Selma Moidel Smith

Oral History, Session V — January 10, 2014

Interview by Attorney Rosalyn Zakheim

Women Trailblazers in the Law Oral History Project of the American Bar Association

Zakheim: Today is January 10, 2014, and this is Rosalyn Zakheim. I'm at the home of Selma Moidel Smith to continue her interviews for the ABA Women Trailblazers in the Law Oral History Project. Selma, I understand that today you've brought out a number of items to "illustrate" your thoughts, in addition to our usual questions and answers.

Smith: Yes, today is different. I took out a few things to show you. This is the medal that I was given [see p. 14]. That was in the Dominican Republic, and in their newspaper, *El Caribe* — you can see here that this is "República Dominicana." You see the date?¹

Zakheim: "1956, April 20" — "Abogada de California" — California lawyer comes to the women jurists congress?

Smith: Yes, "Juristas."

Zakheim: This is so exciting, Selma! I love it!

Smith: While I was there, of course, we went from the Dominican

Republic to Havana, and here is the key to the city of Havana that I received.



Selma Moidel Smith - 1 - Session V

¹ "Abogada de California Viene A Congreso Mujeres Juristas," biographical feature and photo, *El Caribe* (April 25, 1956).

Zakheim: Oh, Selma!

Smith: While we were there, in Havana, this is a picture that was taken: This is Anna Brenner Meyers from Miami, Florida; this is Raymonde Paul from New York and Paris; and this is Bea Burstein, a judge [from New York]; and somebody—

Zakheim: Selma!

Smith: As you see, I'm the youngest, by far, as usual [both laughing]. See, our names are given below.



International Federation of Women Lawyers, May 1956 Convention, Havana — (I.-r.): Anna Brenner Meyers (Miami), Raymonde Paul (New York and Paris), Beatrice Burstein (New York), and SMS.

Zakheim: I always wanted to go to Cuba. You not only went, you were honored there.

Smith: And we were in all the Scandinavian countries. If your Norwegian is up to snuff —[showing a newspaper photo from Norway].

Zakheim: No, my Norwegian is not —

Hvorfor har ikke Norge —



Fra venstre advokat Regina Breisford fra Houston i Texas, advokat Selma Model Smith fra Los Angeles dommer Florence E. Allen fra Cleveland og advokat Anna Brenner Meyers fra Miami Beach i Florida.

Smith: Mine is where yours is.

Zakheim: I understand enough Spanish.

Smith: And see, there it is, in 1954 — And you know who this woman is: Judge Florence Allen. Do you want to guess the age of the various people?

Zakheim: You are clearly decades younger [laughing] than the others.

Smith: Always the youngest in every group

I've ever been in.

Zakheim: Oh, that's amazing. Oh, Selma!

Smith: And you saw this, of course [showing another photo] —

Zakheim: I love this, wonderful!

Smith: And that was in '65, in D.C., with Chief Justice Earl Warren.

Zakheim: [reading the caption:] "World Peace



Chief Justice Earl Warren with SMS at the U.S. Supreme Court, First Washington World Conference on World Peace Through Law, September 12-18, 1965.

Through Law" — I was just graduating from high school that year. [laughing] Of course, you look like you were graduating from high school. You look *so* young!

Smith: [laughing] I was! Yes. That's almost fifty years ago.

Zakheim: That's adorable.

Smith: I've put out so many things to show you today, beginning with the Washington

Conference. This photo of me with Chief Justice Earl Warren was taken at the U.S.

Supreme Court during the First Washington World Conference on World Peace

Through Law in 1965. This was the creation of Charles Rhyne, who was then a recent past president of the American Bar Association. It was a six-day event in

Washington, D.C. in September of 1965, to which high ranking judges and lawyers were invited from all over the world.² I was asked to serve on the Spanish Language

Committee, which acted as hosts and interpreters for foreign guests — in my case, of course, jurists from Latin America. Among these was the president of the Supreme

Court of Costa Rica. I came as the representative of both the International Federation of Women Lawyers and the National Association of Women Lawyers,³ as well as the

Women Lawyers' Association of Los Angeles, and my legal scholastic sorority, Iota Tau Tau — in which I had recently held several positions. (Incidentally, I had won their first place scholarship award in 1942.⁴)

Zakheim: It doesn't surprise me, Selma! [both laughing]

Smith: I had even been told in my younger years I would have made a good ambassador to any Spanish-speaking — .



lota Tau Tau first place scholarship gold key with diamond, 1942

Selma Moidel Smith – 4 – Session V

² "Selma M. Smith to Attend Parley," *Los Angeles Times* (Sept. 12, 1965): E13; "Mrs. Smith Goes to Washington," *S.F. Valley Times* (Sept. 15 1965); "Personalities: Selma Moidel Smith," *Los Angeles Daily Journal* (Feb. 21, 1965); photo and caption "Attending," *LADJ* (Sept. 17, 1965).

³ Coverage in *La Opinión*: "Vida Social," feature and photo (July 25, 1965); "Abren unos concursos con motivo del Día Internacional del Derecho" (July 26, 1965); "Vida Social," feature and photo (Oct. 10, 1965).

⁴ "Legal Sorority Celebrates 21st Anniversary At Breakfast Monday," *Los Angeles Daily Journal* (Nov. 8, 1946); and "Legal sorority to celebrate 21st anniversary," *Los Angeles Daily News* (Nov. 7, 1946): 30 [both announcing award to SMS, delayed by World War II].

Zakheim: You would have.

Smith: And in fact, I did go to [Guadalajara] Mexico with a goodwill group [of Americans], and I was selected by the Mexican group as the one who had contributed the most to inter-group good feeling. We stayed in a Mexican home. The home that I got — it was like heaven for two weeks. No, Mark was not involved. He hadn't been born yet. This was in '55. We took classes while we were there. There was a class every day in dance, a class every day in Spanish music. I heard a woman play the piano, and I heard, oh, these lovely pieces that I had never heard. And another class in language. They brought people in *ad hoc* to sit down and give us conversation — nice people, strangers, that would sit down and, "What would you like to discuss?" — in Spanish. So you had the opportunity to practice your Spanish.

Then they had one evening that we went to one of their big performances in Guadalajara, which is a lovely city. And for one weekend, we went to Guanajuato. On the bus, our dance teacher also played the guitar. It was just sheer heaven. I have to say, at the beginning of the first class in dance, our teacher would demonstrate certain things, just in general, and then when he said, "Now I want to show you how it would be done with a couple" — I'm sitting there, and all of a sudden, he's standing in front of me with his hand out — so, of course, I get up and off we go into what is in their social life. Here I'm dancing something that *they* have customarily danced. My skirt was a tight skirt [both laughing] — you know, you need those *wide* skirts. I did the best I could. He used me as the one to show them with. How he imagined [chuckling] that I would even know!

Selma Moidel Smith – 5 – Session V

⁵ See "Guadalajara Group Pays Visit to Times Building," Los Angeles Times (Aug. 31, 1955): B11.

It was just a marvelous two weeks. And in the afternoons, they brought us

back. We had lunch at our homes, and we had a siesta time. My bedroom was up on

the second floor, a lovely bedroom. It was the nicest house, I understood, of all of

them that they were assigned to. Down below, on the first floor, the son of that

household, Felipe, was playing Chopin on the piano.

Zakheim: Aaah!

Smith: That's where I lived. I heard it

on the TV. I heard somebody announce that this is what they had. I called and I said,

"I'm in!" [laughing] It was just right for my vacation time in the summer. I said to

myself, "I'm going."

Zakheim: It was made for you.

Smith: Yes.

Zakheim: Absolutely made for you — music, dance, language, everything.

Smith: Everything. We got a certificate at the end. I tell you, there were so many things.

Felipe himself, the young man of the house, was an artist as well as a pianist. We hit

it off beautifully. So, I landed in the perfect place, and every day, siesta time, Felipe

is there practicing the piano, with lovely music. That's part of the story of my life.

Zakheim: Oh, I love it, Selma!

Smith: [Turning to photos on the table] I had put these out to show you.

Zakheim: Now can you tell me — I was once a member of this, and I don't know if it's "FEE-da" or "FY-da"?

Smith: FEE-da. [FIDA, Federación Internacional de Abogadas]. No, it's Spanish: "Federación."

In '49 we had a conference, and that was when Milady [Milady Félix de
L'Official of the Dominican Republic] — my friend for fifty years (she passed away)
— was my houseguest.

Zakheim: Ahhh.

Smith: And we were together in New York after that. She came and stayed with me here.

We were so close, we were sisters. And that happened in the first ten days. She was with me for ten days. Of course, we spoke only Spanish. Her English was very limited.

Zakheim: You met her in 1949?

Smith: It was at the Hollywood Roosevelt Hotel. Those of us who were going to have a houseguest met there. The bus brought them from the airport, and they assigned so-and-so to *you*, and so-and-so to *you*. And so they said to her, "You will be the guest of Selma Moidel Smith," and we looked at each other, and I said, "Tanto gusto en conocerla," and she said, "Ay, Selma!"

Zakheim: She must have been so happy you spoke Spanish [both laughing].

Smith: Well, they knew what they were doing when they put us together. And from that moment — you wouldn't believe — we would come back from events where we had our heads together singing, you know —

Zakheim: Ohhhh.

Smith: Which we did again in the Dominican Republic. Her husband, who was a physician

— and who was killed in an auto accident when a drunk came through a red light, and the doctor was on his way to the hospital —

Zakheim: Oh, how tragic!

Smith: Yes.

Zakheim: It's "Milady"? Is that how her name —

Smith: Yes, it was a title bestowed upon her. Yes, "Milady."

Zakheim: Such a nice title.

Smith: "Félix" was her maiden name — "de L'Official" was the name of her husband, the physician. When my plane was landing in Santo Domingo [the capital], she was there. I could see her from the window of the plane, you know, as we're waiting to get off. I'm looking out there and I can see her. There's a limo, and then there's another limo [alongside the plane]. And I see that she's standing there. And there is a young lady standing there with her. I waited to the very end, and then I did like that [peeking out]. Instead of just coming out the door, I [gesturing] — and I hear her saying, "¿Dónde está Selma?"

Zakheim: "Where is she?" [laughing] "Where is she!"

Smith: "¿Qué pasó? ¿Dónde está Selma?"

And then I emerged like this

[gesturing]. "¡Ay!" [both laughing]

And this young lady was there with
a dozen long-stem red roses.

Zakheim: Oh, Selma!

Smith: And she had a chauffer-driven limo for me — and hers. It was [as if] in state.



Senator Milady Félix de L'Official and SMS, Dominican Republic, May 1956.

That was my greeting, my welcome. Whenever our group lined up there [in the Dominican Republic] very unobtrusively, she would come and stand, take my elbow, take me out of the line, just casually walk with me — even for their chief priest who was to greet everyone.

Zakheim: How serendipitous, though, that you happened to meet that way —

Smith: Yes, yes.

Zakheim: And became so close immediately.

Smith: Yes.

Zakheim: That's wonderful.

Smith: Yes. My mother was alive at that time. And I still remember she was very respectful to my mother, and when she would come in, when she would leave, she would always kiss my mother. She would go over and kiss her on the cheek. So, when we were in the Dominican Republic, she brought me to her home and to meet her mother and so on. So I did the same with her mother. I have pictures of her, of course — you can imagine. And you will have to see some pictures of us together.

Zakheim: I'd love to.

Smith: Yes. Anyway, we sang together; we had our song, "Noche de Ronda."

Zakheim: "Night of — ." What's "Ronda?" Round? Circle?

Smith: Rounds. You go from one place, and you go to another place [serenading] — "Noche de Ronda." And that was our song, wherever we were. And when I came to the Dominican Republic, she took me out everywhere, aside from in her home. She took me out to a lovely cabaret, and when she came in, she motioned, and I hear them begin, "Noche de Ronda."

Zakheim: Ohhhh. What a lovely person.

Smith: Yes, and I think I told you — with her son, Iván. They had one son, who became a physician also. He was sixteen at the time that I was in the Dominican Republic, and so she said to him, "Tell Selma" — she's speaking in Spanish, obviously — "Tell Selma," you know, "Dígale á ella lo que le dije á usted" — "Tell her, what I told you, and what you will do." And so he said, in his best English, "that when I marry and my first baby is a girl, her name will be Selma."

Selma Moidel Smith – 10 – Session V

Zakheim: Ohhhh, Selma!

Smith: And he did. Their first child was born in Madrid, and would you —

Zakheim: Did you ever meet her?

Smith: Oh, yes! I was la madrina. I was —

Zakheim: Godmother?

Smith: The godmother. And I was to come, and Mark [my son] came, too —

Zakheim: Ohhhh, Selma! I'm starting to cry, it's such a wonderful story.

Smith: And I have a photo — if I brought them all out — all of us at the wedding party. I'm the only blonde [both laughing] — light hair, light skin — all the rest are Latinas, you know.

Zakheim: What a compliment!

Smith: Yes, and she knew that I was her godmother. Everyone at the wedding knew that I was the godmother.

Zakheim: Oh, Selma!

Smith: It was on a private island off of Florida. That's where we came. And she said, "Es la madrina — Selma Moidel Smith." That's how she introduced me. And in fact, where she had her desk, where she did her work, she had a glass cover, like we had on desks.

Under the glass was a picture of me, and one of Mark.

Zakheim: Ohhhh, her other family!

Smith: And she autographed a photo to Mark, as well. And she knew him from when he was a baby, crawling. It was not in this house. It was in another one here in Encino, in Royal Oaks. We never stopped corresponding, and we spoke on the phone. And when she was going to be going to New York, she would let me know and I would come to New York. And we would have time together there.



"Para Mark Lee con besos y cariños de Milady, 1958."

Zakheim: Oh, how special!

Smith: We'd stay a week or whatever it was. And then, when she was coming to attend anything, because she represented — she was a senator — I would have her at my house. We sat there and played some game that she taught me [chuckling] that the ladies there play — for a little diversion (these are all women of accomplishment) — and she was president of the women lawyers in *her* country. She was here, and at this table. And we were playing along, and it was a game like rummy, you know, and you have to discard. I'm looking, and she's looking. And so she says, "¿Bueno? ¿Bueno? ¿Qué vas a hacer?" — "What are you going to do?" So I said, "No voy a bajar nada. Es que las necesito todas." [both laughing] "I'm not putting anything down. I need them all." She absolutely started to laugh, I thought we were going to carry her out. She absolutely — she called and told her friends back there, "¡Qué hizo Selma!" It was always, "Sel-ma" [very musical]. I picture it because we sat at that very table. She had her back to the bar — she put down her cards and she *laughed*.

⁶ "Vida Social," *La Opinión* (April 18, 1971; and May 2, 1971).

When she went back, she told all her friends [laughing], "When you play cards with me, if I need 'em all, I keep 'em." [laughing] "I don't discard. I refuse to discard."

Zakheim: Right, right. [laughing] Oh, that's cute.

Smith: Well, and she said to me so many times, she said, "I can talk to you." She said, "I tell you things I wouldn't tell my own sisters." With her son — that he has to name — she had to have "Selma" in her family.

I stayed at a hotel, El Embajador, which was the best hotel. That's where she had me stay. Every morning, there was a knock on my door. A representative from her place would have a gift for me.

Zakheim: Oh, my goodness.

Smith: Each morning. It's interesting I mentioned it right at this moment because right here

— let me just take it out and show it to you [opening china cabinet]. I admired that.

Zakheim: Beautiful! Oh, Selma.

Smith: I admired that. You know, I made the mistake when I was in her home, and she opened, just as I opened this. She said, "This has belonged to my family," she said, "for a hundred years." And she said, "Para Selma."

Zakheim: Oh, Selma. And you're crying.

Smith: Yes. I said, "This *belongs* to you." She said, "Es la tuya, también." That means, "It's yours, too." It was a unique — and I have all her letters.

Zakheim: Aaahh, Selma!

Smith: Yes. [Then, turning to other items on the table:]

All of these items are from the early FIDA conventions I attended, beginning with their first visit to Los Angeles in 1949. Following that, I traveled with American FIDA members to the convention in Europe in 1954,⁷ and to the Dominican Republic and Cuba in 1956.⁸ The decoration I showed you from the Dominican Republic [at right] is the decoration of "La Orden del Mérito Juan Pablo Duarte," who was one of the founders of the country. It was awarded at the time of our FIDA convention there in 1956. I had immediately checked with the State Department to ask



whether I could accept it, and they informed me that Vice President Nixon had recently accepted the Commander's rank of the same decoration.

Then, in 1958, the FIDA convention returned to Los Angeles to be held at the same time as the ABA and NAWL Annual Meetings. My involvement in the 1958 meeting was more limited because I had just given birth to my son, Mark, the previous November of 1957, but I did host a gathering for all the delegates at my home.⁹

⁷ "State Delegates Leave for Helsinki," *Los Angeles Daily Journal* (June 24, 1954). See also, International Federation of Women Lawyers, *VIII Conference [program]*, University of Helskini, July 9–14, 1954.

⁸ "Lawyers to Attend Caribbean Conclave: Three L.A. Women to Participate in World Federation Meeting," *Los Angeles Times* (April 20, 1956): B2; "Trio Of Women Lawyers To Attend Havana Convention," *Los Angeles Daily Journal* (April 20, 1956); "Women Attorneys Will Report On World Conclave," *Metropolitan News* (June 22, 1956). See also, International Federation of Women Lawyers, *Ninth Conference [program]*, Dominican Republic (May 1–10, 1956); and Cuba (May 12–17, 1956).

⁹ "Presidency at Stake: Election Fight Faces [FIDA] Lawyers," *Los Angeles Times* (Aug. 19, 1958); "Bar Heads, Women Judges to Attend Pre-ABA Luncheon," *Los Angeles Daily Journal*

One of the most important aspects of the FIDA conferences was the opportunity it gave us to improve the status of women and of women lawyers, both here and abroad. Because of the international stature of our group, we were greeted by heads of government and local elected leaders. We met in the most prestigious locations, and that was true both here and overseas. For example, in Los Angeles in 1958, our plenary session took place in the City Council Chambers and we were welcomed by the mayor, Norris Poulson, and Councilwoman Rosalind Wyman. Everywhere we went, in those years when women lawyers were still relatively rare, the press covered the unusual event of dozens of international women lawyers coming to visit. The photos I've shown you are just a few of those that were published. In each location, we held meetings with the local women lawyers' organizations, and this, too, helped to give *them* increased prominence in their own countries.

When FIDA held its 1949 convention in Los Angeles, I had just completed my two terms as president of the Southern California Women Lawyers, and I was serving as NAWL's Regional Director for the Pacific Region. Of course, at all of the FIDA conventions, I served on various committees. Here in L.A., I gave an address on the radio to inform our own public about the events of the convention. And aside from the business of the FIDA convention, I hosted a dinner sponsored by NAWL for the delegates at Ciro's Restaurant, which was the most popular place at that time for Hollywood celebrities on the Sunset Strip.

(Aug. 18, 1958). See also, International Federation of Women Lawyers, *Tenth Conference Program*, Los Angeles (Aug. 28–Sept. 3), 1958.

Selma Moidel Smith - 15 - Session V

[&]quot;Selma Moidel Smith on KLXA [sic; KXLA] Tonight," Los Angeles Daily Journal (May 27, 1949).

In 1954, we visited most of the European countries, from Scandinavia to Monaco. In Finland, where our official sessions took place, we were welcomed by the minister of justice and the mayor of Helsinki. We were also greeted by the president of their women lawyers association, a woman I came to know over many years, whose name was Helvi Sipilä. As you may know, she held many important positions in Finland and also at the United Nations. One of our reunions was at the U.N. in 1964, on a day when I served as NAWL's U.N. Observer. The next came in 1976 when she was a commencement speaker at the Medical College of Pennsylvania. The staff arranged for us to sit together at lunch, and we had an opportunity to reminisce — but my years as a member of the National Board of the Medical College will be the subject of another session [interview Session VIII].

It happened that the 1954 convention of FIDA coincided with the annual conference of the International Bar Association, which was being held in Monaco, to which we also traveled. As background, I should say that I had been invited to present a paper at the IBA's conference that took place at The Hague in 1948. The title of my paper was "Curricula for Legal Education," and it focused on a topic that was still close to my heart, being only a half-dozen years out of law school. I focused on the need for practical legal education — what we call today, "clinical" courses — but which were then an almost radical innovation. The IBA translated my paper into

Selma Moidel Smith – 16 – Session V

¹¹ "Woman Lawyer Honored," *Los Angeles Times* (April 16, 1948); and "L.A. Woman Atty Invited to Talk At Hague Confab," *Los Angeles Daily Journal* (April 20, 1948).

¹² Resolution approved by the IBA House of Deputies at 1948 Convention: "That any system of legal education should provide for an adequate measure of practical training before a student is permitted to practice the profession of the law," *Summary of Proceedings, IBA Second International Conference*, The Hague (August 15-21, 1948): 26.

numerous languages and, at their 1954 convention, I was surprised to find it was still available and on display in English, French, and many other languages.

Zakheim: That's wonderful!

Smith: You know, when I was still in my twenties, I guess — maybe I'd gotten to be thirty — I didn't even know it. I had an urge to travel. I was the only one in my family who had that urge to travel. It began early. As a result —

Zakheim: Uh-huh.

Smith: Of course, with all the things I was doing — you can see in '54 I was in Europe, in Scandinavia, I was in North Africa, I was in Spain and Portugal and so on. It was natural for me. I well remember, I started my son young. He was eight or nine years old, and I took him for his first real trip — to Alaska. I've taken him most all of the places that have been [significant to me] — and he showed his own [interest], for architecture and so on, from baby on — and so I thought he should see them. I had already been to Rome, but I took him to the center of Rome and where the Roman legions used to commence and march out, and come back with their prisoners. I said to Mark, I said, "This is where that happened." I said, "But the Roman legions are gone, and [with much emotion] we are here." Because I never just saw it. I never went anywhere [saying] just, "Hm, hm, nice building — hm, yes, what's next?"

Zakheim: I'm always amazed when you say, "Well, Roz, I can't do it because I'm going to San Francisco that week [laughing].

Smith: Or New York.

Zakheim: Or D.C.

Smith: Or New Orleans, or Chicago, or

whatever, you know.

Zakheim: Exactly [laughing].

Smith: It could be anywhere. To me, I'm

still accustomed —



SMS as Liaison from the National Association of Women Lawyers to the Senior Lawyers Division of the American Bar Association — (I.-r.) John Pickering (SLD chair, 1996-97), Leigh MIddleditch (SLD chair, 1997-98), SMS, Victor Futter (SLD chair, 1995-96) — ABA Annual Meeting, San Francisco, July 31, 1997.

Zakheim: So your life is still full and ongoing —

Smith: Yes.

Zakheim: Because you have such an interesting life!

Smith: Well, continuing: Among the items I have to show you is an article I wrote in 1999 that has particular relevance to the history of women lawyers. As I mentioned last time, I had written the Centennial History of the National Association of Women Lawyers to celebrate their one-hundredth anniversary in 1999 — which first appeared in *Experience* magazine, published by the Senior Lawyers Division of the ABA, and was reprinted in NAWL's *Women Lawyers Journal*. Immediately after that, I noticed that the timeline of the history of women lawyers, put out by the ABA Commission on Women in the Profession, indicated that the first women members were admitted to the ABA in 1918 — but didn't have their names. I learned that their identities had indeed been lost, and I set out to find them. My research led to newspaper accounts that announced with some fanfare each of the two women who were the first to be

admitted to the ABA — Mary Belle Grossman from Ohio, who was soon elected a judge, and Mary Lathrop from Colorado. I also discovered that both were vice presidents of NAWL for their respective states. That article, too, appeared first in *Experience*, then in the *Women Lawyers Journal*. And this was my last article before being appointed chair of the Editorial Board of *Experience* magazine.

I was the first woman to hold that position. The Editorial Board had a dozen members, nearly all of whom were men. It was a quarterly magazine, intended to be filled with substantive articles, but I was aware of a number of improvements that could be made. At that time, many of the articles in the magazine were written by staff and freelance writers hired by ABA Publishing. Instead, when I organized the first meeting of my Editorial Board, I called each of the members and arranged for an article *they* might write or solicit an author to write — and also persuaded all of them to attend in person. The result was a fully functioning Editorial Board that reflected the interests of our own Division in the pages of the magazine. I, myself, solicited a large number of articles, both from members of the Division and from outside judges, lawyers, and academics.

In 2000, I created a fully electronic — that is to say, paperless — process for review of articles by Editorial Board members. Previously, articles had been sent for review using the old method of copying and mailing paper copies to all the reviewers. Instead, I proposed what is now commonplace — sending everything electronically over the Internet. At that time, it was an innovation, and in fact, we became the first

Selma Moidel Smith – 19 – Session V

¹³ Selma Moidel Smith, "A New Discovery: The First Women Members of the ABA" *Experience* 9:4 (Summer 1999): 22–23; reprinted by NAWL in *Women Lawyers Journal* 85:3 (Fall/Winter 2000): 32–33.

of all the magazines from ABA divisions or sections to adopt an electronic review process. At the end of the year, ABA Publishing informed me that the cost-saving from the process, and no longer hiring freelance writers, was such that there would be money left in the budget to fund a special meeting of the Editorial Board in Chicago.

I also introduced the first use of color in the magazine, and improved the quality of the illustrations. And I took on the job of copyediting every article myself, in addition to the staff's routine editing. A major change started in 2001, when I arranged for the first online posting of articles from *Experience* magazine on the Division's website. Since that time, of course, the magazine's web presence has grown continually. At the same time, I prepared an 8-year cumulative index of the magazine. I expanded the cumulative index in 2006 to cover 16 years, and again in 2012 to provide a total 21-year cumulative index, which is currently available on the Division website. When I finished my terms as chair, I received a lovely letter from the director of the Senior Lawyers Division, Judith Legg. It's right here on the table — dated July 26, 2001 — and I'd like to share some of it with you:

Dear Selma,

I was just moved to write this note because I want to be sure that you know I believe your contributions to this Division have been invaluable. In just a few short years, you've turned our magazine into a truly enjoyable publication that holds something of interest for every member. We all owe you a huge debt of gratitude for the many improvements you've made to our most visible member benefit.

On a personal note, I appreciate your integrity and sense of responsibility. You are truly a gem, and the Division has been so fortunate to have you as a member and a leader.

(Signed), Judith.

Zakheim: That's wonderful!

¹⁴ Selma Moidel Smith, "Cumulative 21-Year Index for Experience," *Experience* 22:1 (2012): 15–39. See dedication to SMS in "Prologue" (p. 1).

Smith: And long after I served as chair, I've continued to be appointed as a member of the Editorial Board, and to be active with special projects.

I should add that I was elected to the governing Council of the Division at the same time, in 1999, and that I served the maximum allowable two, two-year terms (a total of four years). And then, two years ago, I was elected to serve as an Honorary Member of the Council



(I.-r) ABA President Jerome Shestack, SMS, ABA Executive Director Robert Stein, ABA/SLD Chair Leigh Middleditch — ABA/SLD Spring Meeting, Philadelphia, May 1, 1998,

[and re-elected to a second two-year term at the 2014 Annual Meeting], and so I am continuing to attend their various meetings around the country.

Now, returning to my work as chair of *Experience* magazine, I initiated the idea for a special feature. In each issue I would have a cover story on the state where the Division would be holding its next meeting. I wanted it to be an article on points of interest in the legal system in that location — or interesting, new aspects of the law. I called all over the country — it didn't matter whether I knew the person or not — and contacted lawyers, judges, and professors to write articles.

The first instance was for the Fall 1999 edition of the magazine at the time of the Division's visit to San Juan, Puerto Rico — I telephoned and worked (in Spanish) with staff and members of the Supreme Court of Puerto Rico to develop the cover story for the Fall 1999 issue. This included features on their justices, intended to introduce them to readers outside their usual circle. I also wanted a photo of their

very attractive modern courthouse for the cover of the magazine, and when the clerk said they didn't have one, I persuaded him to have another staff member go out in front of the building with his camera and get some photos to send me, which he did. The articles I solicited included substantive legal

articles by their chief justice and others. 15



San Juan, Puerto Rico — (I.-r.) former Attorney General Hector Reichard, Jr. (host), SMS, Superior Judge Carmen Rita Vélez-Borrás, and Chief Justice José A. Andréu García — Nov. 4, 1999.

Then, in 2001, the ABA was coming to California. As part of the California feature, I interviewed Justice Stanley Mosk. ¹⁶ This was the last time I saw him, just shortly before he died. Of course, I had known him since the late 1940s, when he was a young judge and I was president of the women lawyers and had arranged for him to speak to our group. Here is a photo from 1993, in which we both appear, side by side, on the occasion of our becoming Fifty-Year Members of the Los Angeles County Bar Association. ¹⁷



New members of the Los Angeles County Bar Association's Fifty-Year Club — (front row) Associate Justice Stanley Mosk and SMS — Shattuck-Price Award Luncheon, Biltmore Hotel, Los Angeles, May 18, 1993.

¹⁵ See features and photos, *Experience* 10:1 (Fall 1999): cover, 6–12.

¹⁶ "Salute to Seniors: Stanley Mosk," *Experience* 11:2 (Winter 2001): 42–43.

¹⁷ "Bar Association Meets for Award Luncheon," *Los Angeles Daily Journal* (May 24, 1993); see also feature and photo in "Class Notes," *USC Law* (Fall 1993): 53.

But to return to the California feature in *Experience* magazine — I needed an author for a special article. I contacted the president of the American Society for Legal History who referred me to their past president, Professor Harry Scheiber at UC Berkeley School of Law. He is, of course, a distinguished legal historian. I called him and he agreed to write the article. I told him I had in mind a unique topic, namely, California as the nation's leader in legal innovation. He saw good possibilities in it and it became our cover story. I titled the article, "California — Laboratory of Legal Innovation." Later the same year — 2001 — shortly after finishing my terms as chair of the Editorial Board, I received an email from Harry, worded like this [chuckling], "Would you object if I were to nominate you for a position on the Board [of the California Supreme Court Historical Society]?" — something like, "Oh, we need you," or something like that.

Zakheim: How wonderful. Smart man!

Smith: Anyway, so I wrote back [laughing] — you know what I wrote back?

Zakheim: Oh, oh! [both laughing]

Smith: I really had not heard about the Society.

Zakheim: Ohhhh.

Selma Moidel Smith - 23 - Session V

¹⁸ Harry N. Scheiber, "California — Laboratory of Legal Innovation," *Experience* 11:2 (Winter 2001): 4–7.

Smith: You see, as much as I am in and about, and out and about, I didn't know about it. So I wrote back, "I'd like to consider it. Can you tell me, who might be some of the people I'd be working with?"

Zakheim: Oh, the chief justice [both laughing].

Smith: Well, anyway, he wrote back, nicely you know, and I said, "Well, all right." [both laughing].

Zakheim: It's true. They didn't have much publicity. They had no footprint in the public —



Chief Justice Ronald George with SMS — California State Bar Conference, Monterey, Oct. 7, 2006.

Smith: No, no. And I was the best proof of it. Anyway, that's how I came in and —

Zakheim: You've been in ever since, haven't you?

Smith: Yes, that was in '01.

Zakheim: Wow!

Smith: We had never met until we had a subsequent Board meeting. I have to smile because [chuckling] when we saw each other, you know, he was talking to one of the Board members and he pointed to me and he said, "She's the best editor I ever had."

Zakheim: [applauding]

Smith: A few years later, the Society needed an idea for a program they were going to present at the annual State Bar Conference, and I suggested the identical topic. This was for

Selma Moidel Smith – 24 – Session V

the 2006 meeting in Monterey. I arranged a panel program that included current California Supreme Court Justice Kathryn Werdegar (a member of the Society's Board) and former Justice Joseph Grodin, a professor of law at UC Hastings. I asked appellate Justice Elwood Lui [retired] to serve as moderator. The other panelists were Professor Robert Williams of Rutgers University at Camden, and Gerald Uelmen of Santa Clara Law School who filled in at



"The work that Selma Smith did in conceiving, creating and managing this seminar has just been delightful." — Elwood Lui

the last moment for Harry Scheiber who'd had a medical emergency. As part of the work that was done at the California Supreme Court in preparation for the panel, the Court's Chief Supervising Attorney Jake Dear [a Board member of the California Supreme Court Historical Society], and Reporter of Decisions Edward Jessen, researched the statistics of the California Supreme Court's leading role in the nation. Jake presented the results as part of the panel program, and this served as the basis for their article on "Followed Rates and Leading State Cases" that was published in the *UC Davis Law Review*. All of which is to show the long course that ensued from the article I originally requested from Harry Scheiber.

Here's another item I wanted to share with you. I served for a number of years on the committee that worked successfully to have our Los Angeles Criminal Courts

Selma Moidel Smith - 25 - Session V

¹⁹ For photos and transcript (by SMS), see *California Supreme Court Historical Society Newsletter* (Fall/Winter 2006): Supplement 1–5. Available on the Society's website at: http://www.cschs.org/wp-content/uploads/2014/03/CSCHS-Monterey-2006.pdf.

²⁰ Jake Dear and Edward W. Jessen, "Followed Rates and Leading State Cases, 1940–2005," *UC Davis Law Review* 41:2 (December 2007): 683–711; at fn.1.

Building renamed in honor of Clara Foltz — it's now known as the Clara Shortridge Foltz Criminal Justice Center.²¹ As you know, Foltz was a prosecutor here in L.A., and she invented the idea of the public defender. I have Barbara Babcock's book on Clara Foltz here. When it finally appeared in 2011 after many years of her work and Barbara was arranging her book tour, she asked me to organize an event here in Los

Angeles. So I planned a panel program that would feature Barbara, with two of her former students who were experts in the field. I arranged for the current L.A. County Public Defender, Ronald Brown, to moderate the panel. I also arranged for welcome greetings to be given by Judge Arthur Alarcón of the Ninth Circuit — who had also been very active on the Foltz Committee — and by Presiding Judge Lee Smalley Edmon of the Superior Court, who was the



Clara Shortridge Foltz program — (I.-r.) Los Angeles County Public Defender Ronald Brown, SMS, and Judge Arthur Alarcón of the Ninth Circuit — April 21, 2011.

first woman elected to that position. My own contribution to the panel was to include our local expert on the subject of juvenile justice, Myrna Raeder, as one of the panelists. As you may recall, I had chosen her to interview for a feature in *Experience*, and had then invited her to publish an essay in *California Legal History*, which appeared in my first volume in 2009. When she passed away last week, it was a great loss. I'm grateful I was able to do these things with her, and that she was so pleased to be invited again. The Foltz panel program took place in April 2011. To

²¹ On the renaming ceremony (Feb. 8, 2002), see Selma Moidel Smith, "Honoring California's First Woman Lawyer, Clara Shortridge Foltz," *Women Lawyers Journal* 87:2 (2002): 10–11, with cover photo of SMS and guest speaker Justice Sandra Day O'Connor.

give the best possible setting for Barbara's book event, I selected the Banquet Rooms on the top floor of the Dorothy Chandler Pavilion at the Music Center for the venue. I arranged for the Women Lawyers Association to provide continuing legal education credit, and for the California Supreme Court Historical Society to sponsor the reception. More than a hundred lawyers attended, and, by the end, every last copy of Barbara's book had been sold and autographed.²²

At the California Supreme Court Historical Society, I'd become editor of the Society's biennial Newsletter, which I completely reworked — both in content and appearance. Then, in 2008, I was asked to take over as editor-in-chief of the Society's annual scholarly journal, *California Legal History*, which had been founded, in fact, by Harry Scheiber, and who had retired as editor a couple of years before that. I've now completed five volumes — the latest is the 2013 volume that I have here on the table, and which just came out this week — and I'm already at work on the 2014 volume.

In addition to selecting or inviting the articles, a few of the features I've introduced so far include: A "Symposium" of papers by law students on a given theme in California legal history. That was inaugurated in 2012, and I'm planning the same for this year. This is in addition to publication of the winning entry in our

Selma Moidel Smith – 27 – Session V

²² See photos and transcript (by SMS), "Clara Foltz and the Role of the Public Defender," *California Supreme Court Historical Society Newsletter* (Spring/Summer 2011): 12–31. Available at: http://www.cschs.org/wp-content/uploads/2014/07/Clara-Foltz-Presentation-2011-Newsletter-Spring-Summer.pdf.

²³ Issues edited by SMS include Fall/Winter 2008 through Spring/Summer 2011, available at the Society's website: http://www.cschs.org/publications/cschs-newsletter.

²⁴ Commencing with Vol. 4 (2009). Available in hard copy at libraries and from W.S. Hein Co.; also available on the Internet through subscribing libraries at HeinOnline.

annual student writing competition — a project I initiated in 2007 and have continued to coordinate each year.²⁵

A definite first for our Society was the idea of sponsoring a panel of scholars who would present papers



Congratulating the first-place winner of the annual writing competition — (I.-r.): Society President Dan Grunfeld, SMS, Mikelis Beitiks (2011 first-place winner, UC Hastings College of the Law), Chief Justice Tani Cantil-Sakauye, and Associate Justice Kathryn Werdegar in the Chief Justice's chambers, October 24, 2011.

on aspects of legal history in California at the Annual Conference of the American Society for Legal History — with the idea of publishing the papers in our journal. That took place for the first time at their 2012 conference, which I invited Professor Reuel Schiller of UC Hastings to organize and chair.

Another new item in the journal has been a continuing feature on the holdings of various archival collections in the field of California legal history. The purpose is to make known otherwise hidden materials that would be of interest to scholars — and others — in these collections. So far, I've published articles on the holdings at [the California State Archives, 2009], the Huntington Library in San Marino [2010], the

Selma Moidel Smith – 28 – Session V

²⁵ Society President Dan Grunfeld announced at Smith's 95th Birthday Celebration on April 13, 2014, that the competition had been renamed in her honor. The revised name is "CSCHS Selma Moidel Smith Law Student Writing Competition in California Legal History."

Competition photo published annually in the Los Angeles and San Francisco *Daily Journal*, Oct. 15, 2010; Dec. 2, 2011 [photo above]; Nov. 30, 2012; Oct. 14, 2013; Nov. 24, 2014.

Bancroft at UC Berkeley [2011], the Stanford Law School Library [2012], and UC Hastings [2013].

Each volume also has an oral history of a California Supreme Court justice or other distinguished jurist. In each case, I try to present a group of related articles, that would include an introduction by a scholar familiar with the jurist's historical importance, an article or speech by him or her, and an unpublished article or speech by the person, and if possible, a personal reminiscence by a colleague or family member. In this way, the oral history section of the journal becomes a more well-rounded feature.

I've also tried to give exposure to unpublished works by justices of the California Supreme Court or other leading California jurists, in general. For example, I presented a series of unpublished articles by Stanley Mosk in my first volume in 2009 — in this current volume, 2013, there is a group of unpublished speeches by Justice Roger Traynor, and for the next volume, I have a speech by Chief Justice Donald Wright.

I do all-around editing —

Zakheim: Uh-huh.

Smith: All around. It doesn't go out without copyediting by me. Let's just say, if it's on the paper [laughing] —

Zakheim: You look at it!

Smith: And I will have already chosen the paper — and the type — and the size. And, as I say, that bundle of work just came to an end. You will get your own, but I thought I

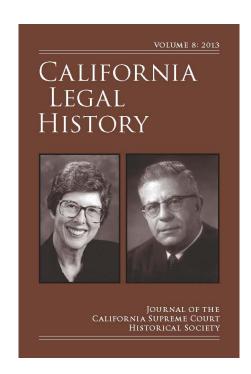
would pull one out — it just came off the press and is in the mail to the members.

Zakheim: I can't wait to read it!

Smith: And just so you'll see in advance [pointing to the photo on the cover] —

Zakheim: Oh, Herma Hill Kay! She was one of my teachers. This is wonderful!

Smith: Well, it's her oral history.



Zakheim: I will love it! She was my small section teacher, my first year at Boalt. Oh, how wonderful! I took many classes that she taught.

Smith: She was the one who was a clerk for — him! [pointing to the other photo on the cover] That man I think you know.

Zakheim: Traynor, right?

Smith: Traynor, of course! [former Chief Justice Roger Traynor]

Zakheim: And his son, Michael Traynor, is in the California Academy of Appellate Lawyers.

Smith: Oh, yes, I know. Well, I know him because I printed something of his, and I'm going to be sending him this as well because he'll want that.

Zakheim: I so look forward to this, Selma. Now, I'm going to be checking the mail all the time.

Smith: Yes [laughing]. That's the photo I chose for her [Kay]. That's her favorite. So that's the one we used.

Zakheim: It captures her. It really captures her.

Smith: And the introduction — I got in touch with her, I called her [Professor Eleanor Swift].

I have an introduction myself, after her introduction. That is *her* introduction [turning pages] — ah, there's my Editor's Note.

Zakheim: Oh, okay.

Smith: And that explains a good deal about the whole thing. And here's her C.V. and also I have her [bibliography] —

Zakheim: And she was dean of the law school after I left.

Smith: The first —

Zakheim: First woman dean.

Smith: First woman dean. I pulled it out because I wanted you to have a preview.

Zakheim: This is a very special one. This really is.

Smith: Well, I'm glad it hits the spot. And here is the table of contents. You may want to just take a look. There's a special section. I got in touch with Hastings [College of the Law], because I usually have something in that tells researchers where they can find certain holdings. And so I asked them about [Roger] Traynor — that's where he put

his [papers] — there were nine of his speeches I chose, previously unpublished. And so they are published here, and —

Zakheim: Selma, you are a miracle worker. You not only got a picture of all of these justices [for the journal covers], but you found unpublished speeches of Justice Traynor.

Smith: So I'm putting them in. Then there are special articles. One of them is the prizewinner that got the twenty-five hundred dollars. His name is Jonathan Mayer, from Stanford. And the last article in here — I think it's of special interest because it's in the Fellows of the ABA — the ABA Foundation. And I've been a Fellow for some [since 2000] — that's what the Fellows are for, to fund research on topics having to do with law, lawyers, the legal system. ²⁶ One of those research professors is a woman whose name is [Victoria] Woeste. This past year — we had already corresponded — she was coming to L.A. on a book tour for the book about [Attorney] Aaron Sapiro and Ford. An article was written, I asked her to — she wrote it for this. However, this is an article having to do with Aaron Sapiro and his work in California, which most people don't even know about.

Zakheim: No, I don't know about it.

Smith: Right, and then there are a couple of book reviews. As I say, that bundle of work — almost five hundred pages — just came to an end.

²⁶ "Membership in The Fellows is limited to less than one percent of lawyers licensed to practice in each jurisdiction. Members are nominated by Fellows in their jurisdiction and elected by the Board of the American Bar Foundation. . . . They have demonstrated outstanding achievements and dedication to the welfare of their communities and to the highest principles of the legal profession."

Zakheim: Justice Werdegar is right. You did everything for that Society, and you are the heart and soul. I don't think they would have succeeded to that degree without you.

Smith: Well, I think people are very polite. By the way, did you yet get your new NAWL [National Association of Women Lawyers] magazine? I just got it yesterday.

Zakheim: So maybe I'll get this and that together.

Smith: Yes. And here it is. I put it out because I thought that might be the case.

Zakheim: Oh, Selma, every time I see your name with that [NAWL's Selma Moidel Smith Law Student Writing Competition] I grin! Oh, I love this, Selma — what a great picture!²⁷

Smith: Oh [laughing] —

Zakheim: I do. It's wonderful.

Smith: Well, let me just quickly show you something here. This is Col. Maritza Ryan, the editor's page. It's just this page. And she — as you will see who she is ["Professor and Head of the Department of Law, U.S. Military Academy at West Point"].

Zakheim: I'm looking for you. There! "The indomitable, ever-radiant, Selma Moidel Smith," 28

— oh, this is terrific. So true! I'm glad they're honoring you.

Smith: And she's now the new executive editor.

Selma Moidel Smith - 33 - Session V

²⁷ "Selma Moidel Smith Student Writing Award Winner," *Women Lawyers Journal*, 98:1&2 (2013) [sidebar biography and photo of Smith]: 27.

²⁸ Maritza Ryan, "NAWL award winners light way with courage and persistence," *Women Lawyers Journal*, 98:1&2 (2013): 6.

Zakheim: I just love that they — "Smith's career as a general civil practitioner and litigator" — absolutely great!

Smith: And I had no inkling. I was absolutely startled out of my wits when I got this yesterday. So now you know what's coming in your —

Zakheim: I do. I've got a lot coming in my mailbox.

Smith: And now I get to something else. As I say, today is

different. Very currently, something new, which of

course will be part of *this*, ultimately. You remember, last time I showed you the

listing in the *International Encyclopedia of Women Composers* —

Music for Piano

SELMA SMITH

Zakheim: Yes.

Smith: And referred to "a hundred compositions" and so on. Well, I want you to *see* them [showing book of sheet music, *Espressivo: Music for Piano* by Selma Smith]. ²⁹

Zakheim: Oh, Selma, that is fantastic!

Smith: As you see, for music at that time, I used just that name, Selma Smith. Here they are, and what number do you see?

Zakheim: One hundred.

Smith: Yes, I wanted you to see it with your own eyes.

²⁹ Second revised edition © 2008 Selma Smith.

Zakheim: Oh, Selma, this is precious. It's really precious to have this — waltzes and tangos and everything. Everything.

Smith: Yes.

Zakheim: My musical ability is about like my Spanish, not enough. I admire you so much. You are so multi-talented. It's really something, Selma.

Smith: I don't know. At any rate, you also remember very well that my birthday is April 3rd, which is, maybe, three months from now — a little bit less than three, today being the 10th, and that's the 3rd of April. I can only tell you parts. I led into it with this [pointing to the book of music]. That would be my 95th birthday.

Zakheim: How wonderful.

Smith: That's if I get there. You know, I mean —

Zakheim: Well, yes.

Smith: I have no contract.

Zakheim: I know.

Smith: At least, we have a contract, but I don't know —

Zakheim: Don't know when it's up [both laughing].

Smith: I don't know when the dates are set in that contract.

Zakheim: Yes. That's what my mother says, too, and she's ninety-seven and a half, so I know what you're saying.

Smith: So, at any rate — something, I guess, is being planned. It all has to do with music — with *the* music. Obviously, they're not going to play a hundred pieces, but a *program* of my pieces. Different kinds. There will be more than one participating. Well, you've heard of the L.A. Lawyers Philharmonic.

Zakheim: Yes.

Smith: They will be performing.

Zakheim: Ohhhh!

Smith: You know, they've already performed my music.

Zakheim: Yes.

Smith: And including at our [Walt Disney] Concert Hall. We're going tomorrow to check out a possible venue where this can take place. So he is going to be *one* — his orchestra will be one — and I have to select various things, and people who will be performing. And there'll be another group as well, performing, musicians. It can't be *on* my birthday, which happens to be on a Thursday. Instead, it's going to be on a Sunday afternoon. It's ten days after the birthday, which is the 13th. You can see what an undertaking that is going to be.

Zakheim: Yes.

At Walt Disney Concert Hall — Founder-Conductor Gary S. Greene with SMS following performance of her music by Los Angeles Lawyers Philharmonic, July 15, 2010.

Smith: It will involve people from San Francisco as well as L.A. They plan to video the whole thing. It would be the kind of thing that lawyers would be invited to — as well, others. It would be at no charge. It's just to come and, hopefully, to enjoy —

Zakheim: And to celebrate you.

Smith: And that will be the first time in my life that that's happened [a concert of my own music]. Of course, you'll be there. I have a mountain of things I have to do in connection with it —

Zakheim: Yes.

Smith: Of choices I have to make, of who I'm assigning what. I will be going through one hundred pieces.

Zakheim: Oh, my goodness!

Smith: Yes. You understand what I have in front of me.

Zakheim: Yes.

Smith: And obviously, I want it to go well.

Zakheim: Yes!

Smith: It's not something you repeat again, or take another whack at later, you know. It just seems to have come about, now. I mean, tomorrow is when we're going to see the possible venue. And I have a list of things already, from here to then — is going to be

Selma Moidel Smith - 37 -Session V a major job. I must take care of going through all of these. Decisions have to be made, all the way along — everything that, like when you come to a concert —

Zakheim: A big project! It's a very big project.

Smith: Everything that had to be done to put it all together, that you can come in and sit and listen. Everything. As of right now, you're coming in at the very beginning.

Zakheim: I understand what you're saying.

Smith: Let's face it. They tell me that I'm almost ninety-five. I'm saying that in the sense that, somebody would say to me, "Then how in the world can you go back seventy years" — it's now seventy-one that I was admitted — "and go back into things that are fifty years ago, sixty years ago." And I do, but in order to be able to talk to you in a way that makes an informed oral history —

Zakheim: You have to be focused.

Smith: And let my mind remember things. Remember what I said to you last time, about what goes on when you're — how can I live in those years, all of those years, right now, at the same time that I have to say, "Yes, I'm going to choose that; no, we're not going to do that"? Can you picture where it puts my head?

Zakheim: Yes, I can. And so, you cannot do the interviews between now and then, is what you're trying to tell me [chuckling].

Smith: It would seem that I would have to have my head examined, because anyone would know —

Zakheim: Your mind is somewhere else.

Smith: Yes.

Zakheim: It's April 13th, right? I'll put it on my calendar when I get home.

Smith: Sunday, two to four.

Zakheim: Two to four. This is very exciting. It really is.

Smith: Yes.

Zakheim: And then I'll see you again, April 13th, I hope, and we're going to resume after mid-April.

Smith: Yes.

Zakheim: And now, as we've done each time, we'll conclude with a piece of your music that you've chosen for the day. I'm guessing that it's one we'll be hearing at your concert in April. It's a tango, and it's called, "Tango in D minor, No. 3, Opus 56."

[Click below to play music.]