the law firms, you know, have got these
18 gorgeous offices, and there are all sorts of lawyers.

19 Q (Unintelligible.)

20 A And -- but this was just at the beginning of this. So
21 we were beginning to have all these people coming to
22 take bar exams. And a professor by the name of Joe
23 Covington at the University of Missouri came up with
24 the idea that you didn't have to use an essay exam,
25 which is what traditionally you could use. You could

1 use a multiple choice exam. And so he came up with
2 (unintelligible).

3 Q (Unintelligible).

4 A California that examines a thousand people, you know,
5 to do that with an essay exam -- uhh!

6 And so anyhow, he came up with this idea, and it
7 was called the Multistate Bar Exam. And it covered
8 certain basic areas of the law. And the National
9 Conference of Bar Examiners was just beginning to
10 really coalesce over this issue.

11 Q Uh-huh (affirmative).

12 A And they had this governing committee, executive
13 committee, and somebody decided now we're getting more
14 women in this profession, they should have a woman.
15 And so somebody hunted up me. And I've been let on
16 their committee, I ended up being chair of the
17 committee for a year and learned a lot about bar
18 examining and about my profession and so on.

19 Q Uh-huh (affirmative). So that would be --

20 A Now the National Conference of Bar Examiners has a
21 woman from Wisconsin whom I promoted. I said, "You
22 want to hire Erica Moeser. She's a great
23 administrator and so on." And they hired her, I don't
24 know, maybe ten years ago -- or let me see. It was
25 right after I had left in maybe 1993, so she's been

1 with them for a while. And they now have a big office
2 and it's here in Wisconsin. They built a big building
3 down across from Findorff, you know, on West Wilson
4 Street. Maybe you -- well, if you happen to be down
5 there, Sarah, you ought to look if you're driving that
6 way.

7 Q Oh, yes. Yes. I know where you mean.

8 A It's a brand new building. They just moved in this
9 year. But anyhow, that was --

10 Q That they placed it here is kind of interesting.

11 A Well, it was because Erica was here, I think.

12 Well, you know, there's lots to be said for
13 Madison, though. It was because maybe -- the
14 headquarters had been in Chicago. So many
15 organizations want to be in the Midwest because it's
16 halfway between, you know, even though it's fly-over
17 land, it is convenient. But they couldn't get good
18 help, you know, for the office help that they needed
19 because people had to get to downtown Chicago.

20 Q Right.

21 A And unless you were really able to pay, you know, a
22 lot of money, the kind of secretarial and clerical
23 help you need you couldn't get.

24 Well, here in Madison, of course, they -- I think
25 they got college graduates doing everything, you know.

1 Q They've got lots of help.

2 A Lots of help. And in that sense it was a good -- it
3 is a good location. It's a partway between things.
4 So it's a --

5 Q I'm thinking we're sort of getting into the 1980s now.

6 A Yeah. Well, that was the 1980s. It was in 1980 I
7 think that I joined the National Conference of Bar
8 Examiners. And about that time I also got involved in
9 -- it must have been sometime in the late 70s, a woman
10 lawyer from England came to see me. They were
11 starting an organization called the International
12 Society of Family Law, and they were going to have a
13 conference in Berlin, and she wanted me to come.
14 Well, this was the middle 70s. I had my mother, I had
15 four kids, I had a job, I had a husband.

16 Q Doesn't sound very likely.

17 A So I said no, I couldn't make it. But eventually, I
18 did, and I ended up on their -- in the 1980s on their
19 council. And then I ended up as -- they have
20 vice-presidents from the western hemisphere and so on,
21 and it was a wonderful experience.

22 Q How interesting to be exposed to the international
23 life.

24 A Oh, yes. I have all sorts of friends from, you know,
25 from particularly Europe and Australia from this

1 International Society of Family Law.

2 Q Yeah?

3 A And the last world conference they had -- they have
4 one about every three years -- they had in the United
5 States in Salt Lake City, which again is kind of
6 centrally located and less expensive than New York or
7 other places.

8 Q Did you go out to that?

9 A Oh, I organized the papers for it. So I really did a
10 lot of work on that, yeah. The University of
11 Wisconsin did a lot of work.

12 Q This business of a society like that is to present
13 research papers?

14 A Oh, that's right. That's right. Get ideas from
15 people. And one of the interesting things is that a
16 lot of Europe is facing the same problems that we are.

17 Q I would think to be looking at your family problems
18 that it would be very interesting.

19 A Oh, it was. It was. It was really very, very
20 interesting. And I got to go to all sorts of
21 interesting places. We met in Copenhagen. I loved
22 Copenhagen.

23 Q So your travel was probably limited to professional
24 travel?

25 A Yeah. That's pretty much it. That and the National

1 Conference 'cause we met all around the country. My
2 husband said to me the other day, "We've seen some
3 very interesting places over your activities."

4 Q That he would come along on? Would the family, all
5 the kids go?

6 A Not very often. For one thing, of course, by the 80s
7 my children were in college.

8 Q In college, yeah.

9 A And that was one reason why I was willing to do this
10 because the 60s and 70s I stayed pretty close to home.

11 Q Oh. How fun!

12 A Yes, it was.

13 Q Interesting places and to meet people with interesting
14 lives.

15 A Oh, very interesting. One time I was asked by one of
16 my colleagues who was a Spaniard to give a talk at a
17 conference that his Spanish colleagues were having.
18 But you see, many don't speak English. But when I
19 didn't speak Spanish, it didn't bother them at all.
20 And it was in a place call Tossa de Mar on the
21 Mediterranean. It was just such a lovely place.

22 Q Took you to some nice -- some pleasant --

23 A Yes. But also in the 1990s, I should -- I got
24 involved with something called -- and I didn't do a
25 lot of this, but I think it's something interesting to

1 tell you about, something called Family Impact
2 seminars. There's been a big movement, particularly
3 back then it was, you know, really bubbling of trying
4 to get legislators to realize that not only is there
5 an environmental impact on their legislation, but
6 there was a family impact too. And I was over at the
7 Institute for Research on Poverty then. As a matter
8 of fact, I was at that point heading up their child
9 support project, and somebody from Washington, whose
10 name I can't remember, was after the Institute or the
11 University of Wisconsin to do something with these
12 Family Impact seminars. In other words, what they
13 were doing in Washington and what they ended up doing
14 here was they had a little -- a little seminar, maybe
15 a couple hours, on issues that were coming before the
16 legislature and what kind of impact they would have on
17 families, see.

18 Well, you know, this was the 1990s, and I was in
19 my sixties, and I said that looked like more work than
20 I wanted. But I did hunt up a woman who was in the --
21 what's it called -- the College of Environmental
22 Studies. SOWE?????? Isn't that what -- I can't think
23 of what those letters stand for. But I had met her, I
24 don't remember why. I guess because we were both --
25 oh, I had met her because in the 1980s, I had looked

1 at this great University, and it kind of grew out of
2 my University committee experience. And I thought
3 there are all sorts of people around here who are
4 interested in families and in children. And, you
5 know, they're people in what I called home-ec, but
6 that isn't (unintelligible).

7 Q Well, that department's been through many name
8 changes, and I think you're right. Now it's the
9 School of Human Ecology?

10 Q (Unintelligible) these are people who are interested.

11 A They were interested in the same thing I was.

12 Q Right.

13 A So were the social work people. So were the people in
14 the medical school, the family practitioners and so
15 on. So I started something called family policy
16 seminars, and the dean of the law school gave me some
17 huge amount of money, like \$20,000. That's a lot more
18 than I made at the beginning, right, to hire somebody
19 to help me. And we organized -- we, you know, kind of
20 canvassed the campus, got ahold of the people who
21 might be interested, and we started these things
22 called family impact seminars, or family policy,
23 family policy seminars.

24 Q So some cross-pollination?

25 A Right. Oh, right. It was fun. I met all sorts of

1 interesting people, you know, in psychology. They
2 were studying, you know, children and families and so
3 on; social work, as I said. Economics, there were
4 people there. And so anyhow, I think that was partly
5 why they turned to me to set up this thing for the
6 legislature.

7 Well, one of the people I had met doing this was
8 this woman from SOWE? ?????? And I just got a letter
9 from -- I resigned from her board, and I got a letter
10 from her thanking me for all of the things I had done.
11 So those family impact seminars, we started them in
12 Wisconsin, they're now something, it must be 20 states
13 have joined in this effort, and it's becoming kind of
14 a national thing.

15 Q Well, given how many -- how siloed information
16 typically is, that people in one school wouldn't talk
17 to people (unintelligible), this has been a remarkable
18 thing to bring people together and bring what they
19 know who our national market, right, right. Well, it
20 gives a person hope.

21 A I don't know. But it's been interesting anyhow.

22 Q Uh-huh (affirmative).

23 A So -- and then I put down a note here that, of course,
24 I'm retired. I retired in 1993, I think.

25 Q And how do you tell the difference between when you

1 were working?

2 A Well, I don't have to grade papers anymore. Some of
3 my colleagues, you know, taught part-time, and I said
4 I don't want to have to make up exams and grade
5 papers, and so -- but one of the things some students
6 started something here at the law school called the
7 Children's Justice Project. And I think they're many
8 things that they do, and they hold, you know,
9 informative meetings throughout the year. But I've
10 been serving on their advisory board and helping them
11 raise money because they give summer fellowships to
12 students to go out and work for people who can't pay
13 them. You know, Legal Aid Societies and so on don't
14 have the money to pay them to do these things, and
15 what they do is children's, you know, protection work
16 and so on.

17 Q Right, right.

18 A Yeah. That's been kind of interesting. And I noticed
19 in the last issue of the Gargoyle, nobody -- they
20 hadn't bothered to tell me this, but they had named
21 this fellowship they had given to someone after me. I
22 thought, well, that's kind of nice.

23 Q Now, I read in your bio about another award named
24 after you the Legal Association of Women has.

25 A Oh, yes. That's right. Yeah, that's right.

1 Q How did that come about?

2 A Well, the young lawyer who came and asked me if they
3 could do this, she has now gone on to -- this is in
4 the early 90s when I was retiring, and --

5 Q That would be on the occasion of your retirement?

6 A Yeah. I think it might have been through there, yes.
7 I think that was what they were thinking. I suggested
8 that they should name awards after people who were
9 dead because -- but they -- anyhow, they did. And as
10 I always say, I think the award is honored more by the
11 people who have gotten it than by the person for whom
12 it's named. But very prominent people received this.

13 Q Observations about the law practice or, in this case,
14 the teaching of law today. Any thoughts you'd like
15 people to follow in your footsteps and learn from
16 or --

17 A I -- well, I think one of the things that bothers me
18 much about my profession is that I guess maybe I
19 wouldn't go into it today, partly because it's become
20 -- the profession itself and even the law school,
21 money has become so important. And it seems to me
22 that's true in many throughout the United States.
23 And, you know, law firms have -- they've got minimum
24 billable hours (unintelligible). And as a teacher,
25 you do a lot of counseling of your students, you know.

1 And I often think, gee, I might counsel them to do
2 something else, you know. It just seems to me such a
3 rat race now.

4 Q The expectations, the billable hours, when you hear
5 what they are, I do not understand how that works, 30,
6 40, above 40 hours a week.

7 A No.

8 Q It's impossible.

9 A To be a human being.

10 Q Right.

11 A Now, my husband ran his law firm on an entirely
12 different perspective. And yes, and when he sold out
13 his interest in the firm in the early 90s, you know,
14 it was -- things have changed. They have a very fancy
15 office now.

16 Q All those hours buy things.

17 A Yeah, they do. So --

18 Q In the teaching of law, have things changed?

19 A Oh, they've changed because -- because partly they've
20 changed because of technology. And I find that things
21 have changed tremendously since I retired. My
22 colleagues have, the students all have, you know,
23 laptops. My colleagues complain about the kids coming
24 to class, and they have their laptop on and they have
25 something else on. They're supposedly taking in the

1 class and doing something else. That would not please
2 me, I think.

3 Q But to them it's just natural multitasking.

4 A I guess to students. But the faculty are not happy
5 with it. And other students complain that they're
6 sitting next to Joe Blow who's a got a pornographic
7 program on or something, so --

8 Q The amount of reading?

9 A Pardon?

10 Q The amount of reading, are people given as much
11 reading, or do they rely more on being able to find
12 cases?

13 A Well, that certainly is true that the researching role
14 has changed tremendously. I'm sure many practicing
15 lawyers would have something to say to you about that.
16 But our students when they come here to the law school
17 now, of course, what they learn is how to do computer
18 research.

19 Q Right.

20 A Which I can't do, so I have to -- I have to have
21 somebody else do it for me. But it's amazing. When I
22 was working on this article that I just -- being
23 published, I hired a law student, and, "Oh," she said
24 -- I told her what I wanted. I needed somebody to
25 research the articles on, you know, the scholarly

1 articles on various things. "Oh," she said, "that's
2 just great. I don't like to come down to the Law
3 School. I can do it on my computer at home." And she
4 was very good.

5 Q She could get to everything from home?

6 A Pretty much. There were times when she had to come
7 down to the library. But usually when she had to do
8 that, it was because I wanted something about some
9 legislation and the computer at home -- I guess the
10 computer, you had to come down and look at the thing,
11 or she came down and talked to people in the library
12 here who knew what to do with the computer to find it.
13 And, of course, for us, much of what we do now is we
14 e-mail the library and say I'm looking for thus and
15 such, and they say, well, you should go to this place.

16 So the legal research has changed a lot. Not in
17 the sense of what you have to do in your head once you
18 get it, but in hunting it up.

19 Q Hunting it up. And I suppose that becomes the problem
20 of the needle in the haystack. You can hunt up so
21 much more, but which of those is the piece?

22 A The piece that you really need, yeah. Although for
23 somebody like me who was looking for a scholarly
24 overview, and I'd say I'd like all the articles on --
25 because I can usually scan them, a list, 'cause I know

1 enough about what the journals are and so on that I
2 can find the needle in the haystack relatively easy --
3 easily.

4 I don't know. In the practice of law my husband
5 can remember that there was a case back in thus and
6 such, and you can Shepardize that, and they do the
7 Shepardizing now not as we did with a book, but on,
8 you know, the computer.

9 Q Yeah. What is that word you used, Shepardize?

10 A Oh, that's a good legal word. I'm surprised somebody
11 else hasn't used it because there was a company called
12 Shepard's.

13 Q Oh.

14 A And Shepard's used to take a case --I don't know if
15 you've ever looked at a case, but a legal case has
16 head notes, and it usually has a number and so on
17 after the head notes.

18 Well, so what Shepard's did was they would take
19 and they would -- it was a terrible process. I guess
20 originally they did it -- they did it with human
21 beings. They would read the cases, and then they
22 could tell you whether this issue had been overruled,
23 'cause a case will often have several issues in it,
24 usually has several issues in it, so whether the case
25 affirmed it or overruled it 'cause you wanted to find

1 out if what you were saying is the law has been
2 changed; right? So by the time I got to law school,
3 we called that Shepardizing. And I think we still
4 call it Shepardizing. We're going to this book. And
5 now we go on the computer and find out that this
6 county has (unintelligible).

7 Q Yeah. It's sort of like cliffsnotes.

8 A And it's very important to lawyers, I'll tell you.

9 The next person, do ask them about that.

10 Q I'll ask them about that. We have a few minutes left,
11 maybe five or ten, and I'm thinking do we want to wrap
12 up or we can reschedule for another time.

13 A No, I think (unintelligible).

14 Q But I'm feeling like there's (unintelligible).

15 So we sort of got the advice for the young
16 students, which is look at other career options.
17 Don't focus so much on law.

18 A Well, partly because the law is changing. The
19 profession is changing. I thought this last Supreme
20 Court race was a disgrace to my profession, you know.

21 Q That's the general opinion.

22 A Yeah, yeah.

23 Q So perhaps ethics and a return to a higher personal
24 standard is --

25 A Well, that sounds sort of --

1 Q I'm putting words in your mouth.

2 A I would never -- I don't make those kinds of
3 judgments, I guess.

4 Q Uh-huh (affirmative).

5 A And as I say, the law profession I went into was so
6 different than it is today.

7 Q How do you feel it is for women today? Same rat race
8 as for men?

9 A Well, I think the women have much better access. No
10 dean nowadays would say, "Nobody will hire you, Ms.
11 Shire," because women are doing very well in the
12 profession. Although they still have this, they call
13 it the glass ceiling. The women are not in the
14 numbers that they should be given the, you know, their
15 numbers in the profession in the higher echelons of
16 law firms. But, you know, there have been several
17 women presidents of the State Bar. There have been
18 several women presidents of the American Bar
19 Association. We have -- we have one, two, three, four
20 members of our Supreme Court are women. The majority
21 are women.

22 Q Well, that's remarkable progress.

23 A It's really, really amazing. Many of our trial court
24 judges are women. So our Chief Justice is a woman.

25 Q I think they would say thank you for opening that door

1 a little bit.

2 A Well, I don't know.

3 Q I think maybe we should wrap this up then. Thank you
4 so much for your time.

5 A Well, I'm glad to see you again, Sarah.

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