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Interviewee: Rudy, Beverly

Interview Date: May 13, 2013

University of Houston
Oral History of Houston Project
Houston History

Interviewee: Beverly Diamond Rudy
Interview Date: May 13, 2013
Place: Beverly Rudy's home, Houston, Texas
Interviewer: Debbie Harwell
Transcriber: Michelle Kokes

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Abstract:

Beverly Rudy discusses her early years growing up in Oklahoma and Arkansas. She left high school at the end of her junior year to attend the University of Texas. She married Ellis Rudy and moved to Houston where she completed her undergraduate degree at the University of Houston. Her husband contracted hepatitis causing Beverly to feel she needed a career and decided on law school. She discusses her experiences in law school, and her delay getting into the bar after failing the bar exam the first time. After taking an interest in helping non-profits, she decided to take the exam again and passed. Rudy details the challenges women faced in law school, her involvement in Kappa Beta Pi women's legal sorority, discrimination such as having to sit outside the door of the bar association meetings held at the Houston Club because women were not allowed inside. She explains how certain fields of law were closed to women by the good-old-boy network; as a result she gave her criminal cases, for example, to Richard "Racehorse" Haynes. She discusses field that have emerged or expanded since she attended law school including juvenile law, oil and gas law, and arbitration. Two areas that she fought for women's rights included marital property rights and representation on juries, pointing out the irony of being able to practice law in a courtroom where she would have been ineligible to sit on the jury because of her sex. Rudy also discusses the importance of women attorneys today continuing to mentor young women coming up in the field.

UNIVERSITY OF HOUSTON
ORAL HISTORY OF HOUSTON PROJECT

Beverly Rudy

Interviewed by: **Debbie Harwell**
Date: **May 13, 2013**
Transcribed by: **Michelle Kokes**
Location: **Beverly Rudy's home in Houston**

BR: Hello, Debbie, good to see you; and I hope that I can answer some of the questions that you are interested in. I think you share or I share your interest in many, many things. And I guess I should start out by telling you my name is Beverly Francis Diamond Rudy. My maiden name was Beverly Francis Diamond and I used that throughout early practice of law after getting an attorney general's opinion that one could use their maiden name even if married. So you will hear me often or you will see something that I am going to show you that will say Beverly Diamond though I was married when I was quite young.

I was born in 1932 in the middle of the depression in a relatively wealthy Oklahoma town, Tulsa, Oklahoma. And my parents had moved about six miles away to open a store in a suburb that is now part of Tulsa that was at the bend of the river or the end of a river where the Trail of Tears ended. So my early life was very much concerned with the environment. Oklahoma had only been a state for twenty-five years, and my father was very much a part of the world of the Indians. My mother and father had graduated from high school in Tulsa, Oklahoma, and they had been there oh for many years. My grandfather came into Indian Territory before Oklahoma became a state, which was 1907. So obviously, if I am correct Oklahoma had only been a state when I was born.

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I had a pretty leisurely childhood from the time I was born to, even though it was the Depression, and I remember many things about that. I remember my father shaking pennies out of my piggy bank to take the seven cents to take the interurban trolley to go to Tulsa to go to work. He lost his business in Sand Springs, Oklahoma, during the Depression and went to work for a company called Oklahoma Tire and Supply Company. So he had to travel back to Tulsa (which seemed quite far in those days) and I do recollect, though, we never wanted for anything. I do remember the Depression quite well.

I guess I should start this, Debbie, by telling you that recently I read a book again about (from one of my friends by the name of Horton Foote that was from Wharton, Texas,) and when he was speaking to a group of people in Austin, Texas. If we could get the video, I'd love to have it. I stood up and said, "You know I understand everything you are saying, but how are you able to write such wonderful books?" and he replied, "Well, Beverly, one of the things I did as a child is that I was a very careful listener. While everybody else talked, I sat on the front porch and listened." And, Debbie, coincidentally in this morning's *[Houston] Chronicle* there was an article called "Storyteller's Secret" and that is listening to others. Well, I think I'd rather do that than talk; but having said that, let me tell you that I guess I should start out by saying I also read another interesting book called *Dreams of My Russian Summer*, and in it there was a quote, and I think it was my philosophy. I quote it, "Are not your memories a cage that helps you... that holds you as a prisoner? Is not our life simply the daily transformation of the fluid and warm presence into a collection of frozen memories like butterflies on their pins in a dusty glass case?" And that is from *Dreams of My Russian Summer* by a national writer from Russia, Andrei Makine. I also love a quote that says, "I discovered that talking was in fact the best way of saying nothing about the essential." So based on my philosophies, I've already talked too much.

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But again our native Texan son Horton Foote, who happened to be a friend of mine from Wharton, and I know that growing up in Oklahoma until I was about five became a very important part of my life, especially when I was about seven. I was in a very bad car wreck taking my father from the little town that we had moved from, Shawnee, to Oklahoma City. We dropped him off at the train to go to his father's funeral, and on the way back in the rain, we were hit by a car. At that time I was sent through the windshield and I knocked myself unconscious, or at least the concrete did, and also every tooth in my mouth. So at the ripe old age of seven, I began to truly appreciate people in the professions. I guess my guardian angel for many years became this saint, and I say that partial tongue and cheek but partially in truth. My whole life was affected by that car wreck where we were saved because my father had gone to Oklahoma University and the people that were called in to take care of us rushed in from Oklahoma City to take care of myself, my sister, and my mother. I survived the car wreck without any teeth; however, I was lucky because there were many of my teeth at the age of seven that still came in, but it affected my whole life. First, in appreciating people in the professions. Secondly it affected me in that I continued to go to the dentist wherever I was living until I went to college. I usually took at least one day a week off to drive either into Oklahoma City, or when my father, who then worked for Oklahoma Tire and Supply, was opening their stores throughout Oklahoma and then to Hot Springs, Arkansas. There was no dentist who could take care of me in the small towns. So I missed school one day a week and drove into the dentist that was close by. Well that made me very cognizant of professional people and dentistry and so forth. During this period of time, and by the way though my philosophy is one of memories, the memories are the butterflies that I wanted to hang in my cabinet. I wanted to point out the beautiful memories that I had of my family who made a tremendous impact on my life. This is

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actually my mother, father, husband, and my two sons, and my younger son's wife before I had grandchildren. But as I grew up I realized that it was important for the world to make some really good memories for others and for ourselves in that we had to do something to make those butterflies significant to add to the world, to add to our family and friends and those were the important things and goals in my life. And certainly that subsumed education, and it subsumed friendships and family life.

Well, we finally move from Oklahoma to Arkansas, and when I was in the fourth grade I started school in Arkansas, and started in a school that had two or three classes in the same room. And I truthfully loved that. Also in the back of the school we could fish when it was recess time because the environment was always a very important part of my life. When I got to Hot Springs, I quickly for some reason took every course I could and finally there was nothing else to take, and I was getting ready to go into the senior year. I asked the principal if I might graduate, and he said, "No you have to have twelve years of high school or I can't give you a diploma." So I said, "Oh, okay. Well, even if I don't have a diploma, I'm going to apply to college and see if anybody will take me." And the first place I applied to was the University of Oklahoma, who promptly rejected me and said I needed that diploma. I then applied to the University of Texas, and they said, "Fine, but on probation. First of all you have to make a B+ average to stay in the University of Texas, and you are missing one course that we are going to require. Could you take it before you come to the University of Texas?" So I quickly wired, in my stupidity, the president of the University of Arkansas telling him that I needed to take a college course that would impress the University of Texas, and I have his telegram in response. He became very famous. The president's name was Jones. He wrote me back, and he said, "We will arrange the course for you and the test must be given by your high school principal. And I wish you were

coming to the University of Arkansas instead of taking our correspondence course.” But he made a tremendous impact in my life as a professional educator, and he too became very famous in our national history.

I entered the University of Texas in 1949 and entered as a history-dance-drama... actually I entered as a major in psychology because that's what the counselor at my high school told me I should enter in as. It was a new field and psychology was the “up and coming” thing, and I certainly needed a degree in psychology. So I entered as a psychology major, and I had no idea what that was, and certainly that first week of classes as I took the math courses required for my degree, I realized that just wasn't going to cut it for me. When I was in the process of taking an elective course in the drama department, the professor after calling role requested that I meet him after class and he wanted to talk with me. So I did and he said, “You had quite a bit of agony in your voice. Is there a problem?” I said, “No. No problem at all. Why?” He said, “I just sensed something in your voice.” And with that I burst out crying and said, “I'll never make it. I'm on probation. These math courses are not my cup of tea.” He said, “Tell me, what your cup of tea is?” I said, “Well I've been in the drama department. I love drama. I loved history. There were many things, I liked but I didn't think psychology was going to be it as much as I liked people.” He said, “Well come with me. I'm going to walk you over to the old 'B' Hall at the University of Texas and we're going to change your major to get you a bachelor in fine art's degree with a major in art history and dance-drama.” So proceeded to do that. Loved every course I took. In my sophomore year, my roommate introduced me to a man she had been dating from Houston. A man who lived in Houston, a native Houstonian going to Rice, and she introduced me to Ellis Rudy. And though I was determined to get a college degree before I got married, like everything else that we are very determined about, it didn't work out. So after my sophomore

year, I married Ellis Rudy and moved back to Houston or moved to Houston for the first time.

Unfortunately our plans again went awry.

Ellis was in the Navy reserves and as a result of that got serum hepatitis and was bedded down for six months. We cancelled the wedding invitations that had already gone out, and I tried to decide what to do. Because it occurred to me that I was marrying and had the financial responsibility of a husband with a very seriously damaged liver. I took the third year in my major here at the University of Houston and again loved everything I did and graduated at the end of my third year; decided to do the same thing that I had done in terms of graduating from high school, and I have my graduating announcement from the University of Houston. Both Gaye Brinson and myself won top awards in that graduation. I can pull that up for you in a minute. But it occurred to me that maybe I better do something other than everything that I loved. So I applied for early admission to law school because, as I told my mother, in those days the only thing I can do is iron white shirts and my husband's navy whites in less than five minutes and put those four creases in the collar and I better do something that will enable us to eat. During my final year at the University of Houston, they put in a new program. It dealt with television and radio and I was very active in that department, which is why I won the honor. I interviewed people like Percy Foreman. I interviewed a woman whose name has escaped me. She was the first woman commander of the Navy, and I wish we had the University of Houston videos of that or tapes of that. Two people who affected my life greatly and in some ways catapulted me into my early years in law school; and, yes, when I took the LSAT and questions like, "Suppose you have a client with jaundiced eye what does that mean?" I think my answer was, "Oh that he has infectious hepatitis like my husband." I was, however, in spite of what I may have done on the LSAT, admitted to law school. I can't remember; I was quite young at the time, and law school

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and my being, at that time, the only woman in my class was a wonderful challenge to me. While I loved every minute of it, I felt terribly ignorant in terms of what life had to teach you. When I graduated from law school three years later, I was pregnant my last year of law school though I tried to conceal it from everyone.

I decided to go back and get some courses that I should have taken in all those years that I was rushing through. So I applied to Rice because during my last years of pre-law I was very affected by a woman who came to teach at the University of Houston, Pauline Collinda. Her thesis, excuse me, her doctorate dealt with women, and she could not teach at Rice where her husband was becoming the chair of the philosophy department and one of our friends, Constantine Collinda, because you couldn't teach at the same place, so we were told, where your husband taught. But Pauline was very, very interested in women and, of course, she was being rejected though she had gone to a very fine eastern school and was outstanding as a woman in the profession of education. I considered the possibility that I might go back to the University of Houston rather than practicing law. While I had a newborn and would somehow like to talk about women in the profession, and was told that the law school was hiring a man who had a joint appointment in the department of anthropology, which happened to be Pauline Collinda's field, and law, and why didn't I choose a topic that had to do with women in the profession under the anthropological/sociological title of social control and that really is what women in the profession is all about. I applied. I worked through my thesis. There was not enough money to go to the dissertation, and though I had taken tests at the master's level, I dropped out at that point, assuming that they would put in a dissertation, or the ability to get a doctorate.

Then I started practicing law because my children were... a couple of years went by. My children were a little older and something had occurred during that period of time that made me

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very determined and that was that I took the bar exam and failed it. I was stunned because I was fifth in my class and had very good grades. Newell Blakeley then who had become dean of the law school telegraphed the Board of Legal Examiners and was told when he requested a review of my bar that maybe I had left out a page. He was told (and again I have that telegram because I love to keep things that verify what I am saying), he was told that the Board of Legal Examiners the State of Texas does not review bar examinations. So I decided, well move on with childrearing and so forth for a little while, and that is when I continued to work on my degree, went to Rice and took all of the courses that I could. I took them because I audited them because I was told that I already had a couple of degrees, and I surely didn't need any more. So I audited them, so I wouldn't take up a chair of some important person and as one of my lawyer friend's wives told me, certainly wouldn't take the place of a man!

The law school professor that I dearly loved Barksdale Stevens took me aside when the telegram was received and said, "Don't you know what's going on here? They don't want women in the State Bar of Texas. Now take the bar again and again until you pass it." I said, "Well I'm not sure I'm up to that." So several years went by, and I did things that I wanted to do. Early child rising, got involved in many organizations, worked for many kinds of things (and I noted that *Houston History* was having a Garden Center party in Hermann Park). I struggled for the existence of that park and met with a group who were working with blind people for the Lighthouse for the Blind, and we met at the picnic pavilion to go through some things necessary for the Lighthouse. So the environment became very important to me. Not-for profit organizations, though they weren't not-for-profit at that time became very important. I loved art still and met with a group with the de Menil family here. They invited up and coming young artists in our little group to speak and one of the speakers was a young man whose work I really

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didn't like but as I told him, "Well, Andy, I think that you are going to be famous though I don't like your work, and I took two posters down that you had done. Would you sign one each for my sons? Because when you become famous I want them to be able to hang up their Andy Warhol portrait?" He invited my husband and I to come to his home in New York at any time we were in New York and that was soon to happen. Because what had happened (thank you de Menil), I realized that these women and men who were described as "little old people in white tennis shoes" needed some help with their organization, and so there was an awareness on my part that these people who were doing all these things like the art league that I belonged to, the de Menil Group, needed some additional help. At that time, new law, which was called "not-for-profit corporations," that would support people in the art and other things were coming into being. I thought, "Maybe I should take that bar again. They need some help." So I did and luckily after some years I made one of the top grades and that enabled me to help the de Menil Foundation, the de Menil Group when they lost their status as a "not-for-profit corporation" because one of those dumb little ladies in the white tennis shoes said, "Why do I have to send these papers in to Texas state government or the federal government? We don't make any money; they don't need a tax return." But unfortunately the attorney general had already revoked their status as a not-for-profit Texas organization. So I called the attorney general and said, "What do I need to do to reinstate us?" And was told what to do, did so, wrote a law review article on it that was published and we've looked for it. It was published we think in a University of Texas publication because University of Houston did not have a law review at that time. So I made one of my interesting lifetime vocations and avocations to work for people in not-for-profit corporations. Well when I graduated from the University of Houston Law School I was member of a number of organizations, honorary organizations. Kappa Beta Pi, which is a legal sorority, Psi Chi, which

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is the psychological sorority. I went back and picked up all my courses in psychology that didn't look nearly as foreboding at that time.

I had been married for a number of years and this is a picture of my husband as he celebrated his seventieth birthday. He is now eighty-three and still a driving force in my life and my family's life. As was my high school, Hot Springs High School, that I quit-uated. Finally the principal of the high school decided to issue me a diploma and back dated it, which I thought was very nice. I have kept up with most of my classmates from both '49 when I really graduated and class of '50 where, had I not skipped out, I would have graduated. We had a lot of very interesting members that affected my whole life because we lived through the war years in Hot Springs, Arkansas.

After I quit-uated from high school, the class of 1949 formed a group and marched down, and all the men enlisted in the service; and they became, ultimately, they all went into the service right after their graduation in 1950, and they each had amazing lives. I've continued to keep up with many of them. But there...my childhood with them affected me greatly and living in Hot Springs, Arkansas, home of the army and navy hospital where we took care of patients during our high school years affected me greatly, and I think all these things were significant in my background.

Also during that period of time my little brother-in-law had some psychological problems, and we became the guardian of my brother-in-law. So my interest in psychology became more significant than I had anticipated, and I saw how accurate that high school counselor had been, though it may not have been top of my profession. I got help here from the Jewish Family Service. The director was a woman, very professional, marvelous woman by the name of Fred. She is, of course, deceased but she became the executive director for the Jewish Family Service for many years, and Ruth Fred directed me to how to get care for my brother-in-law. So to me

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she was a very significant person in my life, as was the commander that I interviewed for our Channel 11 [8] for the University of Houston to see that she bucked all efforts and she could become a Navy person. She was not in the WAVES but rather in the Navy, they took her. Well, the practice of law. I struggled to practice and again the friends in my law school at the University of Houston continued to push me. I initially I should say with laughter was pushed by a young woman who had also been the in the WACS, and when she got out, decided it was important to go to law school, although she went to law school ten years after I did. She... we had a little legal sorority that I mentioned Kappa Beta Pi legal sorority that I continued to sponsor because I felt that it was important for the women that went to law school to have a cohesive support group. Little did I know that they would end up supporting me and secretly Ruby Lee Sondock, who was the first woman to sit on the bench and I headed, help head her campaign for election, pushed me secretly and made arrangements behind my back for me to take the bar exam. Gizella Salomon who also graduated from the University of Houston and started practicing told me that she couldn't possibly take care of her practice during the summer. She had other things to do and as a close friend I had to take over. Little did I know that this was already what they were planning to do to get me back in the swing of things, and it was very effective! But it was women supporting women. And I felt forever more not only women supporting people but other women.

I had a neighbor, and it was not my neighbor Carl Lewis who influenced me, but his mother who talked with me at length about how it was important to support our children and encourage them in terms of education or whatever their major interest was and how she had supported Carl. I read an article recently, there was last week, there was a luncheon supporting Gloria Steinem and how she fought for social change and I thought, "No it really isn't about Gloria. It's about the University of Houston

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women here in Houston and she talked about how coming back to Houston; it wasn't about Gloria but it was about the Houston women who started the women's movement long before Gloria Steinem was an important figure. It was about Pauline Collinda who taught at the University of Houston. It was about Marjorie Miller who got as a member of the AAUW who got a grant for me to talk about what I also loved and that was women that were unable to have their own income, practice in their own name. I already mentioned. Before they reached, they had three disabilities, legal disabilities, we needed to get removed. One was gender. I was a woman. When I got out of law school, I hadn't yet turned twenty-one. So that was a disability. Minority, gender, and the third one of course was being married.

These were legal disabilities that I often talked to the women in law school, whom there were more women and we invited them to our Kappa Beta Pi meeting. We invited them to go to the Houston Bar Association meeting, tragically when we met the Houston Bar Association, it met at the Houston Club, and we were invited to sit outside as a group because women were not allowed in the Houston Club. Even though we were going to a State Bar or Texas meeting, they put our table of women outside the door of the Houston Club. These things of course had a gentle impact on me, if not one that was so gentle that it felt that the continuation of pulling the carpet out one way or the other would continue to have an impact.

My regret to this day as I'm in my eighties headed toward ninety... maybe I'll go back and see if we can't talk about the unsung woman to use your quote, Debbie. Or the theory that I was writing about women in the profession. Not only law, engineering... We started a professional group through the dean of women at the University of Houston. It had women in law school, women in optometry, women in accounting, and women in engineering. There were probably only eight of us in those days, women in the profession. But all of this was making an impact and University of Houston

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continued to do so. Well again the women's link and I continued to talk to different women no matter where I would go about women in the professions.

This is an old picture of the few of us lady lawyers as we were called and I think that was a vituperative statement. I don't care for it at all. They don't call it "men lawyers" so why were they calling us "lady lawyers"? As you can see there are only about ten, and this is about fifteen years after I got out of law school. Let's see what date is on this paper. Well it doesn't really make any difference. But we had conventions where now "lady lawyers," and I say that tongue in cheek, could be invited to attend some of the meetings and even go in the room with the men lawyers! I joined other groups at Rice. I joined the Rice women. They were the group called the SRUW and while I was attending Rice we went to meetings. They were not allowed to attend the men's professional academic group, so they started a group called The SRUW (again tongue and cheek) actually that stands for, "The Society of Rice University Women." There are many other things that I attempted to join. There was an East Texas historical group and they asked me to present papers on women and the women who attended the East Texas group, though they talked about the environment, things going on in East Texas, were particularly interested in women. And they formed their own sub-group. We met before the meetings started for early breakfast. I think maybe, Debbie, if you don't mind at this point I'd like to take a break.

DH: Sure.

BR: And kind of redirect my questions. I've been through most of these. I've put this Jewish Family Service with you it just came out and I think they talk a lot about Ruth Fred who was a very early social worker and very important group.

DH: Jewish family services was huge and did such terrific things, especially in the late forties when

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BR: When I needed Ruth Fred.

DH: Well, and when a lot of people were coming from Europe.

BR: Later. People were not coming in the late forties they were not yet coming from Europe.

The group that I helped start again and maybe should have called the National Council of Jewish Women.

DH: Oh yeah.

BR: And they are the ones who started, and maybe I should talk about that later.

End of Section 1

BR: We had the most wonderful thing. It was called the printer. [holds up document on early printer paper, continuous feed with holes on each side to feed it through]

DH: Yes I do, and you had to pull this off the sides, yes. And it wasn't that long ago really!

BR: It was not that long ago. I am going to put it right...

DH: In fact our first computer that we ever owned spit out paper like that.

BR: Debbie, I think I'd like to go back and pick up a couple of things I started to talk about and really didn't elaborate or maybe elaborated too much. But anyway I'd like to talk about what I was going to think about choosing when I went to law school. It is so important now that people talk about the areas of law that they are interested in and choose to practice in and whether they are going to do trial work or not do trial work and so forth. Well these were not things that we thought about at all, truthfully. The term we were going to be litigators wasn't even a thought. If you got a law degree, you did everything. You did the research, you did the litigation, you took what cases you could take unless you did what I chose to do. In the fifties and in the early fifties, I felt that it would not be fair to a client for me to get in the area of either criminal law or personal injury as a woman. Maybe I was wrong. However, I really felt that it's

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such (at the time) was such a good old boy network in terms of criminal law. So I told a young man who was an up and coming attorney that I was not going to get in the field of criminal law and that I would be sending him, if he would take them, many of my cases. I would also send other people personal injury work. That young man's name was "Racehorse" Richard Haynes, and there was not one time, whether it was juvenile or whatever the situation was, that he ever said, "Beverly, Beverly, do not send me any more clients." It was an agreement that we had when we got out of law school. So any personal injury work he did not take but another, two or three other friends of mine, I would refer them. Perhaps I was wrong. Perhaps I just did not have the interest in the field, I don't know; but I was one of the early "choose the area that you are interested in" by not choosing an area. But I watched so many other areas develop.

Most of what I got into was really prompted by my own experience and interest which is why I mentioned some of the areas that I was interested in. Like not-for-profit corporations. U of H held for the bar one of the very first legal seminars on not-for-profit corporations many years ago. It was a field that we got into. Also during this time, I became, or during later time, my children had grown up, and I encouraged the boys to go to law school and only one of my sons chose to do so. But his wife, I urged, a very bright woman, to go to law school and she did very well, probably better than all the rest of us. She chose to get into a new field, one that I also really, really was interested in but there was no real field and that was for adolescence or juvenile law as it came to be known. I was so interested in that that I got a federal scholarship, and I went to Sophie Newcomb/Tulane for a summer because I thought I would be the first juvenile judge here in Houston. After going to school and seeing what was involved and it had a lot of political impact that I felt I would do better as an attorney as opposed to being a judge. Because I would not have the stress of the political pressure and indeed a very good friend, Geraldine Tennant, University of Houston

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took the first bench and her son actually worked for me along with my children. We all went into different areas but my daughter-in-law decided that that was an area she was very much into, what I used to call "bleeding heart," before you started practicing and you realize that it was truly a bleeding heart area to get into, to work with juveniles. And while I used to do a lot of the volunteer on behalf of juveniles in their trial work, I was not interested in the bench. It would confine me too much.

My daughter-in-law, however, was interested in that area and we had a very find professor at the University of Houston (not in my day), but she came, Irene Rosenberg, who had represented children and adults in terms of their "legal rights" and being allowed to have certain rights read to them. She was a very good practicing attorney in New York and when she came down here and found that the field of juvenile law was wide open, she chose to get into it and really was an asset to many women who were going to law school at that time, twenty0 years after me, the time of my own daughter-in-law. My daughter-in-law did not stay in the practice of law very long even though both she and her husband had gone abroad because they felt that international law was something that they were interested in. My son had gone to London School of Economics, and he had an opportunity for them to seek out international law--again, a new and unknown field. One that is probably to- notch today. But he and his wife chose to go to school in Austria and lived, were invited to go behind the Iron Curtain and live in Hungary. I won't go into details, but they did so as part of their law school training.

When they returned to Houston and went into the practice of law, they did not get into international law and started practicing law in fields that made them enough money to exist, which is what many of us do. We take anything if we possibly feel we can adequately represent a client. It may not be the field that we want to get into. So my daughter-in-law and son started

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practicing law, and shortly after they started practicing, my daughter-in-law had a baby. Unlike the fact that I decided not to practice while my children were infants, she started practicing and she would take her infant to work with her. She had a play pen and certain things and would put him in the other room. She was destined to be a very fine attorney and had been appointed, even as a student, to do the work for a federal judge and would probably have become our first federal judge. However, unfortunately, shortly after she started practicing, she had a brain tumor and became 90% paralyzed, and although she is alive today and cannot speak, she is an amazing woman, who I think would have done wonders.

That of course piqued my interest in another new field, people with disabilities. So I started pushing for that, and the University of Houston Law School had several professors that were interested in health law, health policy law, new fields for us. They started a graduate program, and I was on the board of directors to institute a graduate program in the field of health policy law. The University of Houston Law School even gave mid-semester, between semester classes on some of the new laws that were coming out. This became very important to us, and again the University of Houston's program is still considered, at one time it was #1 in the legal field above Harvard, everyone's...but when people jumped on the bandwagon with more money than we had, they could hire more professional people to teach and so forth. Right now, I think that we do an excellent program, and we are certainly in the top, I believe, five; now in that field (again talking about people with disabilities).

We are coming into the fore with another field that we had an interest in, again we being the University of Houston and many people in my age group in what we now call energy. We used to call it oil, or oil and gas, and many of us chose to get into that field. As a woman, I felt I could not do so. Not because I was a woman but because my husband was in the field, not in terms of University of Houston

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law but in terms of practicing. I felt that practicing in that field might expose him to some conflict of law area, though I truly loved, if I had a choice and felt free to do whatever my heart told me, it would have been in the field of energy. I noticed that I have a diploma here that was issued to me. I lectured when he was asked to go somewhere and talk about people in the oil and gas world. I would be asked to talk about the legal aspects, and I remember spending a weekend in New York lecturing on the legal aspects because people in Texas knew more about it. I felt perfectly comfortable in doing that but not really getting into the practice. So what I chose to do is if somehow there was a case I must take, or it involved another one of my clients, and so many things of course interact, you can't drop out of people's lives in certain aspects. I would get permission, as it were, from either the people who I felt there was a chance that there would be a conflict of interest.

I did a lot of wills, estate administration, and I was fortunate enough to be involved with a family who had inherited from Lufkin Industries. Of course this is now public information, and I can talk about it; but they had inherited tremendous amounts and sums of money from Lufkin Industries. Because Lufkin Industries was so involved in many, many areas, paper companies, oil and gas, banking, I was gravely concerned that I could not accurately...I wasn't concerned about that, I was concerned about doing it so that they would get the best legal representation. So I got letters from the people in their family or attorneys that I felt there might be a conflict of interest telling them that I was going to represent them and if they had a problem to let me know up front. So as I matured in my legal practice and maybe the world matured too. I felt that there were other ways of handling it even though I knew that even these quote, unquote, as I jokingly say, "permission slips" from others might bring on lawsuits. I was strong enough and willing to handle that at the time.

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But there was no specific thing that I wanted to do. I did not like being a litigator in any arena. Even the areas that I felt so competent in because I felt that my job and what I liked and, I think, it's important for one to learn what you feel you can do the best at ... the thing that I felt was important in representing my client, to do so in a way that I felt I could best represent them. So I would hire another litigator if it was going to be a lot of litigation and I would do the theory. I would work the case up. I would decide where we were going, what clients would want me to choose as far as being witnesses in their behalf. I would set out the theory of the case and work along those lines. So I think as a woman in particular, still to this day, probably is any really bright professional you've got to do your job. You've got to do it well and don't toss out your hat and say, "Well I really don't want to represent that person but I need the money from that accident and blah... blah... blah..." No, if you need the money then find another avenue to get it. Don't take something that at the get-go you feel is wrong. It will never work out for you or for your client. Often what you think is the very best case and that you have the very best client if things do not go as they think it should during the trial, you will find that they turn their back on you and you've got to be prepared for that, as usually they turn coming back around again, but they don't understand the law. They don't understand what you are trying to do. So you are always playing two hands no matter what. Practicing law and doing it in such a manner that you can deal with the needs of your clients. I think that's most important and have integrity in doing so.

Well again though I did not really plan on getting into any area of law. I do want to reemphasize the fact that women did not have any sort of legal rights that involved property and the ownership of property, the ability to deal with their own separate property that they had inherited. If you were a married woman and suffered from being in a marital status then your

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husband always had to sign a deed with you, even on your... with your property rights that you owned the property or sign your contracts. So it became very important in my early professional life to talk about marital property housekeeping and to explain to people that women did not have these rights, and therefore, we needed desperately to change the Texas law so that we could get credit, we could sign our own contracts, we could own property and convey it by deed and any other manner without our husband's signature. Some of the very outstanding woman such as Marjorie Miller, Elaine Bernstein, and several of the early woman here in Houston who saw all the problems with women's rights were able to help me get a grant from AAUW, American Association of University Women, and spell out by book what the problem was with these statutes. Finally as late as 1974, we got the law changed.

And by the way, when I first started practicing law, women could not sit on Texas juries. It was not until 1954 that that law was changed. I could practice law but not sit on a jury. That law was passed in 1954 and went into effect in 1955. Also shortly thereafter, we got our disabilities of coverture that is marriage, minority, and gender changed. So we didn't have to go and talk about getting our disabilities removed that was a legal status hearing that had to be done by a judge to remove our disabilities.

I felt that the practice of law was something that an attorney, and I keep getting back to and I hate to keep saying it, particularly women really had to expand their interest in the practice of law. As well as expand their interest being, they had to look outside their practice and do other things, such as meeting with groups, talking with groups about some of the problems that involved women. None the least that which I talked about where here I have the Institute for Energy, where I was fearful of practicing in the energy field because of my own possible conflict of interest, but I didn't mind teaching what was involved. Perhaps I lacked maturity, who knows.

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I also think that it was important that we get elected to some things that nobody was thinking about. We needed to be ahead of our time so to speak.

I heard of a group and I thought the time would come after handling many divorce cases that there would be arbitration, that there would be discussion. No, not in the practice of law in the early days. I mean you got in there, you dug your heels in. You didn't discuss coming to any agreements, any mediation or arbitration. Well, I could see it happening in other fields, and I decided to become the first woman, I believe, here in Houston and Texas a member of the American Arbitration Association, that's called Triple A. You needed to be able to arbitrate a case to have that professional tag, it became very important. I seldom had to use that because as time moved on the field of arbitration particularly in family law matters came into being. And it hasn't been very long ago that I was making arrangements to join another group, and they asked for some of my credentials. I immediately, within the practice of law credentials, put AAA and was rejected from what, I don't remember what it was I was trying to get into. I was told that I had every proper credential, however, they just did not take people who were members of Alcoholic Anonymous so my AAA under the field of law didn't help me very much. I explained what that was and to this day I do hate anyone or anything who use initials. Tell me what they mean. Do they mean American Arbitration Association, American Automobile Association, American Alcoholics Anonymous, or whatever? No, we need to have greater specificity. So I am saying that we need to familiarize ourselves with what is going on outside of our particular practice, try and look down the future that we really do not realize what is going to happen. Five years ago fracking or fracturing in the oil and gas field was a relative unknown. My secretary who started working for me, I think, between her freshman and sophomore years of high school; she did my typing and then shortly after, shortly after she graduated from high

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school, she worked for me in the summer before she went to the University of Colorado. Like all women who I felt had potential I said, "Please look at oil and gas law when you get out of college. Especially look at the law. You are a bright woman. You've worked a long time in the field. Take a look at it again." Well sure enough, she did and she applied to graduate school, that is to law school, at the University of Colorado, was admitted, and tragically on her way home to get her things was in a very bad car wreck, and she has recovery problems to this day. So she went back to work for me after graduation until she was able to go back to law school, and she became an outstanding member of the University of Houston Law School, the law review, and I guess it wasn't too bad to get in the oil and gas field. I received a letter from her just this day telling me, oh by the way, I think the bottom of the letter says something about she is the senior legal counsel for Enbridge, the key pipeline, the international pipeline company, and she has 500 attorneys under her.

So we have to push people a little bit also. I'm trying to say that included among the other interests, we must continue to mentor people in terms of support. If I had not been supported by a group of women, I would have never gone back and taken the bar. If I had not been supported or all of us had not been supported and laughed as we sat outside at the State Bar conventions where women were not allowed to go; or I did a lot of work in Fort Bend County and was a member of that bar association early on, and they never chose to call my name as they called the role. I was the only woman, and so they would call the role and at the end of the role and say, "we would like to introduce another member, "Ms. Diamond would you please stand up?" and everybody would applaud and kind of snicker. That kind of thing of course is no longer done.

But we have things that are equally degrading. I remember the first case that I tried in Fort Bend County, I asked if I could approach the bench and the judge responded to the two other male

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attorneys standing beside me, did they care to approach the bench, and they were told "yes," and so all three of us approached J. P. Hardy, who was a traveling circuit judge. We approached the bench, and Judge Hardy heard the problem that the attorneys presented and he looked at me and he said, "And, honey, what can I do for you?" I said, "Your honor, I'd like to be heard." He said, "Well, honey, anytime you wish, my dear!" I presented whatever motion I had and then asked to see him in chambers as soon as he was off the bench and explained to him that I was a practicing attorney, showed him my credentials. He said, "I finally realized that, but I didn't know what to say to you because I never had a woman in my courtroom before." He said, "I am so glad you came in and told me about it. I know what to say, and I will know what to tell my daughter who is getting ready to go to law school. She has a lot of problems to face, and thank you." He shook my hand and said, "But can I open the door for you?" I said, "Yes, there are other things you may do, but I must be treated just exactly what our rules of legal procedures tell you and must be treated fairly, and like any other man." Unfortunately this doesn't happen sometimes even today. In, and we are of course talking in the year 2013, no longer the 1950's. Well there are some other questions, I think, Debbie, you must have. I could talk forever, but I'd like you to address them, if you will, and I will certainly be happy to answer what I've neglected to say.

DH: Okay, one of my questions has to do with feminism. I wondered if although your graduation predates the second wave feminist movement of the 1970s, if you considered yourself a feminist? You obviously...

BR: I think the term "feminist" was not even there when the small group, I remember we had a small group about my first year of law school consisting of myself, a woman who was going to medical school... I can't remember, we met about once a month and talked about our problems;

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and as I mentioned, Marjorie Miller, we had a woman who chaired a department at the University of Houston, whose name escapes me and I will try and retrieve it mentally, who also was very much aware of the problems that women had in those days. No, I didn't consider myself a feminist, and I think if somebody used the term later I felt offended because I felt that to call us a feminist was to put the same stigma on a group of women in terms of just the way we were ordered and instructed to be seated outside the door when the bar association met. So I thought that it brought negative attention to us by using that term. While maybe the definition was something that I felt, I didn't want to use it. I also objected to forming a group of women that had not yet been formed and several groups were formed only to represent women, and I didn't want to do that. I wanted us all to have a level playing field. It was equality of things that I wanted, and I didn't want to be set apart in any way. So, no, I didn't like the term feminist and then I saw what we were called the "queen bees," those were the ones that started practicing law and now they got special attention because they were, quote-unquote, "really bright women who were practicing law" somewhat few and far between, and I am being facetious again. A few were chosen as "very bright," and they were the "queen bees." I found that to be a discriminatory statement, even though I felt they were bright and certainly deserved an honored place, but I did not feel they should be honored to the extent that they were indeed the queen.

I also felt that it was very difficult initially for women to practice law. I was fortunate. I had a supportive husband. I had a woman who worked for me prior to the time that I had children. There were no day care centers. About the time I was going to law school, U of H cleverly put in a day care center. But when I first went to law school or had a baby, there were none. So I depended on family and a person employed laborer to work for me to take care of my children so I could do other things. I don't think there has been a great deal of change. I think that those of

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us who have young children today, or illness today, or many other things are still carrying the major burden of being a housewife, in other words juggling many balls up in the air.

A housewife, the best cook you could be, witness all the marvelous cooking programs and recipes you can spend your entire day getting and all you have to do is present a cake, and you become a wonderful homemaker; and if you put some flowers on top, that makes it better and find a secret way to instill some homemade ice cream, or today it's yogurt, it even makes it better. But my point, it is still very difficult; and we still do not have a male population for the most part, of course I'm over generalizing on everything, that is supportive. Men don't have to bake cakes to be a good housewife. They, frankly, most of the time, don't have to worry about child care, or whether their mother-in-law is ill, or their own mother because their wife will take care of that either your mother-in-law or mother. It is still not easy. The money still does not come in in an equal fashion, for the most part, for woman and we just have the new book by a CEO called *Lean In* that talks about being a corporate executive and not having the equality that many women do not have even to this day.

Again, it is important to work with local groups supporting different areas of business. A group of us met for breakfast every week about 6:00 a.m. so women could get to work. There was a woman member of our breakfast group whose name was Kathy Whitmire, and she decided that she would really like to run as a first [Houston] woman mayor. There may have been some temporary other mayors, so I might be corrected on that. But we did everything we could to support her, and these breakfasts that we had allowed us to voice our concerns, but it also gave us a support group that I felt very important in terms of being homemakers, in terms of having tragedy. One of our breakfast group members was an astronaut that got killed in a shuttle mission, and she had us to stand around her even though she was not a working woman.

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Anybody was invited to our breakfast, it was never a closed group. So those things must continue no matter what profession you are in. Debbie, ask me another question.

DH: Okay, you talked about the importance of women mentoring you and the importance of continuing to mentor young woman who are coming up. What advice would you give to women seeking a career in the legal profession today?

BR: I think, first of all, I would ignore my usual statement that I make to very bright women, which is every woman needs a law degree whether they practice or not. Yes, I feel that perhaps every woman that has intelligence and interest in life does need a law degree. It certainly helps you, and it was my saving grace because I could always go out and get a job when illness struck us and so forth. But every woman does not need a law degree. If they do not like it, either as they get into it initially, or they do not need to be pushed into it. We all must search for our own ways. You can taste it of course and maybe by taking a summer course that has to do with law, or sitting in on a bar association course, that they are giving in an area you think you might be interested in. There are so many areas now. Things that deal with art, and preservation law, and oil and gas, and international. Tomorrow there will be a new one that I do not know about. It may not be fracking, it may be something else. I would advise them to find a couple of legal summer classes through the bar association who will allow them to sit in. Talk to people, go to work for a summer. If unless you are so certain that that is the field you want in, if you are that certain, go for it but feel your way. It may not be what you thought it was like any other profession. Not only do you learn as you get in the field, you learn every day thereafter.

Can you think of any other thing that you might like to ask? I would love to talk to any woman about women in the profession, especially the legal profession or any other profession. I'm not certain there is a great deal of difference in terms of what all of our problems are whether you are

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a teacher, whether you are an engineer, whether you are in the legal profession, areas that were difficult to get in. I think teachers have a great deal of the same problems if not more so. First, because it didn't appear to be problematic. You know they were sort of equivalent to people like Mrs. de Menil who wore those little white tennis shoes. There was nothing that she could do any better than hang up that art work she paid for. Again I'm being facetious. But all work is difficult. All women are professionals. They must be respected and we must continue to support women in anything they want to do. And if they don't want to work they can certainly stay at home and be a professional because that work now is insurmountably difficult. Helping our children, guiding our children, taking care of our aged population and as you know like Dr. Seuss says, "you only grow old once." This is the most clever, most fun book for anyone including those of us who have become obsolete children. Thank you, Debbie. If you think of anything else let me know.

DH: I will. Thank you, Beverly. I appreciate it. This has been fun.

End of interview