

John Caher: It is April 10, 2018, and we are taking with Marge Karowe. Marge, let's start at a beginning. It's always a very good place to start.

Marge Karowe: I wanted to become a lawyer when I was in my 40's. I had six children. I was watching the 1968 presidential campaign with one of the children. It was the day of the Democratic convention, with the police chasing down demonstrators, tear gas...

John Caher: In Chicago.

Marge Karowe: Yes, Chicago. To me, because I was white and middle class, that had never been a part of my world. In retrospect, now if we look, it probably was always a part of black world. It was so shocking to me, and I thought there has to be a better way to settle disputes. This is not my country. This is not happening in my country.

To me, the law was alternative dispute resolution, taking away the guns or the tear gas or the Billy clubs, taking away the fear and the violence, and the aggression, and trying to settle it in a reasonable way according to reasonable rules.

That's what took me into law, and I really wanted to be a civil rights lawyer.

John Caher: What were you doing at the time?

Marge Karowe: I was raising six children. There were only nine years between them, so it was a handful of a family. I had to wait because the Schenectady school system didn't have a lunch program. I had to wait until I found a lunch program so I could send my three younger ones to a school where they could stay all day, and I could go to law school. About 40 minutes after I located the lunch program, I decided to sign up for law school, or try for law school.

John Caher: Where did you go as an undergrad?

Marge Karowe: As an undergrad I went to Smith College, and it was 20 years between my BA degree, and my entry into law school.

John Caher: What's your BA degree in?

Marge Karowe: Theater.

John Caher: Really?

Marge Karowe: Yes. I was a set and lighting designer. Mostly, off Broadway, and in Winter and Summer Stock.

John Caher: So then you decided ... What year are we talking about now, to go to law school?

Marge Karowe: 1971.

John Caher: Okay. At that time, the legal profession certainly was gaining some prominence in a lot of ways. There are a lot of civil rights lawyers. Thurgood Marshall comes to mind.

Marge Karowe: Yes, it was the Civil Rights Movement that really brought lawyers into the spotlight as activists and as a way to implement a certain political policy. Until then, lawyers were just lawyers. They were working mainly for people who had money, or corporations, and they were not really in the spotlight.

John Caher: Were there any prominent women civil rights lawyers at that time?

Marge Karowe: I was not aware of any.

John Caher: I'm hard to pressed to think of any myself, at the moment.

At Albany Law School, in the early 70's. I don't imagine you had a class full of women.

Marge Karowe: I think we had 15, and the class before me had five. But setting that aside, I just want to tell you when I decided to go to law school, I did not get pushback from my family.

I got pushback from relatives of mine, one of whom was the president of Wittenberg College out in Ohio. An uncle called me and said, "What are you doing to your family?" I had been this kind of super mom with the kids, and they were all good kids. They were all doing well school. I was involved in a million things. He saw that quite clearly as something that I was taking away from my family, and doing for myself.

John Caher: So you go to Albany Law School, I understand, in a psychedelically-painted VW van. Is this true?

Marge Karowe: What happened was that with six children, you had to have a VW van. There's no other way to cart them and all their paraphernalia around. Since they were small, they left things in the driveway like bicycles and carts, and I ran into them routinely and ran into trees and things. Every time I

did—this was the 60's—I pasted a psychedelic flower over the dent so my husband wouldn't see it.

Finally, I had enough of them there that one of my husband's patients, a very sweet, artistic girl, said, "Would you like me to connect them?" So, she came and painted vines and flowers. So, yes, I did drive a psychedelic bus, and everybody knew where I was at any given time! When I graduated from law school, I said to my husband, "I am not driving this bus. I'm a lawyer now. I need a regular car. I need a regular person car."

John Caher: Judge Doyle, who would have been at the law school just a little bit after you, I think, told us a story about how there were insufficient restrooms for women, and if you happened to be on one side of the building, you ran across New Scotland Avenue to use the facilities at Albany Med because you couldn't get to the other side of the campus and back to your class in time.

Marge Karowe: That, I don't remember. But I do remember that the big brouhaha in my class is when we started the Women's Law Caucus. We wanted a women's lounge just a place where you could just relax and be alone because the cafeteria was filled with the boys playing cards. We took a bathroom that had been a male bathroom, and its adjacent lounge.

It developed into a huge fight, and they really felt deprived. They felt that we were encroaching by just being there, and this made it worse.

John Caher: Let's go back to that, "encroaching by being there." What do you mean?

Marge Karowe: There was a culture of, "Why are you here? You're taking up the place of a man." My stock answer to that was, "You know, if that man were as smart as I am, he'd be sitting here."

But let me give you another example. There was a professor who started out by asking, "Why should there be a woman on the Supreme Court?" I raised my hand and said, "I think you're asking the wrong question. You should be asking why shouldn't there be a woman on the Supreme Court?" That kind of ended all that questioning.

But that was the culture, to embarrass the young women, to put them on the spot, to put them on the defensive. "Why are you here? You're only going to get married and have children, and never practice law. We need to be here. We need to make a living. You don't. Or, you won't because you'll get married and some man will support you." It was all of that culture.

John Caher: Were there any professors, administrators, who were particularly welcoming and supportive? Or were they all somewhat antagonistic?

Marge Karowe: Not that I recall. I don't think they were antagonistic.

John Caher: Or, agnostic maybe/

Marge Karowe: Dave Pratt was always always friendly and supportive, and when you talked with him you felt like a lawyer. You felt like he answered as a lawyer. You're talking as equals. But he's the only one that I remember having any commerce with in terms of professors.

Hon. Rachel Kretser: Before we leave law school, how did you do in law school?

Marge Karowe: I did very well in law school. I have two examples. I've been able to think of the right thing at the right time, which is not such a high bar for being so old as I am. But a man who sat next to me in law school and always was insulting to me, Randy, prided himself on being very bright, especially in tax.

The tax professor was very new, and like many new teachers, picked out the bright student and had a conversation with that student, and the rest of us-

John Caher: Listened.

Marge Karowe: Listened. Some days I thought I knew everything, and then you go in the next day and you think, "I haven't a clue as to what they're talking about."

My husband, who is very, very bright, very good with numbers, sat down with me with a tax return, and it made sense. So, Randy saunters up to me in the cafeteria and he says, "How did you do on the tax?" I'm thinking, of course, that I was way down there. I said, "Randy, how did you do?" He said, "Oh, I don't know. I got a 79, or something," which was a very good mark. I said, "That's too bad. Mine was higher." He just walked away. I'm like, "Yes!"

John Caher: Let's back up again. What was the reaction of your husband and children when you decided to go to law school?

Marge Karowe: My husband was very supportive because he grew up in poverty, and he grew up in a culture that revered education, and revered profession. He was Jewish, and you had to be a lawyer or a doctor. He was a doctor. When I said I wanted to become a lawyer, that was fine with him. He was enormously supportive in my doing it.

Physically, not so much. He was a workaholic, so it wasn't like he came and took care of the kids, or cooked meals or any of that. He didn't do that, but he always let me know that he was proud of me for doing this, and supported me, and he thought I would do it well. That was enormously important, because a lot of other people were telling me that I was a bad mother for doing it.

John Caher: Did you ever think that about yourself?

Marge Karowe: I did not, because I had been a super mom 24/7 for years, until my youngest was in first grade full-time. I figured I'd been there, I'd done that. The kids are in school, and I tailored my classes, taking them all to their various schools, dropping them off, and then going to my school, and then picking them up. This is on cold, winter days. Or, being home when they came home.

Unfortunately, I missed Trial Tactics, and some of the other ones who were taught by lawyers who couldn't teach during the day, so they came after work and taught. I couldn't take any of those courses, because I needed to go and collect my kids.

John Caher: What was the reaction of your children?

Marge Karowe: My children, I thought, profited by it because every night at dinner, because I always insisted we all be together at dinner. It was the only time that we were all together for any length of time. I would talk about my cases. I'd tell them what the issues were, what the facts were, and then we'd go around the table and everybody would try to guess how it should have turned out.

I think they enjoyed it. I think they profited by it, because we had lots of really interesting conversations that would center around ethics, moral obligations, things that would come up in the cases in the law, how should the government ... How should this be decided? Along what lines? I just treasured those dinner table conversations, and I'd like to think they did, too.

Marge Karowe: My son, my fifth child, is a doctor in Boulder, and he has three kids. He came, brought his family up to The Sagamore, when I received an award from the Women's Bar, and they were all dressed up and scrubbed and cleaned. I thanked him for it. I said, "Matt, that was so wonderful of you to just bring them all here." He said, "Mom, I owe it to my girls." So, something rubbed off somewhere.

John Caher: So you get out of law school, then what's your first job?

Marge Karowe: This is very interesting, because I graduated cum laude. I was on Law Review, and I sent out resumes and I did not get a single response. DeGraff, Foy, Conway & Holt-Harris, at that time was Albany's leading law firm, had a standing order at Albany Law School not to send them any women. They had a woman partner, who was Greta Powers, who left to form a law firm with another woman, Madonna Stahl.

John Caher: Wait a minute, so she was working at DeGraff?

Marge Karowe: She was working at DeGraff, and she had left.

John Caher: Against their better judgment, they hired a woman?

Marge Karowe: Well, listen. This is why. They always had to have one woman on their door. For many, many years, it was the wife of a partner who, granted, was a lawyer, but never practiced. But her name was on the door.

John Caher: They wanted her for appearances, but didn't really want her to do anything?

Marge Karowe: Exactly. Greta, I think, got kind of fed up with that attitude, and left to start her own firm. And, the Albany County Bar sued them because there was a newspaper article about Greta and Madonna being the first all women law firm in the Capital District. The Albany County Bar sued them for advertising, because in those days lawyers couldn't advertise. They saw that newspaper article as unfair advertising against all the other lawyers.

Let me tell you how I got the job at DeGraff.

My husband had done a favor for Judge Holt-Harris, and when I got no response from any firm, I asked him if he knew anybody in law firms, and he said yes. He gave Holt-Harris a call, and told him that his wife had just graduated, and was Law Review and cum laude, and was there any place. He said, "Send her on down," because their woman, who was Greta, had left.

John Caher: And they needed a token woman.

Marge Karowe: They needed one, and they probably needed a token Jew, too, because they hired Rich Bernstein at the same time. But, we were put up in the CSEA office. CSEA was the largest client. We were put up in the CSEA office, along with Jack Rice, whom I adored, because he was the only lawyer in that firm who ever remembered my name. It was Jim Roemer, and I think Al White, Rich Bernstein, and myself, who formed the nucleus of the CSEA lawyers. We were actually in the union office.

John Caher: So you were. for all practical purposes, in-house counsel, but really working for DeGraff.

Marge Karowe: Exactly. DeGraff billed for our time, but we were effectively in-house counsel. Jim Roemer was up there, because they didn't want him ... He was not on the partnership track, but he was very valuable as a union lawyer, so he was up there and continually ... The idea was put people up there and bring them down to the 90 State, and he was always passed over, which led, eventually, to his taking the client away from DeGraff and forming Roemer & Featherstonhaugh.

John Caher: So, Roemer & Featherstonhaugh was established essentially to serve the needs of the CSEA.

Marge Karowe: It was the only way he could get the client. He and Jim had, I think, gone to law school together, or they'd been buddies, and Jim was in practice over in Schenectady.

John Caher: Jim Featherstonhaugh, right?

Marge Karowe: Yes. Roemer called him up, because the union wanted a law firm. They just didn't want in-house counsel. I was their first in-house counsel. Jim Roemer called up Jim Featherstonhaugh, and was like, "Move her. We want to form a law firm." Then, he asked the four of us, or the three other lawyers who were CSEA lawyers, would we come with him. Rich and I, of course, had no place to go. Of course, we were going to come with him. Al White went down to the firm.

John Caher: Back up a second. So, you're working for DeGraff, and you're working at CSEA. There comes a time when you become actual in-house counsel at CSEA?

Marge Karowe: I formed their in-house counsel.

John Caher: So, you left DeGraff to become in-house to become an employee of the CSEA?

Marge Karowe: I left DeGraff to become an employee of Roemer & Featherstonhaugh.

John Caher: Okay.

Marge Karowe: Then Roemer & Featherstonhaugh were trying to oust Bill McGowan-

John Caher: Who was the president-

Marge Karowe: The president of CSEA.

John Caher: Now, why was the law firm involved in that?

Marge Karowe: Because the law firm was involved in the everyday politics and running of the union, heavily. All of us were. Jim had us all on various committees as counsel. He knew exactly what was happening to the union at any given point, and his protégé was Joe McDermott. He wanted to force McGowan out because Bill was the more independent, and put Joe in.

John Caher: And that happened, didn't it? Didn't McDermott become president?

Marge Karowe: Of course.. But before that happened, Bill had come to me because of the politics involved, asked me if we could engineer this, could I, would I, start an in-house law firm. What happened was Roemer took the client away from DeGraff. I took the client away from Roemer, and became the first in-house general counsel and put together a law firm. I was, at that time, over in Troy at Patterson Sampson-

John Caher: So, Roemer & Featherstonhaugh took you because you they needed someone who was intimately familiar with the CSEA?

Marge Karowe: Yes, and Rich, because we had only been CSEA lawyers. We had worked closely and were very well-liked by the union. We were the nucleus of their law firm.

John Caher: Then, the CSEA wanted to get rid of Roemer & Featherstonhaugh, is that correct?

Marge Karowe: I think it was Bill McGowan-

John Caher: I see, so there was a political fight, and the way you survived is you leave Roemer & Featherstonhaugh and become the actual in-house counsel for the CSEA.

Marge Karowe: Yes, and put together an in-house law firm.

John Caher: Did you run into any gender issues with Roemer & Featherstonhaugh, or the CSEA?

Marge Karowe: I ran into gender issues with Roemer & Featherstonhaugh because we had, in my way of thinking, the brightest, most competent woman lawyer, Pauline R. Kinsella, who became a part of the law firm, Roemer & Featherstonhaugh hired her.

John Caher: Is that Don Kinsella's wife?

Marge Karowe: Yes. She wanted to have a family. So, she asked if she could work three days a week, instead of five days a week. There was a lot of pushback, and was going to quit, and she was just so valuable. I said to her, "You can work three days a week. You take off Monday, and you take off Friday, so you have four good days with your kids. Then the three days in between ..." I said, "You're always available."

So, I pitched it to Roemer. Part of my passion at that time was trying to get family leave for women and men in law firms. It was unheard of. I said, "Here you have our best and greatest attorney, and you can meet her on the courthouse steps with a folder and say these are the issues, go in and argue the motion, and she can do it. If you give her this time with her family, it doesn't last forever."

I mean, child raising is a few years, and then they're off to school.

I said, "You will have someone who's so grateful to you, because she doesn't have to leave the firm, she doesn't have to interrupt her career."

Well, the jokes in the firm, about "three-fifths!" "Give Pauline three fifths of lunch, give Pauline three fifths of the ladies' room." It was that kind of atmosphere. This was supposed to be good-natured joshing, but in looking back on it, it always reminded her that she was not one of the boys, that she's not serious, that she doesn't work full-time. That's the underlying message.

John Caher: Crucial to that, it seems that she was so good. If she was not good, or mediocre-

Marge Karowe: It wouldn't have happened. It would not have happened.

Marge Karowe: You know, the people that I knew, the women that I knew in those days who were in firms were excellent, just excellent. A lot of them were head and shoulders above what the bright guys who were also coming into the firm. But they had to be, or they wouldn't have gotten anyplace.

John Caher: How long were you with CSEA?

Marge Karowe: Forever, until I got fired. I was the shortest tenured counsel in the history of the CSEA. We took the firm and made it in-house, and I got it all up and running. My guru was a vice president out of the Syracuse chapter, and he ran against Joe McDermott. Roemer ran Joe's campaign.

My Rabbi lost the race for president, and then it was just a matter of time. It was just like politics. Somebody puts you in, that's a political move, and somebody else takes you out. That's the name of the game.

John Caher: Then where did you go? What was next?

Marge Karowe: Then I went into private practice.

John Caher: What sort of work?

Marge Karowe: Employment. That's what I was, although I went over to management. Because really, at least the way I saw it in those days, if you were going to do employment law on behalf of the employee, it was really with the union. Nobody could afford to go up against a big employer.

John Caher: Ok, so this is the 1980s. Did you go out on your own, or did you go with a firm, or establish-

Marge Karowe: No, I went out on my own, and I became a management employer law, and I found that satisfying because I looked for ways to be fair to employees on behalf of management, to get the job done, but in a way that didn't leave an employee bruised and battered... You know, so when people got disciplined, or people got in trouble, I was able to sort it out and kind of come to an understanding of getting rid of the employee in a humane way.

John Caher: How difficult was it to get clients for a woman lawyer at that point?

Marge Karowe: Very. It was very difficult

John Caher: How did you get clients?

Marge Karowe: Referrals, word of mouth. We couldn't do advertising at that point, but I wouldn't have done that, probably, anyway.

John Caher: How did the judges treat you? There were no women judges ... Not many.

Marge Karowe: Most of the judges in Albany knew me because I had been attached to the union for several years, but when I was doing private practice, I remember I had a criminal case with a young man and the judge looked at me. I was standing there, and he said, "Well, who are you? His mother?" I said, "No, I'm his lawyer."

John Caher: I think I can guess who it was.

Marge Karowe: I have to tell you another thing. When I first graduated law school, and I went to ... Most young lawyers are sent down for motion terms, you know, nothing that you can really screw up. So, I made my husband come to Macy's with me and the other stores in the mall to look for a briefcase,

because if I came down with a Redwell under my arm, I was treated as a secretary.

Nobody looked at me as a lawyer. I remember marching up and down the aisle in Macy's trying out briefcases. "Does this look good? Is this too big?" My poor husband was like, nuts. But it was important, and it was an important prop.

John Caher: Let's shift to the Women's Bar. How did that all get started? What was your role in that?

Marge Karowe: This happened because several of my friends, we got together ... We were new lawyers. New lawyers don't know anything. None of us had any real experience. When you got your first job, the alternative was to ask the boys, then you felt you were putting yourself in a position of "Miss Know Nothing." We didn't want to give them the opportunity.

So, a group of us got together and decided to have lunch. I think it was once a month. We called ourselves The Albany Women Lawyer's Association. Each of us took 20 minutes, or a half hour, at lunch to teach what we had just learned, because the new lawyer at every firm gets whatever the partners, or the senior lawyers, don't want. So, we taught each other at these luncheons. We would give a 20 to 30-minute talk on something that we were doing, and share that information.

That became the network that we all went to. When I needed something, I'd call Rachel Kretser, or I'd call Anne Copps. We had our own source of networking for information without having to appear to the males in the firm that we didn't know anything.

John Caher: At this point, this is just kind of an informal group?

Marge Karowe: Yes, a luncheon group. We met once a month, and one of us agreed to do something.

John Caher: How many . . .

Marge Karowe: Did we have? I don't know, maybe 30, if that. There weren't that many. Our class was 15. I don't know what the next class through Albany was, but that was our local fount of membership, was the law school.

John Caher: So, at this point, you have kind of an informal luncheon group, not a formal bar. How does it evolve into a formal Bar Association?

Marge Karowe: This is what happened. It was Joan Ellenbogen, who was from the New York chapter, one of the big matrimonial lawyers, really right up there,

decided that we should have a state-wide Women's Bar. They came courting us. When they found a group, they came to court us. I, frankly, was bowled over. These women were so competent. They were partners in big-time urban law firms that got paid enormous salaries, from our point of view.

They knew what they were doing, and they were really political stars in terms of knowing how to work a group politically, or control a group. They came up to us, and frankly, I just was in love with them. They were magnetic. They were everything that we wanted to be in terms of prestige and power, and influence and place. They were the role models, I think. They were my first role models.

Joan Ellenbogen, since deceased, was the heart and soul of the idea of a state-wide Women's Bar Association. They came to us because we were, by then, a fairly large group of women outside New York. So, if she wanted state-wide, she had to have someone who wasn't from Westchester on down. She was the first president. I was the second. We started with five chapters. I was president two years, and by that time we —

Hon. Rachel Kretser: Marge tripled the size of the state Women's Bar in two years, which is absolutely amazing.

Marge Karowe: Yeah, we had a dog and pony show, and I would take people like Moira Felder and Irene Sullivan, Sheila Burnbaum, and Rachel and Ann Meade on a dog and pony show, and we would travel. Every time we saw more than five women having lunch together, and they were lawyers, we would invite ourselves to a meeting. We would go there, and we would tout the hopes and aspirations of having a state-wide organization. That's how we gathered our chapters from Buffalo to the tip of Long Island to Suffolk.

John Caher: So, the movement seems to be gaining some momentum. We're talking the early '80s, or by the mid-'80s, then Chief Judge Cooke established as a task force -

Marge Karowe: Let me tell you about that, because we heard that New Jersey had a task force on women in the courts, and we thought anything New Jersey can do, we can do better. So we went — I was president at the time — we went to Larry Cooke and said, "Will you constitute a task force?"

We knew that Cooke was very friendly to us. He was enormously supportive to us. We knew if he could establish it, even though he was the outgoing Chief Judge, the next one couldn't dissolve it. So, we would have it. It would be up and going.

John Caher: So, Cooke was receptive, and you wanted to get it going while you had a sympathetic ear

Marge Karowe: Right. He established it, and then Chief Judge Wachtler supported it. I remember Hal Fales was the president of the state bar at that time, and I remember when I walked into the first meeting — and who was I, some naïve woman from upstate New York, never been in politics, been a housewife for 20 years.

We walked into that first meeting with Judge Cooke. It was a U-shaped table, and I was walking down the table, Joan almost tackled me and hissed in my ear, "You sit next to Judge Cooke!" So I just went and sat next to Judge Cooke, and eyes popped out all along the table. But we did fact finding, we did intensive listening around the state, and we did publish a report.

But I have to tell you that the report clearly showed that before the bench, on the bench, in the law, outside of the law, there was intense discrimination against women. Cultural. This was not necessarily a personal one-on-one, but the whole culture was set that way.

John Caher: Are you talking about legal culture, or the broader culture?

Marge Karowe: Legal. Well, the broader culture, obviously, and the legal culture followed suit.

John Caher: By the time this report ... I'm sorry. By the time this report comes out, Sol Wachtler was Chief Judge, I think.

Marge Karowe: Yes, he is. But let me tell you that there was a woman assigned to us from OCA by the name of Adrienne White. She was a black woman, and she was kind of our keeper, our administrator. When we had all of this information before us, and we still, we didn't at that time, let me say, like to be assertive or in your face.

It was Adrienne who said to us, "You have the facts before you. You have to tell them." I mean, we needed her to come out with the strength of the report that we did, because we were really, in essence, accusing the whole legal system, and all the judges, of being biased. That was not an easy thing.

John Caher: So what she's saying essentially, "You've got a nice report, don't let it just sit on the shelf."

Marge Karowe: Exactly.

John Caher: What was Judge Wachtler's response when he saw the report?

Marge Karowe: I think he was supportive. I always admired him

John Caher: Anyhow, what was the result of all this? What changes? I know it was very, very gradual and very incremental, but as a result of this study, this report, the formation of a Woman's Bar, the gradually increasing number of women in law schools, what were the changes you saw in, say, the later 80's or 90's?

Marge Karowe: I can't speak to that, John, for this reason. My legal career was spent in arbitration and negotiation. Women's lives intersect most with family court. We weren't the corporations. We came in because of families, or criminals, or because our children were in trouble. I was never in those types of practice, legal practice. I know that there were strides made, but I'm probably not the person who can give you the information about the legal structure.

John Caher: Let's jump to the present. I don't know what the percentage is at the law school right now, but in recent years half or more have been women. Women hold the majority in the Court of Appeals again, and did for a number of years, some years back.

Marge Karowe: And the Appellate Division in the Third Department. When we needed a woman on the Third Department Appellate Division, we did not have a-

John Caher: You had to go to Buffalo.

Marge Karowe: We had to go to Buffalo and get Ann Mikoll. There was not a single woman in our pipeline here.

John Caher: And similarly, the first minority on the Appellate Division has been there all of about a year and a half, and she's from somewhere in New York City ... Brooklyn, maybe?

Marge Karowe: Yeah.

John Caher: Two of the last three Chief Judges have been women, the last two presiding justices of the Appellate Division, they were women. Is the battle over? Have you arrived? Have women arrived?

Marge Karowe: No, I don't think we've arrived. I think that the culture is changing. I think we are on a wave now of changing from our personal stories of discrimination to looking at the cultural discrimination, and going at it in a, I can't use the term "global," but going at it in the larger sense of culture.

I think that there is a wave now, simply because the media has picked up, and some very strong and able women have made sexual harassment alive and real, and they've been believed, and the media has picked them up. But now, it's time for us to say, "Okay, now we have to look at the culture. Why are half of the law students women, but 19 percent of partners in any law firms state-wide are women? Why that disparity?"

That's what we've got to work on now. In Norway, there's an order that 40 percent of corporate boards, private corporate boards, should be women. Germany has done the same thing. The evidence is beginning to show that where you have diversity of all kinds, you have a healthier, more financially appropriate, healthier, stronger, entity.

That's what we've got to work on now. Women — we've tried to be like men, we've tried to be aggressive and assertive and sharp and all those things. Now, what we have to do is stand up and say what we bring to the table is equally important. We are cooperative. That's the way in which we approach things, is we try to get things together, try to look for a solution. We don't battle it out. Our model is not physical force where everybody comes out bloodied.

That, to me, is the here and now. The media is on to it, and we have to seize that and start looking at culture diversity, and start attacking that culture. This has always been the standard put-off: "There's no one to choose from. There's nobody in the pipeline. You have to pay your dues." It's always been that system where you had to give to the party in order to be recognized and given back, because the judgeships, let's face it, have been handed out like plums.

We were always told that the reason that we weren't on the bench was because we hadn't paid our dues, we didn't have people pipelines. I remember working with human rights people who had the same excuse: "We can't find blacks. We can't find Hispanics. They're just not out there." Well, they are out there, and women are out there, too. You just have to ask a few questions and look around.

John Caher:

Let's take a step back again and address a lingering issue from your time as president of the Women's Bar, when the organization found Judith Kaye unqualified to serve on the Court of Appeals. There was always speculation that the organization rejected Judith Kaye and endorsed Judge Betty Ellerin because Ellerin was a member and Kaye was not.

Marge Karowe: I need to set the record straight on this: Judith Kaye, in my opinion and the opinion of most of us, was a great, great Chief Judge. I have nothing but respect for that woman.

But when she came up, it was her and Betty Ellerin. We had been told for decades, "You have to have someone in the pipeline. You have to pay your dues." Betty Ellerin had been in the pipeline. Betty Ellerin was a respected judge on the Appellate Division, First Department. Betty Ellerin had paid her dues 10 times over. So, we felt very optimistic that we had fulfilled all the qualifications.

Then out of nowhere, [Gov. Mario] Cuomo picks Judith Kaye. Never been a judge. Her husband paid dues in the way of substantial political contributions. But she had never been anywhere near family law, criminal law, which is where women's lives intersect with the court.

John Caher: Yeah, she had been a commercial lawyer her whole career.

Marge Karowe: Yes. I thought she was, in my opinion, perhaps our greatest Chief Judge. I just admire everything she did. But when she was presented to us, here we had a candidate that at long last met the qualifications, and we had one who didn't meet the qualifications at all. Had Kaye been a man, and we had said, "Sorry, he's not qualified," there wouldn't have been the brouhaha. But we had a very valid reason that was not a political.

I was president at the time, and I what our reasoning was. Sure, there were some who wanted Betty on the court, and would have played the politics. We really didn't. We had a very legitimate beef. That doesn't take away from the hindsight that says this was a great Chief Judge. She did more for women in her 10 years than any other Chief Judge that I'm aware of.

Hon. Rachel Kretser: She was my single greatest role model ever.

Marge Karowe: Yes, absolutely.

John Caher: And she never seemed to hold a grudge against the Women's Bar.

Marge Karowe: She never did. I went to see her. I asked for an interview with her after she had been appointed. We sat and talked for an hour, a little more than an hour. She was very gracious. I went to tell her that what looked like a very crass, political ploy, wasn't. We really had very legitimate reasons. Again, if you had switched the gender, I think it would have not been seen the way it was, that we turned on a woman because we wanted our own woman. It wasn't that at all.

John Caher: I'm glad to have it on the record. It's an important part of the historical record.

Marge Karowe: Judith was great. She really was, and she did more for women, in my opinion, than any other Chief Judge, and on her own. It wasn't that we had to go to her and say, "Let's do this, and let's do that." Judith did it on her own. Because of her graciousness, we all came to know her well. She was a good friend to The Women's Bar.