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Law

The New Women in Court

Five of the best and the brightest in a changing profession

In 1869 an Iowan named Arabella Mansfield became the first woman to be admitted to the bar in this country. No one could accuse her of starting a trend; as recently as 1960, perhaps 3% of the nation's lawyers were female. Then in the 1970s the bars to the bar began to fall. Today 12% to 14% of the more than 600,000 lawyers practicing in the U.S. are women, and they make up more than one-third of the current enrollment at law schools.

The new pioneers in the profession have been out for a few years now, and their careers are reaching the critical point at which they will start to join the established, in-charge practitioners of the law. Who are these young women? How good are they? What has their experience been in the corridors of legal power?

To find out, TIME looked at women attorneys 35 or under who entered the lists of the most macho specialty, that of the trial lawyer. After talking to some 100 judges, professors and attorneys across the country, TIME picked five women trial lawyers whose reputations put them at the top of their generation. As a group, they are less like the stereotype of their sex than the stereotype of their job: they are fiercely intelligent tough-minded, intensely competitive, self-assured individualists who relish the fray.

PROVING IT "OVER AND OVER AGAIN"

"A lot of people want to be represented by a person who is 6 ft. tall and graying at the temples," says Berkeley Criminal Lawyer Cristina Arguedas, who at 5 ft. 2 in. and 29 years is neither. Arguedas offers other qualities. Says San Francisco Attorney Ephraim Margolin: "She has very good presence, is bright as a whip, and very, very fast on her feet."

Arguedas started honing those talents during law school at Rutgers, skipping most of her classes in the last two years to work it New York City's Center for Constitutional Rights. Graduating in 1979, she spent the next two years as a public defender in San Francisco, where she rolled up a stunning 13-2 record injury verdicts, then left 18 months ago to set up a criminal practice. She will not represent an accused rapist whose defense is the woman's consent: "I don't want to be in the position [on cross-examination] of saying, 'Didn't you really want it?'" Most of her clients are drug defendants. One, accused of being the ringleader of West Coast cocaine dealers, looked like a sure loser after his co-defendant turned state's evidence the morning the trial began. But after testifying, under Arguedas' careful guidance, that he had been on hand during drug deals only because he was the other man's lover, her client was acquitted—a verdict that surprised even Arguedas.

The chain-smoking, New Jersey-born attorney "totally rejects" the image of the hired gunfighter favored by many trial lawyers, but she concedes, "It is very lonely in court. You are the only thing between



Berkeley Defense Attorney Arguedas

your client and prison." The occasional added burden of sexism does not faze her. "As a woman, you have to be better than the men; you've got to prove yourself over and over again," she observes. "But I don't consider that a problem because I would want to do that anyway."

—By Bennett H. Beach.
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