

Carol Hewitt

SR 1207, Oral History, by Susan Burton

United States District Court Oral History Project

1990 August 24 – 1992 October



THE OREGON
HISTORICAL
SOCIETY
FOUNDED 1898

HEWITT: Carol Ann Hewitt

SB: Susan Burton

Transcribed by: Susan Walling, 2007

Audit/edit by: Donna Sinclair, 2007

[Tapes 1 and 2 are missing]

Tape 3, Side 1

1992 October

HEWITT: ...that the way we hope it does, then life will be more serene and we'll have more a common vision of what our firm should be like. Because really, I think it's kind of ironic that the people who left have basically gone back to the kind of law firm it was when I joined it. It's even smaller. It's eleven people. I was the fifteenth person in the firm. There's one woman associate in that firm. I told her that she could be the second first woman lawyer at Lindsay Hart. [Both laugh]

SB: The Carol Hewitt Memorial.

HEWITT: They're, much as I love them, they are terrible chauvinists. And one of my partners, who shall remain nameless to this day, maintains that there are no women litigators who are any good. In fact, he will say, "There aren't any women litigators at Lindsay Hart." He used to say this before the firm split up.

Just a real hard time accepting the fact that women can be good litigators or that they can be good firm managers, or client getters.

SB: But, whoever this is looks at the bottom line and sees that you're bringing in huge amounts of money.

HEWITT: Then you know what he says?

SB: What?

HEWITT: This is why I shall remain nameless, he said, "She's not really a good lawyer, she gets all her business by sleeping with her clients." (laughing)

SB: Oh. (CH laughing)

HEWITT: To which I say, "I wish I were having that much fun." (both laugh)

SB: Perfect response! (laughing) I mean, it's...

HEWITT: I'm not particularly offended by it, I think it's so ridiculous, but it's amazing that people in this day and age still think that way. I mean, I can't believe he really believes it, but that he would just something like that.

SB: You were involved in a number of things outside the practice, the most visible of which was the investment counseling. You've apparently submitted a resignation on that?

HEWITT: Yes.

SB: Is that a result of things here, or is that something else?

HEWITT: Oh, it's a combination of things. When I really had some soul searching last year about whether I wanted to be re-appointed to a third term, which is highly unusual.

There's kind of a standing rule that, at least with Goldschmidt, that he didn't want anybody longer than two terms in something. And he wanted me to go do something. He wanted me to go in the Port or something instead. But we decided that it was detrimental at that time for me to change because there were so many new people on the counsel.

So, I told him that I wanted to resign, I didn't want to spend another four years on it and I wanted to resign when thing settled down some. And then, so he called me about two weeks ago and said that if I really was going to resign, he wanted to know what the impact of our change here was that he wanted the chance to appoint somebody else before he goes out of office. And I said, "That was good, let's do it now." So, I resigned.

And I had planned on it a little while before I told people, but I didn't know he was going to publish it in the paper the next day. So it ended up being totally, I felt sort of embarrassed because there'd been a dinner the night before with a bunch of people I work with on the counsel. And I hadn't said anything to them and they really wondered what, and then I got on an airplane and left. So I didn't know it was in the paper.

So it was not handled terribly well, but the upshot of it is, it was not something that came as suddenly as it sounded like. The firm had something to do with it, but it's not just the changes here, I'm also spending about three-quarters of my time now on the East Coast. And it's really (announcement over intercom) difficult to spend this much time on the counsel as I wanted to, so....

SB: How did you initially get involved?

HEWITT: I was appointed by Governor [Victor] Atiyeh and I have no idea why other than I know that they were interested in at least getting candidates who were women on some of the boards and commissions. I think that's how I surfaced, but I didn't know Atiyeh and I'm a Democrat and he's a Republican and I didn't know the then-chairman Roger Meier who interviewed me for half a day about it.

I'm sure there were many more people that had better qualifications than I did. The statute requires that you have some experience. What does it say, experience or training

in finance and that was my period of having done a lot of, well, it was after, but I mean this finance and all my business legal work was sufficient to qualify, I guess. I actually didn't know anything about institutional investing. But I learned on the job.

I'm sure that that was one of the advantages of being a woman, that I wouldn't have been appointed had I not been.

SB: Where did you make time to learn about this stuff?

HEWITT: You just find it, yeah I've always worked about eighteen hours a day, most of the time anyway. You just take it home with you. Well, that's about two weeks worth of investment counsel stuff. (laughing) And you learn to read what's important and thumb through it and not read the rest of it.

SB: And you had to be there to chair everything?

HEWITT: Yeah, well I wasn't the chair until the last two years, so my role was a lot more limited when Roger Meier was still the chair. I had six years to really learn what it was about before I had any great responsibility on it. So it was, you know, you can learn anything. (laughing).

SB: And what now, is that something you would like to do again, be in that visible a position in public service?

HEWITT: Um, I think so. I think doing something of that nature is a good counter to being totally immersed in legal problems. One of the things I liked most about it was the exposure to a whole different mindset. That's very good for you and we all tend to talk to lawyers so much that we think like lawyers and we think that's that only way to approach a problem. And that's one of the nice things about the other project I'm working on now, too. That even though it's as a lawyer, consulting with the Dalkon Shield Claimants Trust,

a lot of what I'm doing in helping them is not strictly legal. It's methodology of systematizing things and teaching and that kind of stuff. And seeing people who are not lawyers approach problems from a different perspective. It's a wonderful experience, and to sit down with four or five people from different disciplines and come at a problem teaches you an awful lot. So that's the way the investment counsel was aside from being substantively interesting.

Most of the people you dealt with did not think like lawyers and weren't lawyers. It gives you a wonderful overall economic view of the world too. I got exposure to some really brilliant people and got to do quite a bit of traveling to interesting places. So yeah, I would, not just in that area, but I would like to do something again in public service, although I wouldn't mind a little vacation just from that. To me it feels, well, it's a disappointment to say goodbye to all the people that I've worked with; it's kind of a relief too.

SB: Yeah. Everybody, or the vast majority of the other people that are being interviewed for the District Court project, at this point in the interview, they've looked back, they've talked about everything that's happened and it comes to a natural close and with you, being as young as you are, (CH laughing) you have the opportunity to look forward.

HEWITT: Yeah.

SB: And if you can give me a few minutes on what you see. We've talked a little bit about what the practice is like now. Where do you see that going?

HEWITT: I haven't a clue and that's one of the fun things about it. I see our firm burgeoning. I think that unless something unforeseen happens, it will develop to be a very powerful law firm 'cause it's got really good people in it. And they're pretty young. Our average age, I don't know what the average is, but almost everybody in this firm is, I think everybody may be under fifty. Maybe we've, yeah I think we are. I don't think there's

anybody over fifty in the law firm. And most of them are in their thirties; that are our powerhouses. So it's got a long way to go.

So, that's exciting. It's fun to me to see the development of a lot of really good women litigators in this firm. At the same time, it's been an interesting experience to see the difference in attitudes of women associates in the last few years. Most of them, at least in the last decade, take for granted the fact that there isn't any discrimination. I mean that's the way they started anyway. They just kind of assume that everything is fine and everybody is equal. And they also tend to assume they can have it all, can have their 2.4 kids and they'll be a partner in the firm and a lot of them had problems dealing with that.

We have, I think probably one of the few Portland firms who made a partner out of somebody who had kids and wanted to be a part-time lawyer. And that was a big controversy. Unfortunately, she then decided she wanted to stay home full-time (both laugh).

You know, it's been hard for me to cope with what I see as, I guess what I see as unrealistic expectations on the part of some women. But I have to temper that with knowing that I bent over backwards to one of the guys. I mean, I would stay out till three o'clock in the morning and drink or work or whatever it was they were supposed to do to test me to see that I could really do what they wanted me to, to the point of being absurd. Kind of a hazing, never having children, you know, always working harder than the—probably I needed to and then I see women who, to my perception, think, well, I can just come in at nine and leave at five and get to be a partner and take care of my kids. I find myself getting angry with that and saying, “God damn it, I want you here at seven in the morning and I want you here at midnight ‘cause we’re working on this trial.” And I have to step back and say, “Well, people do have lives.” It's great if you can accomplish that, but it wasn't the way things were back when I was (IV laughing). It's a kind of a hot button for me and I have to really bend over backwards to try to accept the fact that they have different expectations than me. And that's a generalization that women who work twenty-four hours a day just like anybody else, but when I see the idealism of some of them coming into this career, my tendency is to say, “Find another career, it's not going to work. You're

not going to be happy.” And, “go to work for a corporation or start your own firm or do something else, but you’re going to run into a lot of problems in a high pressure law firm doing that.”

SB: You’ve taken a lot of your time for this, and I appreciate it very, very much.

HEWITT: You’re welcome.

[End of Tape 3, Side 1]

[End of Interview]