

Once upon a Time

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Once upon a time. Long, long ago. These are beginning phrases of many familiar fairytales and family folktales. And when I think about my studies at Washburn University School of Law, it seems so long ago. It seems very much like a fairytale. It was most certainly a dream come true for me.

Dreams are peculiar and strange. A dream can be a fantasy or vision that never materializes. A dream can be a goal or ambition that is pursued and achieved. My dream was not one like that of Dr. Martin Luther King, Jr. My dream was the kind that children have when they are idealistic, pure, innocent, and naïve. One dream of mine was to make a contribution to my community to advance justice, opportunity, and fairness with compassion and integrity. I wanted to do something and not simply talk about it. I wanted to act and not just think about it. My time at the law school introduced me to and prepared me for the legal profession. It allowed me to realize my dream.

Perhaps a little personal background information will make this clearer. It is where the dream began. I was born in Topeka during the summer of 1952, two years before the *Brown v. Board of Education*¹ decision. Perhaps that is one reason acquiring an education and learning as much as possible are such an important part of my life.

My father was born and raised in Longview, Texas. He moved to Kansas after serving in the military during World War II. He married, had a family, and worked very hard to provide for his wife and five children. He always worked several jobs, and he said he did it so that we could have something better. My mother was born in Kansas City, Kansas. She moved to Topeka after she married. Her primary responsibility was that of homemaker, but she did not have the luxury of staying at home full time. They were poor; and they were black; and racial segregation existed. Thus, their opportunities were very limited.

My father worked as a cook. He also catered parties, ironed, cleaned, and provided other similar services to private families to support his wife and children. My mother did domestic work for private families also. She would clean someone else's house and then come home and encourage us to study and make something out of ourselves. She stressed that there was no shame in honest work; however, our failure to take advantage of new opportunities would be disgrace-

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1. 347 U.S. 483 (1954).

ful and inexcusable. There was a family garden from which we harvested vegetables for inclusion in our meals throughout the year; some of my father's friends who enjoyed fishing and hunting would supply us with extra fish and wild game when they did not need it. My mother sewed many of our clothes, often taking fabric from an item that had been given to us to make fashionable clothing that fit us. My parents sacrificed for us daily, motivated by love, fortified by God's strength, and encouraged by our accomplishments.

My sisters and brothers and I were poor, and we knew we were poor. But my parents always provided us with the training and love necessary to contribute to our community and society. They stressed the value of a formal education. My parents believed that education was the key to opportunity and freedom from poverty. We heard over and over, "If you get it [knowledge] in your head no one can take it away from you." We understood that ignorance would cause some people to treat us unfairly and hold us to a higher standard. We were told that we could and would succeed and that undoubtedly the color of our skin would require us to be twice as good as the other person. They said we were capable of doing just that. They taught us to always remember God, learn all we could but "don't become an educated fool," love all people regardless of race or color or background, give back to the community, and live the way you want to die.

As a little girl I remember my mother saying, "Get a book and read it. Learn how to be quiet and enjoy reading." We did not own many books, but we walked about four blocks to the public library's bookmobile and checked out books to take home and read. Reading opened up a whole new world full of possibilities. We all studied at the kitchen table and simply ignored the noise and activity around us. When my older sister indicated she needed reference material to complete her homework, my father borrowed money to purchase a set of encyclopedia books. Those were displayed prominently in the living room, and we utilized them frequently. That type of financial sacrifice reinforced for us the value of knowledge.

High school graduation was an event we celebrated. It was the first step that had to be completed as we prepared ourselves for a future that would be marked by a lifetime of learning. I have a sister who is four years older than I am. Whenever someone asked her what she wanted to do when she was older, she always replied that she was going to college. Naturally, I said the same thing. I obtained my undergraduate degree from Washburn University in May of 1974. I knew I wanted to pursue my studies, but I was undecided between a graduate degree in urban planning and a law degree. I think it was the

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idealistic part of me that believes in trying to make this a better world by impacting people that caused me to decide on law school.

I applied to Washburn University School of Law, the University of Kansas School of Law, Washington University School of Law in St. Louis, and Case Western Reserve Law School in Cleveland. I waited anxiously, hoping one of the schools I applied to would admit me. I was thrilled when each school accepted me. Deciding which school to attend was not very hard. The first acceptance notification was from my first choice, Washburn University School of Law. In August of 1974, I began as a first year law student.

My experience at the law school was the second phase of the dream. Over twenty-five years have passed since I was a student at the law school. Many details of my experiences at law school have faded, but the dominant themes remain clear. I remember I was one of five black students in that entering class. I was unfamiliar with the legal world and its culture. I had not experienced the life of the affluent. I did not have the financial resources to attend law school as a full-time student without maintaining employment. I was aware of the magnitude of the undertaking, and I was afraid of the possibility of failing.

At the same time, I remember I was excited about the new path my life was taking. I was pleased in knowing my family was proud of me. I was eager to learn and understand the law. I was enthusiastic about gaining the knowledge and experience necessary to enter the legal profession. I was optimistic about my destiny. I was full of hope.

How did it feel to be a black law student at Washburn? One thing that I have learned very well is that I err when I make generalizations about people who share a common race or color or ethnicity or gender or such classification. Each person is an individual and each is unique. I can answer that question for only one person — myself.

My race was not an issue for me in law school as it relates to the administration, the professors, or the other students. I did not think any professor or school official treated me adversely because of my race. I experienced the usual difficulties and worries that are part of being a first year law student. But it is amazing how quickly you forget each when you are a second year law student. The negative factor for me as a law student was the disadvantage of not being familiar with the “legal culture” — not being personally acquainted with a practicing lawyer, not knowing legal terminology, not being informed about the general proceedings of civil and criminal matters, not being acquainted with court proceedings, not being aware of the ordinary, routine matters lawyers and judges handled. This lack of knowledge made comprehension more difficult. It contributed to increased anxi-

ety and self-doubt. However, the appeal and magnetism of the law, which was made so intriguing by the professors, compelled me to persevere. The environment was conducive to learning. Without question, the professors showed their commitment to the stated mission of developing men and women of all races who possessed the requisite personal and academic qualities into good attorneys. I have always thought their commitment, fairness, and impartiality deserved recognition and commendation.

Merely learning how to read and digest cases and new material, review a specific set of facts, and apply the learned law to the facts does not make one a good lawyer. Merely successfully completing law school and being admitted to practice law in a particular jurisdiction does not make one a good lawyer. Certainly, the knowledge and the demonstrated proficiency are necessary to be a practicing attorney. In addition, I remember what was presented to the law students on numerous occasions. The written student guidelines for examinations contained a statement that “law students have entered a profession that requires high trust, honor and irreproachable conduct.” In his presentations during the course entitled Legal Ethics, Judge Terry Bullock defined a profession and explained the ethical responsibilities of a member of the legal profession. A specialized body of knowledge, acquired through special education at a great expenditure of time and money, standards of behavior, competence within the group enforced by members of the group, the provision of a service as opposed to a commodity — these are elements of a profession. A good lawyer knows that the law is a profession, that absolute honesty and integrity are required, that competence must be maintained, and that justice must be available to all people. Over twenty-five years ago, in May of 1977, I became a proud graduate of Washburn University School of Law. I had the formal instruction necessary to enter the legal profession, the motivation to use what I had received to benefit others, and the wisdom to know that experience is a great teacher and learning continues all of our lifetime.

What did I experience as a young, black, female attorney? How was it different from the experience of a young attorney of that time who was not black or female? Those are difficult questions for me to answer. I graduated on May 14, 1977, and started working for the Kansas Attorney General on June 8. I became an assistant attorney general in September after I passed the bar examination. My initial assignment was in the consumer protection division. I traveled to many Kansas counties during the years of my employment there. What I often observed was a reaction of surprise when people I had communicated with over the telephone and by mail actually met me.

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Some even said I was the first black person they had known. But once I introduced myself, I was viewed as the attorney from Topeka sent to help them. I was honest about any concerns of safety, and on occasion I would inquire as to whether I could be comfortable at a particular location due to my race. Each time, the persons being assisted by the attorney general's office answered my questions based upon their knowledge of the local people and places. They might accompany me to a place when I interviewed a witness or viewed evidence. It is known that communication and honesty are important in a relationship, so I expressed this belief at the beginning and endeavored to maintain them both. Yes, it was obvious that I was of a minority race, but no, I did not experience bigotry, intolerance, or disdain by any consumer I represented.

In the early 1980s, I began handling employment discrimination cases involving various state agencies. This caused me to work more closely with district court judges, agency heads, and management personnel in all parts of the state. Sometimes it was assumed erroneously that I was a clerical worker and not the attorney; however, once I introduced myself to the presiding judge, court personnel, agency personnel, and opposing counsel it was just two attorneys, each one trying to prevail. Rather than show offense over any remark or behavior that could be racist or sexist, I decided to ignore it, refuse to give anyone a psychological advantage related to my inability to control my emotions, anticipate possible scenarios, and know my case. I knew there would be a better setting in which to address racism and sexism, and I resolved to take it up then. During my first semester of law school one professor told us there would be many law students and many more attorneys, but there was always room for a good attorney, so you must be a good attorney. I thought of that often, especially when going to an unfamiliar place where few, if any, black female attorneys had been. I aspired to be a good attorney.

Washburn prepared me well for my legal career. I served ten years as an assistant attorney general for the State of Kansas. Then I spent seven years as an attorney for Shawnee County. The last three of those years I was appointed chief attorney and served as the Shawnee County Counselor. I left the county when I was appointed Topeka City Attorney and served in that capacity for seven years. Throughout the years, the faculty of the law school has been available to assist with whatever unique legal question I or a member of my staff presented. This is invaluable. No one needs to tell me that this legal career has provided additional opportunities for me to attempt to make our world a better place as I interact with people because I realize that truth. Volunteering over the years with groups such as my

church, the American Cancer Society, Big Brothers-Big Sisters, Community Action, the Race Against Breast Cancer, and the United Way enriches my life. Hopefully, nothing I have said or done has reflected negatively on the legal profession, but rather has reinforced the high standards of our noble profession.

Today, in 2004, I consider the dream I had once upon a time, long, long ago. The dream that was birthed in a little black girl, the dream that was nurtured at home, the dream that became clearer to a young black woman, the dream that took shape and form, developed, and became solid and real to me at Washburn University School of Law. I remember the supervising attorneys with the Washburn Law Clinic who helped me take the classroom instruction and apply it as I actually practiced law with their guidance. I reflect on the opportunities afforded me by several elected officials to be a public servant in my work as an attorney for various government offices. I think about the people I have been fortunate to know from involvement in community organizations. I look at changes that have occurred in this community — many made possible because of the work of lawyers. I see that I am awake, fully cognizant of my surroundings, and of sound mind. I am not fantasizing or imagining things. I am realizing my dream. And to all those at Washburn University School of Law, in the judicial system, in the legal profession, in the support systems who contributed to this, I say thank you. To each person who has shared something of you with me, I say thank you. To each mentor, I say thank you. To every individual who played a role in my life, I say thank you.

What comes next? I will continue to learn each day. I will continue to strive for excellence. I will continue to be grateful. I will strive to represent the legal profession in the manner I was taught. I will endeavor to help all and hinder none.