

## "Judge"

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First, let me say that I am very honored to be part of this day of celebration of the life of Betty Roberts. As with all of the parts of her life that have been talked about today, it is impossible to even begin to cover the contributions that she made both as a lawyer and a woman to the legal profession and Oregon's judiciary, but I will offer a few reflections on Justice Roberts.

There are so many qualities that made her the fine human being and the judge that she was. When I think about her life journey and in particular, her judicial career though, one quality that stands out is her courage. There are so many points in Justice Roberts' life where she could have been justifiably satisfied with her accomplishments. She was a good mother, a good teacher, an excellent politician and legislator, a good lawyer. She could have stopped at any of these times in her life and simply enjoyed the fruits of her labor, the contributions that she made and the high regard in which she was held by others.

Rather than rest on her accomplishments though, she chose to move on to new challenges. Almost all of the new challenges that she took on involved risk and uncertainty. Without question, her motive for the various transitions that she made in her life was never personal advancement or her own ego. Rather, her decisions were motivated by her desire to further her contributions to the citizens of her community and by her dedication to the advancement of women.

Moving from her role as a highly regarded, very effective, Oregon Senator to serving as the first woman on the Oregon Court of Appeals in 1977, is a perfect example of the new challenges that Justice Roberts took on that posed risk and uncertainty. By her own admission, when she went to the court, she faced challenges that she did not fully expect. There is always transition time for a person who moves to the bench no matter how experienced or able they might be. The difficulty of the transition was magnified

unquestionably by the fact that she was the first woman in Oregon to serve on the appellate bench.

Few women would have been as well equipped as she was to make the transition and to adapt to and succeed as she did in an environment that was not entirely supportive of her. Clearly no one could walk on Judge Roberts. Yet, her reaction to obstacles that she faced while serving on the court was not one of combativeness or defensiveness. Rather, she wisely used the support that was available and her people skills. Her reactions were thoughtful and measured, and more than anything, she relied on her toughness and ability to just hang in there. Both on the Court of Appeals and later on the Supreme Court, she became a valued colleague and the author of many very significant opinions.

Justice Roberts has been a presence for me personally almost from the beginning of my legal career. Not long after she went on the bench, I began arguing cases before that court. At that time, there were few women lawyers and very few women on the bench. There had never been a woman appellate judge. I can still visualize exactly how she looked sitting on the bench, but it was the way she conducted herself in the courtroom that is most memorable to me. She was so obviously an intelligent, dedicated, caring person and it was absolutely clear that she believed that she was where she belonged at that moment in time (whether others believed it or not). Her presence on the bench made a huge difference to me personally and I am sure to many other women in making us realize the possibilities that were out there for us.

As you all know, in 1982, Justice Roberts was appointed to the Oregon Supreme Court where she ably served until 1986 when she retired from the bench. She remained the only woman on Oregon's appellate court for the entire time she served.

It was in 1986, that I was appointed to the Oregon Court of Appeals and become the second woman to serve on Oregon's appellate bench and at the time, again, there was only one woman on the appellate bench. Although I did not know her personally, Justice Roberts was one of the first persons to contact me and offer help. Her advice was candid and extremely helpful to me.

I had always appreciated her role as a judge and particularly as our first woman appellate judge, but it was really only after I began to serve on the bench that I had the unique opportunity to truly understand the extent and nature of her contribution. I was speaking one time at a luncheon that she was attending and trying to explain how fortunate I was to have followed Judge Roberts on the court and what a valuable perspective I thought it gave me. I said that I felt like I was a running back and that I had this fantastic blocker in front of me ---that I was able to observe her work from a unique position and truly appreciate what she did and how much easier she made it for others who followed her.

After I spoke, Betty came up to me—with a sort of mischievous smile-- she said that she liked my football story but that it was not entirely accurate. She had, in fact, played football in Texas growing up but she had been a halfback. I had a good laugh picturing her as a halfback. Of course she carried the ball. I strongly suspect that she was very good at it and that it was hard to bring her down.

Justice Roberts as a person and as a judge had a rare combination of personal characteristics that gave her the ability to meet life's many challenges with so much success----She was bright, hardworking, dedicated, caring—always more about others than herself. She had a wonderful sense of humor and was always willing to laugh at herself. She also had the ability to pick herself up and move on when she needed to. Above all though, it was her courage and willingness to take risks that led to a life of so many accomplishments.

The poem that she included at the end of her book, which if you have not read, I would urge you to do so, captures her approach to life:

*When we walk to the edge of all the light we have  
And take the step into the darkness of the unknown,  
We must believe one of two things will happen---  
There will be something solid for us to stand on,  
Or we will be taught to fly!*