Interview with Carolyn Smith

April 29, 2009

KEK: Hi, this is Karen Kalnins; I’m a Reference Librarian at the Oklahoma City University Law Library and today is Wednesday, April 29, 2009. It’s about 10:30 here in the morning and I am in Ponca City, Oklahoma this morning. I will be interviewing Ms. Carolyn Smith. She is a retired attorney and she worked here in Ponca City, Oklahoma. This interview is part of the larger oral history project that is being sponsored by the Oklahoma City University Law Library. As a part of that project we are going around throughout the state of Oklahoma and interviewing attorneys and judges about their experiences, so welcome Ms. Smith.

CS: Good morning.

KEK: Great. I was so pleased when you agreed to this interview this morning. What drew you to the law?

CS: Practically speaking it was the early ‘80s, mid-80s and my husband is a geologist and had been out of work for three years. He got a job here in Ponca City as a geologist with Conoco. I looked around this place and I thought to myself, “if he loses his job again and we are caught in the middle of nowhere, we’re going to be in a heap of trouble. If the economy crashes the one person that’s going to have a job is the bankruptcy attorney.” So I went to law school for the specific purpose of being a bankruptcy attorney.

KEK: Wow, so you were that focused in your career plans?

CS: Yes. I eventually branched out but yes that was my original focus.

KEK: And what steps did you take to get yourself ready for law school?

CS: Well, I came to that decision in January of 1987 and I started thinking about going to law school. So I started doing a little research because I knew absolutely nothing about the schools in Oklahoma. I saw that there were three law schools and I saw that one of them had fees that were about a fifth of what the others were and I thought to myself, “well I don’t understand why people would pay five times as much for the same education and I guess I’m going to OU.” So then I called OU and they said, “Well the deadline for registration is next week.” I said, “Okay what do I do?” So I signed up. They said, “Well you are going to have to take this test.” I said, “Okay, when do I take that?” They told me it was a few weeks hence. So I took it and I thought it was rather fun. It was a neat exercise. I figured that they must have liked me because in one day’s mail I got the notification that they had received my transcript from my undergraduate and in the next day’s mail I received the acceptance notice that I’d been accepted to law school.
KEK: Oh my gosh; so one right after the other. And that test that you are referring to for the record that was the LSAT?

CS: Yes.

KEK: Okay, all right. Had you prepared at all for the LSAT?

CS: No, not really.

KEK: That is amazing. How were your scores?

CS: Apparently very good.

KEK: That is wonderful. What was your undergraduate degree in?

CS: Chemistry.

KEK: Very interesting, very interesting. Well tell me about your time at OU.

CS: Those three years at OU Law School were three of the most wonderful, exciting years I had ever had in my life. I wonder if anything will ever be better. I had gone from my parents’ supervision to my dorm mother’s supervision, to a husband, to children. I had never, ever in my life had a place of my very, very own. So I drove from Ponca City to Norman on Sunday afternoon and I came back on Friday afternoon. But from Sunday to Friday I had a little room that I paid a $100 a month for but it was all mine for the only time in my entire life. I had a ball. I loved every bit of it. I loved the studying. I loved the classes. I could—it was about a mile to campus, so I walked whenever the weather was good enough. I was the healthiest that I’ve ever been in my life because of all the walking. I couldn’t afford to eat very much. I could make one subway sandwich last for two days. But I just simply loved it. As a matter of fact I loved it so much that I got in trouble.

KEK: How did you get in trouble?

CS: Well there was a group of younger students. Now bear in mind I am approaching 40 at this point. There was a group of younger students that liked to party at night and whatever and they started being very ugly to me. They would send me nasty notes in class and just be snooty and I didn’t know why. So I approached the professor and said “Do you have any idea why these kids don’t like me? I mean I have nothing against them except for the way they are treating me.” He said “Carolyn, you’re just too damned happy. You need to wipe that shitty grin off your face.” I said “Well, if that’s what it takes to win their friendship, I’m sorry it’s not worth it.”

KEK: So you were not willing to compromise your happiness?

CS: I was not. No, I was not willing to compromise.
KEK: How did you handle that, at that point because it sounds like you were probably one of the older people in your class and were there any, did you feel any differences in how you were treated. You just mentioned one incident with other students. Did you notice anything with other professors?

CS: Well here’s an example. Justice Opala came down and taught a class every Friday morning. He made himself available in the law library—or I’m sorry in the faculty lounge—at 7:15 every Friday morning. Anybody who wanted to come and visit with him was welcome to do so. I took advantage of that every Friday morning. I have these wonderful memories of sitting there chatting personally with Justice Opala for all of these many hours. Nobody else ever did. I felt like my age was a distinct advantage. I felt sorry for the younger students. I had a framework of life experience that I could just plug this new legal stuff into. When we started talking about this, that or the other, well God I’d been there done that. I just plug in the legal references around that and so on…whereas to the younger students most of life is still a mystery. So I never, ever regretted that I was an older student.

KEK: Do you feel like you just said, you kind of mentioned about how you almost felt like you had an advantage? Do you think that you did?

CS: Absolutely, absolutely. Also I wasn’t looking for a mate. I already had one waiting at home, who was taking care of my children. It doesn’t get any better than that. I didn’t need to go out and party at night. It’s just fun.

KEK: It sounds like it. Tell me about those conversations with Justice Opala.

CS: We talked, he’s a real expert on English history, so we talked a lot about that. One thing that I hold dear is a…I have a fairly prominent nose and we were discussing my nose one day. And I said, “You know, I don’t understand where it came from because most of my ancestry is from England, Wales around in there.” He says “Carolyn, you are descended from the Roman conquerors.” We just talked about a lot of things.

KEK: That sounds like it. Were there any other professors that sort of stick out in your mind or that were influential in your development?

CS: Yes, Alvin Harrell. He was a guest from Oklahoma City University. I made law review second year and he was my advisor in law review. I started writing this paper that he had suggested. It was in general concerned with contract law. So at one point I consulted Anita Hill who was no help whatsoever because she had no idea what I was talking about. But he did and then I presented the paper to the law review editors and they turned it down. They said, “Carolyn you can’t write this, you don’t have…” what I was doing was saying that the Oklahoma Supreme Court along with a lot of other supreme courts was getting it wrong. They said, “You don’t have the stature to write this.” So I go with my tail between my legs back to Professor Harrell and he
said “Carolyn, ignore them. Write the paper.” He said “It will be published.” So I finished it and unbeknownst to me, he had arranged to enter it into a contest sponsored by the American Bar Association and it won first prize in the nation. The prize money was enough for me to open my office and OU got a prize and then my goodness the law review decided that they would publish it.

KEK: Oh my gosh, congratulations!

CS: It was also published in the Consumer Law Quarterly.

KEK: What an honor, what an honor.

CS: It’s cool. It was cool.

KEK: That’s amazing, what was the topic?

CS: Breach of good faith. As I was doing my research I came across a United States Supreme Court case, Alice Chambers v. Lueck in which they had addressed the tort of breach of good faith and is it a tort or is it a contract. The interesting thing about that case is that in that case what they said about the tort was not what we would call dicta because it was necessary to the court’s decision, but yet it wasn’t the court’s decision. It’s quite unusual in that respect.

KEK: That’s unusual. And have any of the supreme courts, have they changed their position since you’ve written your paper?

CS: No they’ve just found other ways to express it, to get around it. But the other interesting thing there is that one morning after I wrote that paper when I was visiting with Justice Opala he said “Carolyn, I was sitting in my office the other day and one of my colleagues came in waving this article and said ‘Have you seen this, what are we going to do now?’” He said “I looked at it and I realized that it was you.” So then he offered me a job and I interned for him for three years.

KEK: Did you intern for him while you were in law school?

CS: It started out while I was in law school. Yes, right after that paper came out.

KEK: And tell me what kinds of things did you learn as an intern for Justice Opala?

CS: I learned how absolutely dedicated to the law that man is. It does not matter what your opinion is about anything at all. All that matters is what’s in that book. He is just totally dedicated to that. I mean I guess I already knew it, but it was really emphasized to me. I guess if there’s one thing in my career that I regret it’s that he advised me to go into a career as an appellate brief writer and I was so anxious to really get into the thick of practicing law that I ignored that opportunity. I should have in retrospect. But if I had, I would have missed what I had, so…
KEK: That’s true, that’s true. Well and there’s always the right road and the left road to take.

CS: Right, right.

KEK: And you decide which direction to go in. Yeah, absolutely. So what were your plans after law school?

CS: My plan after law school was always to come back to Ponca City. I mean one of the reasons I had gone to law school was so that we could stay in Ponca City. We liked Ponca City. It was a good place to raise kids. I did not want to go to a larger city and I would have had opportunities in Oklahoma City or Tulsa or whatever, but that was not what I wanted to do. So I had been a summer intern for a law firm here and at the end of the second year, the senior partner offered me the job when I graduated law school. The normal thing and then a few days later a junior partner called me into his office. He said “Carolyn, this has a…” I don’t remember the exact words but the bottom line was “I don’t want to work with a woman. You are too old to take what I have to dish out, so you will not be coming here to work.” I was speechless, I absolutely I could not speak.

KEK: I’m speechless.

CS: I just got up and walked out.

KEK: How did you handle that, because at this point how old were you?

CS: I was 40. One problem that I’d had with that attorney during my internship there was that I was into technology. I had a computer when computers were weird and I think he didn’t like that. He wanted his secretary to do everything and I wasn’t into secretaries. I did it myself. Well anyway I went back to the senior partner that had offered me the job and he said “This is the final straw.” He said “You’re not the first one this has happened to and I quit.” So he left the firm after nearly 40 years in the firm that he was the senior partner of, he left the firm and opened his own single office. We contemplated office sharing. We decided that it would be better for both of us if we had our own thing. But he and I had a loose arrangement that I would for a reduced fee do the kinds of underlying brief work; whatever that he was used to having underlings do for him and he would funnel business my way and we worked that way quite well for about a year until I was on my feet and he was sort of on his feet too.

KEK: So you both ended up not with that firm, but you both ended up with a solo, your own solo practices?

CS: Yes.

KEK: How interesting.
CS: I have not been able to determine whether there is anyone else in the history of the Kay County Bar Association that practiced for their entire career totally alone. There may have been someone back there, but I haven’t found them. I rented my office in April before I graduated in May. The landlord tells me later that he was snickering under his breath because this woman is so sure of herself and he assumed that I would fail. I studied for the bar exam right at the same spot where I ended my career. I never moved. The office is in an older building looking onto the main street of town. I wanted that specifically because my great-uncle was a lawyer whose office looked onto the main street of his little country town back home, so that’s what I wanted. I lost my train of thought.

KEK: That’s okay.

CS: Oh, this is the old ten foot ceiling and all this kind of stuff and I decorated it very simply. But I did have some flowers and the valance over the window and I put a rocking chair for the client to sit in. Some of the other attorneys in town who saw my office, “You know this just doesn’t cut it. It’s too frilly, too girly. It’s not sophisticated enough to be a law office.” Well a few months into my practice Justice Opala came to Ponca City for some other purpose and I invited him to come by and see my office. He sat down in my rocking chair and he rocked and he put his head back and he closed his eyes and he said “Oh I like this” and I told him about what the other attorneys had said. He gave me a piece of advice that I have kept with me always. He said “Carolyn, decorate your office for yourself. Make it a place in which you are comfortable. The people who are comfortable with you will like it here and the others don’t matter.”

KEK: What great advice. That is amazing. Now what kind of challenges did you have in setting up your own practice? You had just graduated from law school; you were coming back to Ponca City. What types of hurdles did you face?

CS: Well I remember standing there in my law office and thinking, “Petitions, yeah we studied those things.” But I knew that that’s what I was going to do, so I made good use of the legal aid clinic at OU. I was in that very actively for two years. As a matter of fact I visited OU just a few weeks ago for the first time in more than ten years and saw the new building and did not realize that my name was on a plaque on a wall, because I was the first recipient of the legal aid award for service to the poor.

KEK: Wonderful. What kinds of cases did you get to work on while you were at law school at that legal aid clinic?

CS: The one that I remember the most and probably the one for which I got the award which is actually quite relevant these days. There was a guy who had bought a house on a contract for deed. They were trying to kick him out. They wanted to just give him 30 days notice and kick him out. Well I found the statute which says that a contract for deed was equivalent to mortgage and they have to go through the foreclosure procedure. So I was ready to hold the lenders’ feet to
the fire and make them go through the foreclosure procedure. I knew that they were going to win in the end but this gives my client some time. I caught some flak from my supervisors because I was wasting all this time and money on this case when it was going to be lost anyway. I said “But I am doing something good for my client” and stood my ground and I refused to give up.

KEK: Good for you and what was the outcome eventually then?

CS: The outcome was that they went through the foreclosure procedure and got him out, but he gained about three months, four months which was invaluable to him. He had a place to live.

KEK: Absolutely. Well it, yeah it gave him a place to live and some time to find a new place to live.

CS: Exactly.

KEK: Great, great. Now you mentioned earlier you had an uncle that had a law practice in a small town. Was he also in Oklahoma?

CS: Now actually he was my great uncle and he died the month that I was born, but this was back in Mississippi. He was the only member of my extended family of that era that had any education whatsoever. My family was farmers.

KEK: Well you had somebody in your family tree let’s say who had been in the legal profession. Well what kinds of cases did you handle in your career?

CS: Well I did bankruptcy, a large number of those and then I did domestic work and juvenile. Particularly juvenile, I was on the appointed bar for the juvenile deprived docket. I still am. I have one case. I was very active in that.

KEK: And tell me about one of your most memorable cases.

CS: My most memorable case was about six months to a year into my practice. It was a young man who at the age of 19 was a passenger in a car, in a severe car accident. He was very severely injured. While he was in the hospital, his father got a lawyer and they did a friendly suit against the insurance companies and got an award of $180,000. The problem is that the attorney and the father agreed that this journal entry would show that a $100,000 of that went to the father and $80,000 of it would go to the injured young man, who was 19 remember. He is an adult. There were two journal entries; one of them showed that the kid gets $180,000, the other one shows the $100,000/$80,000 split and then there is a representation made to the court that the young man wants his father to be the custodian of this money. But yet the attorney on the witness stand admitted that he had never seen or spoken to the young man at all, period. I first brought suit against the father and we were able to recover more than a $100,000 directly from the father. Ironically the person who did not want to work with a woman, represented the father. He spread
the word that he was going to whip Carolyn’s ass, teach her a thing or two. Well after I got the
more than $100,000 award, $75,000 of it I knew exactly, I knew where all of it was. I had traced
this $180,000. I had traced it through all of their bank accounts and checking accounts, etc. I had
a chart. I knew exactly where it all was. They offered me—I put a garnishment on all these
monies all at one time. And the attorney called me and said “Carolyn, my client can’t even write
a check for groceries. Can we give you $75,000 now and you’ll have the rest of it within 30
days?” I said “Why?” I had the whole thing within a few days. And the father told his friends “I
wish I’d had that aggressive bitch for my lawyer.” That was really just a wonderful boost in the
pants to my career.

KEK: It sounds like it, it sounds like it. Why do you think they wanted to wait in terms of
strategy?

CS: I have no idea. I haven’t explored it. We just got our money. Now the disturbing thing about
that case to me, I had a contingency agreement with this young man that I would take 40%. And
when it was over and I looked at my situation and I looked at his situation I had more than
earned $40,000 even at my low at that time per hour rate. I had more than earned it because I had
spent…I mean I didn’t have any other cases of any importance. I had spent days and weeks and
months doing nothing but that case. I couldn’t do it. I could not take $40,000 from that man who
was walking around on crutches. I just couldn’t do it.

KEK: So how much did you end up taking?

CS: I took twenty and within a year his wife had invested and lost all that he got.

KEK: How tragic.

CS: So he was back to nothing anyway. But I felt good about what I had done. That was really a
defining moment for me in my career, because I realized how important it was for me to help
people rather than make money. So I never had a big money case again.

KEK: How was that realization or how did that realization sort of shape your practice or shape
the type of cases you took?

CS: I began to realize how I enjoyed my bankruptcy clients. They come in and the weight of the
world is on their shoulders. They don’t know how they are going to wake up in the morning. I
tell them, “It’s all going to go away. You’re going to be all right.” “What do I do when the
creditor calls me and they are so ugly and they are so demanding?” I said “Tell them to go to
hell.” “I can do that?” I said “Yeah, you can do that.” And they walk out of my office whistling.
It’s just wonderful.

KEK: What did you enjoy most about doing bankruptcy?
CS: That! Yes, yes. I had one guy who was a public official, not in Ponca City but in a surrounding town. He was public official, he was a very proud man. A local bank had talked him into buying rental houses that they had taken back. You know “We foreclosed on this little house. We’ll sell it to you. You fix it up and make a rental house out of it.” He didn’t realize what they were doing to him. They were selling him pieces of junk that some of them were just unlivable and would cost more than they would possibly be worth to fix up. In a few years of this he was over his head and was facing bankruptcy. It devastated him. He was just so proud’ and to face bankruptcy was more then he could take. He said “You know my wife; I can’t do this to my wife.” Well I talked to his wife and his wife says “I know this isn’t his fault and I love him.” One day he was in my office and I just really had a bad feeling about the way he was acting. So that afternoon after work I drove to his town to his house and knocked on his door. I said “I just need to know that you are okay.” He came to my office the next morning and told me that he had planned to commit suicide that night.

KEK: Oh my gosh. How fortuitous that you…

CS: Yeah. He came through it. He came through it fine. He got a job in another town and as far as I know he’s doing great.

KEK: How wonderful. Well you might have indeed saved his life.

CS: I do believe, he told me, tells me that I saved his life.

KEK: That is amazing.

CS: I found that very, very rewarding.

KEK: Yeah, it sounds like it. Definitely sounds like it. Well I see that we are about half-way through so let’s go ahead and stop and then we’ll go on with our second half.

CS: Okay.

KEK: Hi this is Karen Kalnins again and I am a Reference Librarian at the Oklahoma City University Law Library. And it is still Wednesday, April 29, 2009. It’s a little bit past 11 o’clock here in the morning. And I’m still in Ponca City, Oklahoma with Ms. Carolyn Smith. Ms. Smith I wanted to ask you here in this second half of the interview tell me about your experiences as a woman here doing small town solo practice.

CS: I ran into my first problem, well first of all I told you about the first problem. The second problem was resistance from the few other women attorneys that were here. There were three other women attorneys and one of them was the only person who ever made me cry about my decision to go to law school. We were at a social function at their house and she approached me and just absolutely lit into me about how awful it was that I would leave my children and go to
law school; that I should be home with my children. I did not know her at the time and didn’t know that she had probably done the same thing but anyway. I definitely ran head on into the old boy’s network, big time, big time. Unfortunately the old boy’s network included some of the judges. Probably the worst was just a few years ago when I was in chambers with another attorney and the judge that he played golf with. The other attorney...let’s see, I had filed a motion, it was in a juvenile situation and guardianship of a child. I was alleging that Oklahoma did not have jurisdiction of this child because a judge in Louisiana had jurisdiction of this child. The other attorney stood over me while I was sitting, shaking his finger in my face and accusing me of being in cahoots with the judge in Louisiana. The judge took my motion, tossed it across his desk and said “I’m not reading that crap.” Then they laughed at me and I walked out. I filed a writ of mandamus and prohibition with the Supreme Court. I filed it on Friday and they granted it on Tuesday.

KEK: Wow, so you got your relief.

CS: I got my relief. But I, for many years felt...there was an attorney, an older attorney who I remember one time I was on a case with some lawyers from Tulsa. We were standing in the courtroom at a break and I was talking with the other attorneys, you know lawyer to lawyer. I felt like I was one of them, everything is cool and this older Ponca City attorney comes over to me and gives me a hug and “How you doing darling?” Well it was just like a curtain came down. I was no longer an attorney, I was just a woman. So I approached this attorney privately and I told him I did not appreciate that. He said “Oh I am just so sorry.” He said “It’s just my southern upbringing and it just slips out and I didn’t mean anything by it.” I said “Well I’m from Mississippi and if you call me darling again, I just may not be able to contain myself from calling you ‘sonny boy.’”

KEK: What did he have to say after that?

CS: He never called me darling again.

KEK: How did you handle all of this, in terms of facing the old boy network and dealing with especially what sounds like an especially painful event there in the judge’s chambers?

CS: You have to shrug it off as much as you can and keep going. That’s just what you have to do. In a...I feel like I’ve been lucky in my life in general that I haven’t run into that too many times. But you just have to buck up and face it.

KEK: How many women were there or are there now I guess practicing in this county, in Kay County?

CS: I’ve lost track, a lot. Back when I started there were three or four others besides me. Well there were three that I had regular contact with and then there were a couple that didn’t practice
much, isolated and doing something specific or whatever; but now, goodness, a lot. It has changed considerably.

**KEK:** Do you think that the views about women in the legal profession at least up here in this county have changed as well?

**CS:** Yes, yes. A lot of it is that the older lawyers with those stereotypical views are being replaced by younger lawyers who went to law school with women and don’t think anything about it. I don’t sense a problem among the younger lawyers.

**KEK:** As a woman, did you find support in these other women attorneys? Did you all…

**CS:** No, no.

**KEK:** No, you did not. How about now, do the women get together?

**CS:** Yes, not so much specifically that women lawyers get together but there is a camaraderie now that did not exist back then.

**KEK:** Why do you think there was so much strife between women when you first started out?

**CS:** I think you find that in most professions when they are only a few women just beginning to make inroads. It doesn’t make logical sense to me, but it’s just the way it is. I’ve seen it in other environments. Then when you get to more of an equal balance then the camaraderie develops but there’s too much of a competition when it’s just a few.

**KEK:** What types of qualities do you think someone needs to have if they are going to be successful in small town law practice?

**CS:** These days you need to be technology savvy, because your support is going to be online. I was one of the very first members of OBANET back when it was CompuServe and everything was DOS text. But that support has been invaluable. You meet people that way. You have somebody that you can talk to. It becomes your water cooler; besides the fact that when you are starting out as a solo you can’t afford to have much of a staff so you’ve got to do a lot of your stuff by yourself. I think I went for about a year and a half or two years before I had a secretary. Doing everything myself and I had one really, really wonderful secretary but then she got pregnant and I stooped so low as to beg her “We’ll set up a play pen in the middle room here. You can bring your baby to work, whatever.” She was about four foot tall I think and she looked up at me with her big brown eyes and she said “Carolyn, if I try to do both, I won’t be any good at either one.” So I had a string of several, including one who raided my petty cash fund until well for…okay I opened my office in ’90. And in ’95 I had breast cancer. That was the end of my secretaries, from then on I was also on my own. You need to be able to manage your money. You need to be able to live on not much money, because particularly when you are starting out
you are not going to get rich. Probably at the end you are not going to get rich either. You’re just going to make it and that ought to be good enough. Like I said earlier my pleasure came from smiles, so I wasn’t focused on making big bucks.

**KEK:** When did you wrap up your law practice?

**CS:** Last year in February my daughter died and to cope with that we started traveling. Travel and practice don’t fit very well together. So that was really the beginning of the end; it just kind of wound down from there.

**KEK:** Well but you had almost 20 years.

**CS:** Yes. I had, well that would be 18 years.

**KEK:** 18 years of law practice. It’s quite something. Now when you started out you were a solo and you said you started out with that one attorney from, who had been the senior partner in that one law firm. Did you have any other mentors at the time besides this gentleman?

**CS:** OBANET, absolutely. Anybody that I knew from OBANET, I could call on them at any time and they would help me. They would send me copies of pleadings or whatever else I needed. It’s wonderful. And they’ll still do that.

**KEK:** Would you recommend to young lawyers to get a mentor and to become involved in the Bar Association?

**CS:** Yes. Yes. And take legal aid when you are in law school; that is invaluable.

**KEK:** How do you think that that legal aid experience helped you as you set up your practice?

**CS:** Where do I start? I mean that shows you…that gets you into a courtroom. It shows you how the system works. It teaches you what it’s like to have a client. It teaches you what it’s like to go file papers; all those little details that you don’t learn in a classroom. You don’t take a class in law school to learn how to go file a petition. If you don’t have a secretary to do it for you, you have to do it yourself. I remember the first time I went to bankruptcy court. This is for the 341 hearing. It’s actually not a court; it’s just a meeting with the trustee. I contacted somebody on OBANET and they gave me some guidelines. But still I’m sitting there thinking I sure hope I’m not the first one. So I sat up close to the front so I could listen and see what the other attorneys were doing. Then I realized that everybody that was getting up there was asking exactly the same questions, so I just wrote them all down and got up there and asked those questions myself.

**KEK:** Did that suffice?

**CS:** Yes and my client never knew that that was the first one. But my first divorce case, I told my client up front that I did not know what I was doing; that I had never done a divorce before and
that if she would allow me to practice on her, I would not charge her and I didn’t. We got through it fine. And about two years later I got a check in the mail from her.

KEK: You’re kidding?

CS: Yeah, she said “I’m back on my feet now and I thought you deserved something, so here’s a check.”

KEK: Wonderful. What kinds of things did you learn from that first divorce case?

CS: I really don’t remember it that well. It was not memorable, not like the one where the client was from Bahrain.

KEK: What kinds of challenges did that one pose for you?

CS: Well we had to research Bahraini law and determine what the status is of jewelry that the husband’s family gives to the bride. Does it really belong to her or does it still belong to his family if they get divorced? What do you do about it if the jewelry is still in Bahrain and she’ll never see it anyway?

KEK: Wow and what was the outcome of the jewelry?

CS: The outcome was that she got a judgment against him for the value of the jewelry.

KEK: Wonderful. See how international law questions come into play even here in Ponca City? Now you mentioned earlier here about some changes in how attorneys treat or in how attorneys who are men and how they’ve changed in their view of women in the legal profession. What other types of changes have you seen in the legal profession?

CS: Technology. Technology is the big one. More and more lawyers are becoming solo. They practiced in a firm and then they go out on their own more and more because they can; because the technology allows them to. It is impossible to overestimate the effect that technology has had on the legal profession.

KEK: Very good. What kind of advice would you give to someone just starting out in law practice?

CS: Make sure that you make enough money to pay the bills but don’t make that your overall goal. There is so much personal satisfaction to be found.

KEK: Do you ever miss practicing on a daily basis?

CS: I don’t miss practicing on a daily basis. I like forgetting what day of the week it is. I do miss the good clients.
**KEK:** Well Ms. Smith is there anything that I have not asked you that you would like to talk about or that you would like to say?

**CS:** I feel sorry for the lawyers who can’t retire and I think there are a lot of them who, and I’m not speaking financially. There are lawyers who are so caught up in the law who can’t see anything else but the law and wouldn’t know what to do with themselves if they didn’t go to the office every morning. I feel sorry for them. The law was actually my fourth career. I was a teacher, then I was a chemist, then I was a technical writer, then I was a lawyer. The law has been what I do, but it’s not what I am and I like it that way. I feel uncomfortable talking to the lawyers who have no life other than the law. They are missing out on a lot.

**KEK:** Absolutely, absolutely. Do you think it makes a difference in a lawyer’s practice as to how they view the law, whether they view it as its part of who they are or if they treat it more as a profession such as you did?

**CS:** Yes I do. Here’s an example. The paper that I wrote was actually saying that the tort, that there’s a flaw in the tort of breach of good faith. It was actually very much favored by the insurance industry, very much in their favor. I had the opportunity to pursue that further professionally. I had the opportunity to work in the insurance industry. I couldn’t do that because the rest of who I am sides with the little guy. I couldn’t spend my career trying to find a way to screw the little guy. If I had been just focused on my legal career and how can I advance it, whatever, that would not have mattered to me. I could have made some substantial bucks, but I couldn’t have slept at night. I would not want to be the kind of lawyer who could sleep at night no matter what kind of law I practiced. I don’t leave my personal morals at the door when I go into the office.

**KEK:** Do you think that there are attorneys who can sleep at night no matter what…?

**CS:** Oh yes. Because…and I agree with this from the overall legal perspective that everybody deserves representation. I’m just doing my job. There’s a place for all of those. If you really believe personally in what you are doing you can believe the opposite of me and everything is fine. But if you are doing it just because it’s a job that makes good money then I feel sorry for you.

**KEK:** True enough, true enough. Now you just mentioned again the paper that you had written and that you’d just recently been back to OU and you saw there was a plaque there with your name on it in the legal services, in the clinic. What other types of awards have you gotten in your professional career or how else have you been active in your profession?

**CS:** I’ve been active on the Technology Committee at the Bar because that means a lot to me. I’m trying to remember. That was a long time ago. I got several other awards in law school, but I don’t remember what they were. I was a note editor on the law review. Oh, I’ve left out one
thing. The thing that made me think of becoming a lawyer absolutely first was that my husband was in a nasty post-divorce situation with his ex-wife in New Hampshire. We were dealing with a lawyer up there and I was doing research for him down here. It was because of that situation that I began to think that the law was something that I might do. And it was then that I went and started thinking about how a bankruptcy attorney is the one that’s going to have the job.

**KEK**: How interesting.

**CS**: I had forgotten that part because I found it to be fun. The research was fun. I thought, “Dang if I can have fun with this horrible situation hanging over us then maybe I’m on to something here.”

**KEK**: That’s right, that’s right. What was the most fun thing about that beginning experience with the research, with the legal research?

**CS**: It’s really fun to start out not knowing anything. I mean everything is just Greek to you. You read this one case, well it leads you to the next one and it leads you to the next one and to the next one. They say when you get back to the one you started with you’ve probably finished. But it’s like a flower opening up and then it makes sense. I see that in other areas of my life too. Now that we’re doing travel, when I think of another place that we’re going to visit; well dang, I don’t even understand the language. I don’t know anything about this place; everything is Greek to me. Well, I’ve been here before, done this. So I just dig in, start going and then things begin to fall into place and it works.

**KEK**: Do you think that most attorneys appreciate that about legal research or see that as valuable the fact that you, it opens up, all that research can just open up all this world of possibilities?

**CS**: I think most attorneys avoid research whenever possible. I think most attorneys want to do the least amount that is necessary to get this client to court. I found that true in law school and I found that true in my practice here. There are a few of us who enjoy the process, but I think most don’t and that’s a shame.

**KEK**: Hear, hear. Why do you think that most attorneys don’t like the whole process of research?

**CS**: I think that’s not why they went to law school. They went to law school to go to court and to make money. The research part of it I mean that’s why I was having so much fun in law school and the others weren’t.

**KEK**: Right, because you enjoyed the research and…
CS: Yes, yes. And that to most of them was just a drudge to get out of the way. I mean I could sit down with my law books and just read them for the fun.

KEK: Amazing.

CS: No, not really.

KEK: Do you have anything else Ms. Smith?

CS: No, I don’t think so.

KEK: Well I wanted to thank you so much for your time today. I really appreciated meeting with you today and I know that this interview will hopefully become an invaluable part of our collection.

CS: Okay, you’re very welcome.

KEK: Great, thanks.