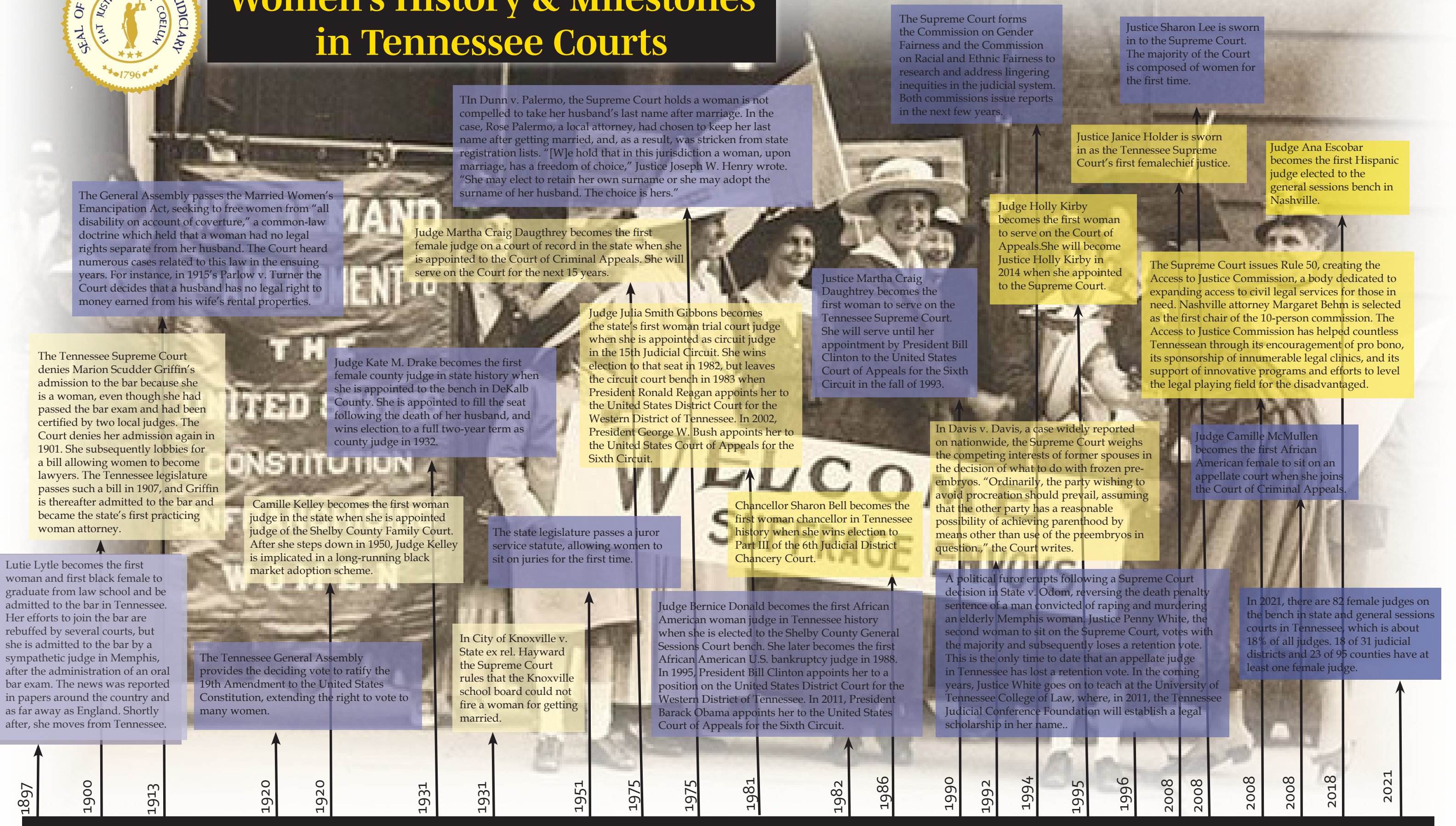




# Women's History & Milestones in Tennessee Courts



Lutie Lytle becomes the first woman and first black female to graduate from law school and be admitted to the bar in Tennessee. Her efforts to join the bar are rebuffed by several courts, but she is admitted to the bar by a sympathetic judge in Memphis, after the administration of an oral bar exam. The news was reported in papers around the country and as far away as England. Shortly after, she moves from Tennessee.

The Tennessee Supreme Court denies Marion Scudder Griffin's admission to the bar because she is a woman, even though she had passed the bar exam and had been certified by two local judges. The Court denies her admission again in 1901. She subsequently lobbies for a bill allowing women to become lawyers. The Tennessee legislature passes such a bill in 1907, and Griffin is thereafter admitted to the bar and became the state's first practicing woman attorney.

The General Assembly passes the Married Women's Emancipation Act, seeking to free women from "all disability on account of coverture," a common-law doctrine which held that a woman had no legal rights separate from her husband. The Court heard numerous cases related to this law in the ensuing years. For instance, in 1915's Parlow v. Turner the Court decides that a husband has no legal right to money earned from his wife's rental properties.

The Tennessee General Assembly provides the deciding vote to ratify the 19th Amendment to the United States Constitution, extending the right to vote to many women.

Camille Kelley becomes the first woman judge in the state when she is appointed judge of the Shelby County Family Court. After she steps down in 1950, Judge Kelley is implicated in a long-running black market adoption scheme.

Judge Kate M. Drake becomes the first female county judge in state history when she is appointed to the bench in DeKalb County. She is appointed to fill the seat following the death of her husband, and wins election to a full two-year term as county judge in 1932.

In *City of Knoxville v. State ex rel. Hayward* the Supreme Court rules that the Knoxville school board could not fire a woman for getting married.

The state legislature passes a juror service statute, allowing women to sit on juries for the first time.

Judge Martha Craig Daughtrey becomes the first female judge on a court of record in the state when she is appointed to the Court of Criminal Appeals. She will serve on the Court for the next 15 years.

In *Dunn v. Palermo*, the Supreme Court holds a woman is not compelled to take her husband's last name after marriage. In the case, Rose Palermo, a local attorney, had chosen to keep her last name after getting married, and, as a result, was stricken from state registration lists. "[W]e hold that in this jurisdiction a woman, upon marriage, has a freedom of choice," Justice Joseph W. Henry wrote. "She may elect to retain her own surname or she may adopt the surname of her husband. The choice is hers."

Judge Julia Smith Gibbons becomes the state's first woman trial court judge when she is appointed as circuit judge in the 15th Judicial Circuit. She wins election to that seat in 1982, but leaves the circuit court bench in 1983 when President Ronald Reagan appoints her to the United States District Court for the Western District of Tennessee. In 2002, President George W. Bush appoints her to the United States Court of Appeals for the Sixth Circuit.

Judge Bernice Donald becomes the first African American woman judge in Tennessee history when she is elected to the Shelby County General Sessions Court bench. She later becomes the first African American U.S. bankruptcy judge in 1988. In 1995, President Bill Clinton appoints her to a position on the United States District Court for the Western District of Tennessee. In 2011, President Barack Obama appoints her to the United States Court of Appeals for the Sixth Circuit.

Chancellor Sharon Bell becomes the first woman chancellor in Tennessee history when she wins election to Part III of the 6th Judicial District Chancery Court.

Justice Martha Craig Daughtrey becomes the first woman to serve on the Tennessee Supreme Court. She will serve until her appointment by President Bill Clinton to the United States Court of Appeals for the Sixth Circuit in the fall of 1993.

The Supreme Court forms the Commission on Gender Fairness and the Commission on Racial and Ethnic Fairness to research and address lingering inequities in the judicial system. Both commissions issue reports in the next few years.

In *Davis v. Davis*, a case widely reported on nationwide, the Supreme Court weighs the competing interests of former spouses in the decision of what to do with frozen pre-embryos. "Ordinarily, the party wishing to avoid procreation should prevail, assuming that the other party has a reasonable possibility of achieving parenthood by means other than use of the preembryos in question," the Court writes.

A political furor erupts following a Supreme Court decision in *State v. Odom*, reversing the death penalty sentence of a man convicted of raping and murdering an elderly Memphis woman. Justice Penny White, the second woman to sit on the Supreme Court, votes with the majority and subsequently loses a retention vote. This is the only time to date that an appellate judge in Tennessee has lost a retention vote. In the coming years, Justice White goes on to teach at the University of Tennessee College of Law, where, in 2011, the Tennessee Judicial Conference Foundation will establish a legal scholarship in her name.

Justice Janice Holder is sworn in as the Tennessee Supreme Court's first female chief justice.

Judge Holly Kirby becomes the first woman to serve on the Court of Appeals. She will become Justice Holly Kirby in 2014 when she is appointed to the Supreme Court.

The Supreme Court issues Rule 50, creating the Access to Justice Commission, a body dedicated to expanding access to civil legal services for those in need. Nashville attorney Margaret Behm is selected as the first chair of the 10-person commission. The Access to Justice Commission has helped countless Tennesseans through its encouragement of pro bono, its sponsorship of innumerable legal clinics, and its support of innovative programs and efforts to level the legal playing field for the disadvantaged.

Judge Camille McMullen becomes the first African American female to sit on an appellate court when she joins the Court of Criminal Appeals.

In 2021, there are 82 female judges on the bench in state and general sessions courts in Tennessee, which is about 18% of all judges. 18 of 31 judicial districts and 23 of 95 counties have at least one female judge.

Judge Ana Escobar becomes the first Hispanic judge elected to the general sessions bench in Nashville.

Justice Sharon Lee is sworn in to the Supreme Court. The majority of the Court is composed of women for the first time.