

Betty Roberts, Giant Among Trailblazers

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By Trudy Allen '82 and Diane Rynerson



The Honorable Betty Roberts, member of the class of '66, recipient of the Law School's Distinguished Graduate Award in 1988—and known to her many friends and colleagues simply as “Betty”—passed away on June 25, 2011, at the age of 88. Her contributions and accomplishments in both politics and the law are legion, and many were achieved only through extraordinary determination. She committed herself with enormous energy, deep compassion, and visionary leadership to all she did, and the results continue to provide a profound legacy of improved opportunities and advantages on a wide variety of issues, especially for the women of Oregon. She was a true trailblazer, achieving firsts in many categories: first woman to campaign for governor of Oregon (1974 Democratic primary), first woman to be appointed to an appellate court in Oregon (Oregon Court of Appeals, sworn in September 6, 1977), first woman to be appointed to the Oregon Supreme Court (sworn in February 8, 1982), and first person to perform same-sex marriage ceremonies in Oregon (Multnomah County, March 3, 2004).

Born Betty Lucille Cantrell on February 5, 1923, in Kansas, Betty's formative years were spent in Wichita Falls, Texas, where her family lived in poverty. After graduating from high school, Betty attended college classes in the mornings, paying her way by working afternoons and evenings. Her education was interrupted when she married Bill Rice, a soldier. After World War II, they moved to Bill's home state of Oregon. Betty was determined to finish college and succeeded in earning a bachelor's degree in education from Portland State University in 1958 while raising her four children. She started her teaching career in the high schools of East Multnomah County and eventually was elected

to the school board. Betty's 18-year marriage ended in 1959. In November 1960, Betty married Frank Roberts, a PSU speech professor with whom she shared a growing interest in politics. Frank Roberts later had a long and distinguished career in the Oregon legislature.

Betty's decision to go to law school was made with her characteristic pragmatism. She had applied to the chair of the University of Oregon's political science department (where she had just completed a master's degree) to enter the Ph.D. program. His response shocked her. “Betty, I can't let you do that. You are 39 years old. By the time you complete a doctorate you'll be 45, and you'll only have 20 years to repay the taxpayers of Oregon for their investment in your education.” As Betty stated in her 2008 memoir, *With Grit and by Grace: Breaking Trails in Politics and Law*, “Resolve and determination—some might call it “grit”—took over.” Within hours of the rejection, she decided to inquire about admission at the Law School. She was immediately accepted.

In August 1962, at age 39, with three children still at home, a daughter in college, a full-time teaching job, and responsibilities as a school board member, Betty started the night-school law program. Classes were held in the run-down Giesy Building, right behind Portland's Benson Hotel. The dimly lit classrooms were packed with one-arm desk chairs. There was no air conditioning, so traffic sounds and street noise flowed in through open windows. The narrow hallways between classrooms were crowded with shelving for law books. One of Betty's classmates, Dick Maizels '66, remembers that a sign on one of the chairs read "Don't sit here. Light fixture leaks pitch." On the first night of instruction, over 100 students crowded into a room intended to seat 80. Contracts Professor Cairns said not to worry, there would be plenty of room later. Many students did drop out, some after just a few evenings. Only 22 of the members of the original first-year class remained for the full four years of coursework. Although several women had been admitted, only Betty and Nancy Carter, with whom Betty shared a double desk during her third and fourth years, graduated with the class of 1966. Maizels remembers Betty as a relatively quiet, attractive, and friendly person. She always wore business attire and heels. Older than most of the students, she nonetheless was accepted as "one of the guys."

The Roberts household stayed organized with the help of Betty's children, all of whom had to do their assigned chores before they could go out to play. Betty studied or graded papers at the dining room table while the children did their own homework and after they went to bed. Daughter Jo and a friend would sometimes be allowed to window shop in the city while Betty was in class. Jo recalls that going downtown, particularly on a school night, was very special and glamorous for a couple of high school girls from East County! They knew to be exactly on time to meet Betty, because if they were even a minute late, they wouldn't be invited along again. Betty's teaching job allowed her vacation time in the summer, and the family made the most of it. They bought a boat, learned to water ski, went camping, and went on road trips in their station wagon to visit family in Illinois and Virginia.

By 1965, Betty was juggling her roles as mother, teacher, school board member, and law student with her newly elected position as a member of the Oregon House of Representatives. Although she and Frank divorced that year, she chose to retain the surname Roberts, by which she had been known since the start of her political and legal careers. She had to fight on more than a few occasions to keep it. (One such battle took place with the Oregon State Bar after she married Keith Skelton, a lawyer and legislative colleague, in 1968). Betty successfully introduced legislation in 1975 that allowed a woman to keep her name on marriage or to return to a previous name following a divorce.

During her career in the Oregon legislature (1965-69 in the House of Representatives and 1969-77 in the Senate), Betty was able to participate in and influence the passage of Oregon's first comprehensive land-use legislation, extensive environmental protection issues, consumer protection legislation, and the opening of government workings to ordinary citizens. She took the lead on decriminalizing abortions and on ratification of the Equal Rights Amendment. She had arrived in the legislature when there were only seven women out of 60 members in the House. When she joined the Senate in 1969, she was the only female senator among the 30 members there. By 1973, there was an influx of women in the legislature and Betty was at the forefront of the women's movement, "intimately engaged in the politics of changing our society in ways that are still evolving" (*With Grit and by Grace*). The women organized a bipartisan women's

caucus, which succeeded in passing legislation that significantly enhanced the rights of women in Oregon.

Betty gained yet more prominence in statewide politics in 1974, the year she ran in the Democratic gubernatorial primary. She made a very strong showing, coming in second (with 31 percent of the vote) behind Bob Straub (33.5 percent) and ahead of Jim Redden (27.9 percent). Betty conducted herself with grace and humor, even in the face of the “but she’s a woman” issue. An Oregonian editorial following the campaign stated, “And there’s one final lesson that a lot of people may have learned....A woman can run a credible campaign for governor and win or lose strictly on the issues and on the campaign.” Betty took that as a victory. She had blazed a trail that would make it easier for women to run for statewide office in the future.

She got her turn again almost immediately. On July 22, 1974, Wayne Morse, the former U.S. senator who had won the Democratic primary and was hoping to regain his seat from Senator Bob Packwood, died unexpectedly. The Democratic Party needed to fill the vacancy on the ballot for that fall’s election. Betty put her name forward. At the Democratic Central Committee meeting on August 11, on the fourth ballot, she prevailed and became the party’s nominee. She had less than two months to run against Packwood’s highly organized and well-financed campaign. With her typical zeal, Betty put a huge amount of indefatigable energy and intelligence into her run, but she couldn’t catch up to Packwood in such a short time. As the *Eugene Register-Guard* put it, “There is an inner drive...that won’t permit pessimism. There is the toughness acquired during ten years as one of the few women in a male-dominated legislature. There is the shrewdness and innate intelligence that won respect, often time begrudgingly, from other legislators. And there is her own personal thermostat that keeps the adrenalin and energy flowing.”

From 1967 to 1977, Betty and her husband Keith shared a private law practice, where she worked on many kinds of cases: family law, personal injury, legal and medical practice, and a few criminal defense cases. She argued a few cases before the Court of Appeals. This broad base of legal experience, along with political experience that would enhance her ability to run an election campaign, gave her the edge when Governor Robert Straub decided he wanted to appoint a woman to a newly created position on the Court of Appeals. On September 6, 1977, at age 54, Betty joined the Court.

In 1982, Governor Victor Atiyeh appointed Betty to the Oregon Supreme Court, where she served for four years. She decided to take senior status when her husband retired in 1986. Betty continued to work, both for remuneration and as a volunteer. She conducted a mediation and arbitration practice and served pro tem as a settlement conference judge. She was a part-time visiting professor at Oregon State University, in the Dubach Endowed Chair in Political Science, from 1988 to 1991. She served on Oregon’s Commission on Higher Education in the late 1980s and on many boards, including the Metropolitan Public Defender Board and the Planned Parenthood Advisory Board.

In 1988, Betty was instrumental in urging the formation of Oregon Women Lawyers as a statewide organization, whose mission was to promote women and minorities in the legal profession. She remained one of its staunchest supporters and often participated on panels at its

conferences and forums. She served on the Oregon Women Lawyers foundation board from 1999 to 2002 and on its advisory board from 2002 until her death. She was the president of the Oregon Women Lawyers Foundation in 2000.

In April 2009, the Law School inaugurated its annual Honorable Betty Roberts Women in the Law Distinguished Speaker Program with the panel presentation Listening to the Past,

Working for the Future—Celebrating Women in the Law. As the keynote speaker, Betty ended her remarks with the following: “We can celebrate numbers today knowing we have already made a great difference in the legal profession and with assurances that, as we continue to work together, the future holds even greater promises for women as equal participants in the policy-making decisions that affect our lives, our profession, and our society.” In the words of Dean Klonoff, “Betty Roberts was a true giant, who created a path for women lawyers to rise to the top of the legal profession. Our Women in the Law Program is a fitting tribute to this pioneer and role model.” (See the sidebar to learn more about Betty Robert’s role in this program.)

Throughout her career Betty was an inspiration to other lawyers, especially women. She worked tirelessly and proactively to mentor numerous women—especially those who were considering becoming judges or who were running judicial campaigns. Oregon Court of Appeals Judge Ellen Rosenblum described Betty as “our mentor-in-chief.” When Rosenblum was running for reelection as a Multnomah County Circuit Court judge and drew an opponent at the last minute, Betty came to her house with charts on how to run a campaign. Ninth Circuit Court of Appeals Judge Susan Graber (who became the second woman on the Oregon Supreme Court) said that Betty played a big role in her professional life. Current Chief Judge of the U.S. District Court of Oregon Ann Aiken, who first met Betty in the early 1970s in the legislature, said Betty was a hero of hers. Multnomah County Circuit Court Judge Marilyn Litzenberger ’88 said she checked in with Betty just before filing as a candidate, on the very last day in a contested judicial race. Betty mentored Litzenberger in every phase of the whirlwind six-week campaign that followed, teaching her how to canvas door to door, riding with her in a borrowed white Mustang convertible in the St. John’s neighborhood parade, even calling to check in on campaign details from her vacation home in Palm Desert. When asked later why she put so much effort into the campaign, Betty answered, “Because I’d give you a suggestion and you’d do it.” These are just a few of the countless people for whom Betty was a warm and thoughtful role model and mentor.

Her numerous significant contributions were recognized by many organizations. In 2006, she became the first Oregonian to receive the American Bar Association Commission on Women in the Profession’s Margaret Brent Women Lawyers of Achievement Award, which is given to celebrate women who have achieved professional excellence in the legal field and who have opened the doors for other women lawyers. In 1986, she was given the Marion County Bar’s Distinguished Service Award. In 1987, she received the Oregon State Bar’s highest honor, the Award of Merit, which is given to a lawyer with the highest standards of professionalism and for outstanding contributions to the bench, bar, and community at large. In 1988, she received the Oregon Commission for Women’s Woman of Achievement Award. In 1992, she was the first recipient of the Oregon Women Lawyers’ Justice Betty Roberts Award, which is given to an individual who has made an outstanding contribution to promoting women in the legal profession and community. She was presented with the ACLU of Oregon’s 2004 E.B.

McNaughton award, recognizing unique and outstanding individual contributions to the cause of civil liberties. She received the 2010 Leadership Award from Emerge Oregon—Women Leaders for a Democratic Future. On June 12, 2011, she was awarded an honorary Ph.D. by Portland State University for her service in schools, the Oregon legislature, and appellate courts.

In her keynote speech at the Law School in April 2009, Betty explained something about her memoir, *With Grit and by Grace*. “I used the term “grace” in a secular sense synonymous with opportunities, self-confidence, and trust—trust in ourselves, people we work with, our communities, and our government. I wanted readers to think about “grace” in those terms, as something to experience in their own lives when given opportunities to work for their own goals, hopes, desires, and ambitions.... You’ll remember from the book that “grace” is defined [this way:] ‘...we can’t earn it or plot and plan to get it. Willpower is useless. We can’t buy it. We have to humble ourselves and be willing to step out of the place that has always held us, however awkwardly.’ Most important: ‘Step out of the place that has always held us.’” As always, Betty was challenging all of us to reach outside ourselves. She wanted women to become acutely aware of their own possibilities, learn to create their own opportunities, and to take advantage of them. “In today’s world, every woman should be able to explore her own life, discover her own uniqueness, break her own trails, and pioneer her own destiny,” she wrote. Betty certainly showed us all how to do that in the example she set through her own life.

Betty Roberts devoted her life to blazing trails for others and she made a lasting positive impact on the lives of countless people in Oregon. She will be sorely missed.

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One of the highlights of my career at Lewis & Clark has been being involved with the creation of the Honorable Betty Roberts Women in the Law Program. Back in 2008, we approached Betty with the idea of creating this program and naming it in her honor. She graciously agreed and was involved in virtually all aspects of planning the inaugural program, held in April 2009. Betty was the keynote speaker and offered the audience, comprised of members of the legal and Law School communities, a vivid account of her career in the law and politics. The first program coincided with the release of her book, *With Grit and by Grace*, and attendees had the opportunity to have Betty sign their copies, which she did for more than an hour. It was a special evening for many of us who considered Betty a mentor and a friend.

Betty has helped select the speakers and shape the program each year. In fact, only weeks before her passing, she e-mailed me to reflect on the suggested keynote speakers for the 2012 Honorable Betty Roberts Women in the Law Program. As always, her insights and suggestions were very valuable.

The program was generously endowed by Williams, Love, O’Leary & Powers. “We’re proud to endow the Honorable Betty Roberts Women in the Law Program,” said partner Leslie O’Leary in 2009. “For too long, women have been disproportionately affected by bad laws, bad policies,

and bad products. To have the opportunity to recognize women in the law who are pioneers who help uphold the law and help recognize the importance of women in society means a lot to us. It was inspirational to hear women's voices from the past and younger women's voices and see the evolution of the practice of law for women."

It is my hope that this program, named in Betty's honor, will continue to bring inspirational speakers to the Law School and that each year it will give us an opportunity to remember Betty and continue to strive for complete equality for women in all aspects of the justice system.

Libby Davis '93, associate dean for Career Services and Alumni Relations