

A NEW DISCOVERY: The First Women Members of the ABA

by Selma Moidel Smith

Discovered: The names and identities of the first women members of the American Bar Association.

The first two women were elected to membership on August 28, 1918, at the annual meeting of the ABA in Cleveland. History was made. Since that time, however, the number and names of these women have been disputed or said to be unknown.

The Report of the Forty-First Annual Meeting stated only that two women were on the list of candidates nominated by the General Council. All candidates were elected on a single vote, but the list of new members was not published in the Report.

The Cleveland Plain Dealer of August 29, 1918, in its front page account of the meeting, stated in a subhead, "Cleveland and Denver Candidates Are First Women To Become Members." Their names were given as Mary B. Grossman of Cleveland and Mary Florence Lathrop of Denver. A check of the ABA Report confirms that both names were among the hundreds registered to attend the meeting.

The Legal Intelligencer, a weekly Philadelphia legal newspaper, also reported on the event. Its

September 6 account stated that two women were elected members: Mary Florence Lathrop of Denver ("a Philadelphian originally") and



Mary Belle Grossman

Mary B. Grossman of Cleveland.

By contrast, the Denver Post of August 29 did not report on the meeting, but published a story and photo of Mary Lathrop as "the first woman lawyer in America to be elected a member of the American Bar Association." It did not mention any other woman. Throughout her life, Lathrop described herself as "the first woman lawyer in the ABA," a misstatement occasionally quoted in later books and periodicals.

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Mary Belle Grossman (1879-1977) was one of Ohio's first women judges. She was born and educated in Cleveland where she worked for 16 years as a legal secretary before studying law. She received her LL.B. in 1912 from the Cleveland Law School of Baldwin-Wallace College, and received their Alumni Association Award in 1956. She was admitted to the bar of Ohio in 1912, and was a sole practitioner until her election to the Municipal Court in 1923. (This election predates by several years the election of other women claiming to be the "first elected" to a judgeship.) She was reelected continuously until 1959 when she retired at the age of 80. In that year she received an honorary doctorate from Cleveland-Marshall College.

Judge Grossman presided over the Cleveland Morals Court which she helped to organize in 1926. Her service was said to be "equal to adding 100 men to the police force." Her long career in the law was paralleled by her career as a leader in numerous social welfare organizations.

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Mary Florence Lathrop (1865-1951) was the first woman to open a law office in Colorado. She was born and educated in Philadelphia, and found an early career as a newspaperwoman. By the age of 26 she had covered stories in the American West, Europe and Asia. She contracted tuberculosis and moved to Denver where she regained her health and chose a new career. She studied law at the University of Denver, receiving her LL.B. summa cum laude in 1896, and opened her office the following year.

Lathrop was the first woman member of the Denver and Colorado bar associations. She was a sole practitioner and specialist in



Mary Florence Lathrop

probate law during a colorful career of more than half a century.

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These two pioneering women were soon followed into the ABA by other prominent women lawyers. The first three of them, also admitted in 1918, were Marion Weston Cottle of New York City, Elizabeth S. Kenney of Los Angeles, and Mary Agnes Mahan of Boston. All five were active in the National Association of Women Lawyers (Cottle as president in 1911-13). Both Judge Grossman and Lathrop were state vice presidents of NAWL when they became ABA members.

For the record, it is appropriate that the women who came first—Judge Mary Belle Grossman and Mary Florence Lathrop—now be restored to the position in history they both deserve. ■

Member profile

Joan Williams
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is a Professor and co-director of the Project on Gender, Work and Family at American University's Washington College of



Law, Washington, D.C. She took her BA at Yale in Medieval Studies, then went on for a Master's in City Planning from MIT and a J.D. from Harvard Law School. She has two children, Rachel 13 and Nick 10.

Reputed to be one of the most prolific legal scholars, Professor Williams' article "Deconstructing Gender" is also one of the most cited law review articles ever written. She recently published the book *Unbending Gender: Why Work and Family Conflict and What To Do About It*,

which goes beyond post-structural and feminist theorizing to propose a useable model of "reconstructive feminism." Professor Williams has written a casebook on property law and teaches feminist jurisprudence, employment and family law.

TRENDS IN LAW SCHOOL AND BEYOND

As reported in *Diversity and the Bar*, the Magazine of the Minority Corporate Counsel Association, surveys by the National Association for Law Placement show:

- Law school enrollment of women rose from 33% to 44% between 1982 and 1997
- Women and minorities represented 63% of all law school graduates in 1997
- While fewer minorities are entering private practice, by 1997 the percentage hired at large law firms increased from 21.3% to 35.9%