

I Am a Judge

By The Hon. Kathryn J. Lawlor

(As written by Steed Evans, Staff Reporter)
(One of a Series)

Sometimes I say a prayer before I go on the bench. I often feel the need for Divine Guidance.

Certainly my distinguished colleagues, Judge Thomas M. Anderson, former Circuit Court Judge Stedman Prescott as well as myself needed more than just law books when we sentenced Eddie Lee Daniels to die in Maryland's gas chamber for the murder of a Silver Spring car wash operator.

The awesome power to impose the death sentence involves a moral obligation to society few persons other than a judge ever consider.

This death sentence was the only one I have had to consider during my three-years on the bench of the Montgomery County Circuit Court, which is in Maryland's Sixth Judicial District.

I have been a Republican all my life. My appointment to the bench by Governor Theodore R. McKeldin followed my career as a practicing attorney in Montgomery County, as a member of the County Council and as a delegate to the General Assembly.

Circuit Court judges in Montgomery county are paid \$17,000 a year, \$2000 more than the State authorizes. The



Judge Lawlor

County Council has the authority to supplement the State's allotment and our present salary is as high as the county is authorized to pay us.

Our elections are for 15 years and, as far as I know, this is the longest elective term in Government, except the life appointments of Federal judges.

I was always interested in law, even as a girl. But I didn't go to law school until five years after I married my late husband who was an attorney with the Veterans Administration. I graduated from the Washington College of Law and opened an office in Washington, D. C.

But after my two children, Lawrence and Joan were born, I practiced from my home in Chevy Chase. When they became of school age, I opened my Silver Spring office.

Many people ask me, "Aren't you ever worried about your verdicts?" The answer is yes, and no.

Sometimes I worry about a case during and before its termination, but once I have weighed all factors and pass sentence, I never worry about it again.

Nor do I take my work home. I am very jealous of my family life and I have always wanted to be able to talk about things not connected with court with my family.

Of course, I sometimes get home as limp as a rag from the tension, the constant concentration that is necessary in my field. The ever-present need for mental alertness while on the bench can exhaust one, particularly during a long trial.

Court begins at 9:30 in the morning and may not end until 10:30 that night.

Although one may have to sit on a long procession of what might be called "little" cases, such as a homeowner suing a contractor for a wet basement, we must remember that to the litigant, each case is vitally important.

I can remember vividly just such a "little" case that I was handling as an attorney. My client had her husband in court for non-support. It was during the depression.

I was trying to get the court to award my client, who was pregnant, a payment of \$5 a week. After a long argument, Judge Jennings Bailey awarded the woman \$2 a week. But I protested, "Your honor, that is less than half of my plea and leaves the husband the greater portion of his earnings."

He looked down at me and then said, "Alright, we'll make it \$2.50." I later learned that was the only time Judge Bailey increased the amount of his previous awards.

In all my experience only one person—a woman—ever told me that a woman has no business being a judge. And I happen to be the first woman ever appointed and elected to a Maryland Circuit Court bench.

This woman was a prospective juror. She told me that she didn't think women should serve as jurors or as judges. But she served and, afterwards she came to me and said that it was the most rewarding experience she'd ever had. This is true in many cases.

Selecting jurors isn't easy for many have excuses. Some farmers, for instance will say that they have to tend their crops when, as a matter of fact, no crops have been planted. Other persons plead that their homes are too far from court.

Of course, we never deprive a man and his family of their livelihood to serve on a jury.

Montgomery county pays a juror \$5 a day for food and transportation. This rate is among two of the lowest amounts paid in all Maryland. The average is between \$8 and \$11 a day.

This county needs another judge on the Circuit Court. On the nation-wide basis that there should be one judge for every 50,000 persons, this county should have six, twice as many as we now have.

But I think one more would suffice for the present. However, we haven't got room even for one more in this building. There will be enough room when the building gets a new wing some time in 1960.

We three judges work on a system that attempts to have one of us free to work with lawyers while the other two are on the bench. But this doesn't always work and frequently we find our desks piled high with pleas, motions and other paper work.

There is a certain amount of overlap to our work. We must continue to hear cases daily while at the same time we must be considering and doing research on argued cases awaiting decisions.

We never pass sentence in important cases that may involve a man's life or a long prison term until some time after the case has been completed.

This "cooling-off" period, while not necessary, serves to dissipate any emotional impressions one may get. And too, it provides time for investigation of the prisoner's background.

One fact distresses me very much people don't know very much about their rights and privileges in court. I speak to many adult and student groups and you would be amazed to see the lack of information about the courts, which after all, belong to the people.

Children are eager to learn about courts — particularly about domestic relations court. But they aren't taught this subject in school.

I think it would be a good thing if more teachers brought high school classes into court to observe proceedings. I always make a point of stopping to introduce them to court officers and I try to explain to them what we are doing, and why. I think it should be part of their education.