The Court Archive:
Illinois Women Firsts

John A. Lupton
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With the ascension of Lisa Holder White, Joy V. Cunningham, Elizabeth M. Rochford, and Mary Kay O'Brien in 2022, the Illinois Supreme Court now has a majority of women on the bench for the first time in history. Let's review some of the historic firsts for women in Illinois law.

Myra Bradwell attempted to become the first woman licensed to practice law in Illinois in 1869. The Supreme Court denied her admission on the basis of her being a married woman, that the common law rules of coverture prevented her from entering into contracts in an attorney/client relationship. When she responded that many of the common law rules concerning married women had been lifted, the Court responded with a written opinion, denying her again solely on the basis of being a woman. She appealed to the U.S. Supreme Court, which affirmed the Illinois Supreme Court's decision. In 1890, the Illinois Supreme Court granted her license retroactively to 1869.

Alta Hulett, a young aspiring attorney, and Bradwell pushed for legislation to allow women access to the same jobs as men. This legislation, the first of its kind in the United States, allowed Hulett to become the first woman licensed to practice law in Illinois in 1873. Hulett was probably the youngest attorney ever in Illinois history, becoming licensed at the age of 19. At that time, men could not be licensed until the age of 21—their age of majority, while the majority age for women was 18.

Ada Kepley also attempted to become a lawyer at the same time as Bradwell and Hulett. Kepley, from Effingham, was the first woman to graduate from law school. She attended the Union College of Law (now Northwestern University's Law School) and graduated in 1870. An Effingham County judge allowed Kepley to practice in Effingham County despite the Supreme Court's ruling against Bradwell. Kepley was formally admitted to the Illinois bar in 1881.

Catharine Waugh McCulloch graduated from Union College of Law in 1886, but she had difficulty finding work as an attorney in Chicago. She moved to Rockford and practiced there for a few years before returning to Chicago to practice with her husband. Waugh McCulloch ran for justice of the peace in Evanston in 1907 and defeated her opponent handily. She became the first woman in Illinois to serve in a judicial capacity. At her first session as JP, several men asked her

if she needed help. She replied, “I do appreciate the courtesy of my friends so much, but I don’t see why there is so much interest in this. I’ve studied law, you know.”

Mary Bartelme graduated from Union College of Law in 1894 and was licensed that same year. She was active in the welfare of children, particularly young girls. In 1912, the Cook County Juvenile Court named her an assistant judge, and she became the first woman judge in Illinois. The *New York Times* did a profile on her in 1913, billing her as “America’s Only Woman Judge.” In 1923, she was elected as judge of the Cook County Circuit Court and was reelected four years later.

Mary Ann McMorrow was the only woman graduate in her 1953 Loyola University of Chicago Law School class. She worked for a general law practice firm before joining the Cook County State’s Attorney’s office in 1955 where she was the first woman to prosecute major felony cases. As she was preparing for a case at the Illinois Supreme Court, her supervisor told her that women don’t argue cases there. In 1976, she was elected a circuit court judge and became an appellate court justice in 1985. In 1992, she defeated seven Democratic primary candidates and the Republican candidate in the general election to become the first woman on the Illinois Supreme Court. Ten years later, she became the Chief Justice and the first woman to lead a branch of Illinois government.

When Justice McMorrow retired in 2006, Chief Justice Robert Thomas provided a summary of her that applies to all of the above-named women (and many more that space prevents me from noting). Thomas said that McMorrow “shattered gender barriers that for too long kept the law an artificially insular profession. She fought every step of the way, carving for herself a path that none before had taken but that many since have had the privilege to follow.”