

11-27-1984

## Interview no. 740

Pat Palafox

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UNIVERSITY OF TEXAS AT EL PASO

INSTITUTE OF ORAL HISTORY

INTERVIEWEE: Pat Palafox (1945- )  
INTERVIEWER: Pauline Dow  
PROJECT: Women Attorneys of El Paso  
DATE OF INTERVIEW: November 27, 1984  
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BIOGRAPHICAL SYNOPSIS OF INTERVIEWEE:

Attorney, El Paso

SUMMARY OF INTERVIEW:

Discussion of law school experiences at the University of New Mexico, her law practice and municipal judgeship, the male atmosphere of labor law and negotiations, reactions to women lawyers and judges, and Bar skits.

Length of Interview: 25 minutes Length of Transcript 16 pages

Pat Palafox  
November 27, 1984  
By Pauline Dow  
Women Attorneys in El Paso

D: Okay, if you could just state the date and place of your birth.

P: January 12, 1945, El Paso, Texas.

D: Marital status?

P: Single.

D: Any children?

P: No.

D: Let's see. In talking about your college preparatory courses, did you take any courses in college to prepare you for your entrance into law school?

P: No.

D: Nothing at all?

P: No.

D: When did you decide to apply to law school?

P: After I was working. I worked for the Equal Employment Opportunity Commission and I was an investigator. I was a conciliator and as a conciliator your job is to try to settle for what you might be able to get in court, so I had to learn all the court decisions and I really enjoyed reading the decisions and knowing that, and that's when I wanted to go to law school and so I decided I really wanted to go to law school.

D: So what was your undergraduate degree?

P: Languages. It was Spanish; major in Spanish with a minor in English.

D: That's interesting.

P: I liked everything, so when I was a junior I decided I'd like to graduate and I checked to see [how] I could graduate fastest and that was the way

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I could get out the fastest.

D: Great. What was your family's reaction to your decision to attend law school?

P: Well, this was, you know... I did it fairly recently really, in 1977, so at that time it was okay but it's not like I was a young child anymore. I was already an adult with a life of my own, so they really didn't have much to say. I mean I didn't get any "Oh, our daughter is going to be a lawyer."

D: Right. Kind of thing.

P: Yeah. I mean they didn't have anything to say about whether I went or didn't go.

D: How about friends or boyfriend or you know, whatever. I mean, did any problems or just comments from your friends at the time, your peers?

P: No.

D: Okay.

P: Most of my peers that I knew at the time, were lawyers, like Kitty and Janet and Chris Kelso.

D: Right. I'm going to interview her, too, Chris Kelso. When you applied to law school, did you encounter any problems with the administration? I mean when you made your application, did they just go strictly on your LSAT and grades in undergraduate school or was there an interview involved or obstacles at all with the administration?

P: No. I went to a terrifically liberal school. University of New Mexico in Albuquerque has 1/3 minorities and 50 percent women. My class was 50 percent women.

D: Unbelievable.

P: Um hm. So the school was very, very liberal and really looking for...

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They had special orientation things, special programs for minorities. They had, you know, Indians, Mexicans, whatever and the women, you know, so they just really were looking for people and I was an out-of-stater and they only allowed 10 percent for out-of-state. But they let me in on the basis, I think, of my education, not education but my work credentials and I had an incredible resume. My LSAT scores were not good so it was on the basis of my education and my resume, my job resume.

D: So your experience prior to your entrance.

P: Right. Rather than a very non-memorable LSAT.

D: So was there a quota system then for women, particularly for women at this university?

P: I don't think there was a quota system. I don't know if there was or was not. I just know that 50 percent were women in my class and a lot of them were older women who were returning when their kids were grownup or, I mean, it wasn't like they were women right out of college. I think there were more of us who were from other careers going back to school.

D: In talking with the female classmates or fellow students, is there any reason for that, do you think? Or was it just the area, geographically, of the school or why is there 50 percent women?

P: Because the school was making special efforts to get women.

D: Was there special scholarship money available for women?

P: I don't know because I didn't get any but the school really, as I said, is a very liberal school and they were really making efforts to have women and minorities.

D: Okay. So how were the professors? Were they encouraging, discouraging? Were they men, were they women?

P: They were both. Again, I was very lucky. UNM in Albuquerque is a very

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liberal school. They have a terrific staff, women and men, and there was just very little discrimination. It's a very open school so that your teachers are totally open to you. One of the faculty members was one of my best friends, a very good friend, so I had kind of an entree to the faculty and they were my age, you know, a lot of them. So my social life was a lot with the faculty rather than with some of the other students but they just have a real... It's not like professor-student with a big barrier in between. It is a very open school and just not a lot of that stress and that formality.

D: Right. Well, in most law schools they work, of course, from the Socratic method and they ask you to stand up and recite and stuff like that. Was it that way when you were going to school?

P: Yes, yes.

D: Where they chose women and men, I guess then, with the same regularity in asking them to recite, to stand up and recite?

P: I never noticed that they were choosing men over women. I mean, there were so many women in there that, I mean with 50 percent of the class being women it's kind of hard to not ask the women to recite.

D: Okay. Can you think of anybody that put a roadblock in your path when you were going to law school, whether it be professor, counselor, friend, just anybody?

P: Well, when I was in undergraduate, when I was at UTEP, as a matter of fact, and I didn't know what I wanted to do, I took a bunch of the psychological testing tests. And the guy--I don't even know who he was at the time, it was so many years ago--said, "You have the capacity to be a lawyer," but he didn't encourage me. It was like, you know, that's really kind of a hard profession and that's why I ended up not doing

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that. If he had encouraged me with my, since he said the abilities were there, but total nonencouragement, if he had ever encouraged me maybe I'd have been a lawyer back since I was in college the first time.

D: I see. So that was in undergraduate?

P: So that was a roadblock but that was in undergraduate. But you know, when I finally decided as an adult, I didn't have any roadblocks.

D: When you were in law school and studying, were you ever discouraged from any particular field of study, say courtroom law or something like that? Were your energies directed in one field more than in the other from outside forces rather than your own personal self? Did anybody ever say to you, "Oh women don't get hired by big firms, therefore don't get into courtroom law" or anything like that?

P: I can't think of anybody telling me that. I know myself, I thought that I wanted to be either in corporate law or labor law and I didn't want to be a trial lawyer because it's just too much stress. So guess what I am.

D: Why do you think you did that?

P: Well, as far as El Paso, it ended up because of my connections here, my father being a doctor, my brother being a doctor, that I ended up going into personal injury and worker's comp. I mean that was what my connections were when I started. I started out in a big firm. That was my first job after law school--Scott, Hulse, in their labor department. That's what I wanted to do but then when I left them a year later and opened up my own office then the natural thing for me to get was personal injury, worker's comp type cases. And even with my New Mexico license which is terrific, that's what I get a lot of referrals on, personal injury. I don't know if it's because the lawyers I meet are personal injury lawyers and so then they refer me personal injury cases. I don't

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know a lot of corporate lawyers so I don't get a lot of corporate referrals. I think a lot of the corporate lawyers are with big law firms and if they don't have an in-house capability they'll refer it to another law firm, big law firm that has an in-house capability for New Mexico. Or they've got New Mexico connections in Albuquerque and they just send it over there.

D: Right. Okay, so when you graduated then from law school, you say your first job was with a large firm?

P: Right.

D: What was that experience like? I mean did you encounter any difficulties there?

P: That is where I encountered difficulties with being a woman and being a Mexican-American woman because I just felt totally like I didn't fit in. There was three women, two of us hired more or less at the same time, one that had been hired several years before, and the whole atmosphere was such a male fraternity type situation where we had firm lunches on Fridays and they all discussed football and sports, and the firm events were golfing tournaments and things like that, that I just really didn't fit in with. And so I did feel uncomfortable like I didn't fit in, with no overt discrimination of any sort, just not feeling like I belonged.

D: How about in actually applying to the firm, did you encounter any difficulties when you applied, when you were interviewed for example?

P: No. They kind of sought me out.

D: I see. So it was just once you were in there, you just didn't feel like it was your niche yet?

P: Comfortable. Um hm.

D: Okay. So you went into labor law and so I assume that that's the



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position that you wanted to get and so you didn't have to settle for less or did you?

P: No, I wanted labor law and that's where my background was, with the Equal Employment Opportunity Commission and labor unions and stuff like that. So that just seemed to me like that's what I had some experience in and that I wanted to do. Labor law is an area, too, that is very masculine, you know, sitting around the union table with the cigars and everything else. It is a very masculine area but I wasn't in it long enough to really get a feeling for it I think.

D: So you don't feel like you experienced any discrimination in labor law with your experience with that?

P: Well, I think I would have had if I had continued. I think I'd have had some trouble because...there's such, it's such a male dynamics-- negotiating contracts. It's such a male field, especially labor union type negotiations where it's, you know, hotel rooms and cigars and that type of an atmosphere. The very little bit that I had gave me an idea that I would have had a harder time establishing myself as an authority figure in the labor negotiations. They would have felt more comfortable with a man I'm sure.

D: Do you feel like that maybe also made you decide to go into personal injury and the trial court the work that you do now besides just your connections with your father and your brother?

P: No. I think that also I discovered that labor law is very little law. You don't do a lot of law in labor law. You do negotiating, you do other things but you don't do a lot of law. It's not real legal unless you're filing an appeal and you're going before the 5th circuit. But you don't really, unless it's sex discrimination, that you try cases. A lot of

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labor law is just negotiation. So I think right out of law school I really wanted to use my legal skills while I had them, you know.

D: Turning now to social aspects, do you feel that at this point with your experience with law thus far, do you feel that the law and maybe a relationship say for example, marriage, would be a viable combination?

P: No.

D: No?

P: I think it's a terrible combination. (Chuckles)

D: Why?

P: Don't you think so? (Chuckles)

D: Sometimes I do, especially when there are two professionals. So you just feel it would be difficult for you?

P: Yeah, because law is...if I had known what I know now about being a lawyer, I would not be a lawyer. It is just so stressful, you know, and the job itself is to be fighting all the time. That's your job and to be watching out for other people who are going to take advantage of your client and it's just, it's being a warrior like on the battlefield and you're the fighter and it doesn't have very many rewards because the other side doesn't like you and your own clients, who have greater expectations of what the law can give them, think that you're not doing a good job and you just get it from all sides. Your clients think, you know, "Why can't you do this?," and they don't understand and it takes a long time and the legal system is, you know, slow so you get very little pats on the back for a lot of stress and it's something you just can't forget and you're also very out of control as far as what you do. If a judge sets a trial, that's it; you've got it. You've been planning a vacation for a year, too bad. And that's what I hate is that I want to

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take a vacation in January. I've put it on the calendar but I won't know 'til the week before if I'm going to get to go or not. That's real hard just not having any control about trial settings and your work just depends.

D: So it's not different for women than for men? I mean both female lawyers and the male lawyers have to deal with that?

P: Right, except that the female lawyers, especially if they have a family or whatever, also have to deal with their second job which is keeping the home up and I think, you know, if you have laundry to do and you have cleaning to do and you have, I mean just myself I have a hard time just keeping my own self up. I just don't see how I would do it for somebody else also or for children. And with the stress of a trial coming up?

D: How does your family support your career now that you are a lawyer and now that you are established?

P: Well, they support it in a lot of different ways. Like my mother, I sent out new announcements on the change and she did the announcements. And my father and stepmother helped me move and get to this office and just anything that I needed. Of course, my father sends me a lot of cases.

D: Right.

P: So he totally supports a lot of my career.

D: Great. How do your brothers and sisters feel about it?

P: Well, one sister is lawyer now, the second sister is first year law school, the third brother is going to go to medical school, my other brother is a doctor already. So we're all professionals and all doctors and lawyers.

D: Family of creative people.

P: Well, doctors and lawyers, I don't know how creative that it is.

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(Chuckles) Not very creative. If we were creative, we'd have been something other than doctor or lawyer.

D: Well, that all depends. Do you feel, then, that you've been successful so far?

P: Yeah, I think so. I mean I think I took several steps backwards by switching careers in midstream. I left and, you know, if I had stayed in San Francisco and doing what I was doing I'd be making a lot more money than I am now. So by going back to school and starting out again, I've had to start at the beginning again so I think I've been in practice I guess for, let's see, I opened this office in '81 was it? No, it was '82 so I've been in...this is my third year of practice so I think I'm doing okay for the third year of practice. I mean I've got two and a half employees. I have a part time job to make ends meet.

D: Two and a half? (Chuckles)

P: Yeah, a student who comes in for the afternoons.

D: Do you consider yourself a competitive person politically, socially?

P: No. I don't.

D: Do you aspire to political aspirations?

P: No.

D: Not ever would you consider running for maybe district judge or...?

P: I have to run for office next April to be municipal judge but I've never had political aspirations. I've never really been into politics [like] posting signs and doing that like some of my other friends have done. But I am going to be faced with that, having to do that.

D: And you are going to do that?

P: Yeah, for municipal judge. But I haven't, other than that, I haven't. I mean I'd love to get appointed to district judge. (Chuckles)

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D: Yeah, right. I know somebody else that would love that, too.

P: Yeah.

D: So, okay. Tell us a little bit about your experiences as a judge. I mean, what's that like, being a woman judge?

P: Now I like that very much because, again, it's settling negotiation...not negotiation but it's resolving things, you know, and so I feel more comfortable actually in a neutral position than I do as an advocate because as an advocate I tend to try to see what's fair to everybody and like here you're not supposed to do that. You know, if my client wants something but it seems real unfair I think, "God, that's unfair," rather than going after it so I think sitting as a judge and being a neutral party resolving it in fairness feels very comfortable to me, more than just taking one side or the other, regardless of the fairness of the issues. So I enjoy it and, you know, you get...what I enjoy the most is when you really see a resolution to a problem like in a neighborhood where one neighbor files something against another neighbor because one of them, like their water was running down and when you get the neighbors walking out of court shaking hands and saying, "Gee, I'm sorry." I mean, I feel like I've really done a good job and that hasn't happened that often but when it does, it really feels good.

D: How do men react to you when you're sitting up there on that bench?

P: Well, I really don't know because I don't know how they would react to me if I were a man. I had one drunk come in that kept, you know, kept saying...he came staggering around the bench and I thought, "Oh, boy, he's had it," and then he goes, "Oh my God, a woman judge!" And everybody was in stitches because he said, "I thought you'd be a mean man," you know and everybody was laughing and I said, "No, I'm a mean

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woman." But other than that, I mean maybe some people don't, maybe they feel more comfortable talking back to me because they will argue back and maybe if it were a man, a male judge up there, maybe they wouldn't argue back but I don't know. I mean, how do I know that they're arguing back at me because I'm a woman and they're not so impressed. Maybe they would argue back with the man, too, but I don't know.

D: How do you feel as a lawyer when you're in front of other judges, say district judges or whatever? Do you feel like they treat you the same way as they do a male lawyer?

P: It depends on the judge, really, you know. I think that they probably don't.

D: I understand that judges tend to sometimes yell at or talk down to male lawyers a lot and I know this from my own experience. Do you feel like maybe they're more, they're softer in their tone towards you as compared to other lawyers, male lawyers?

P: Oh, I don't know. I think they would be less likely to yell but not less likely to talk down. In fact, they're probably more likely to talk down, to be patronizing. You know, the honey and the dear...

D: Do you find that a lot?

P: Oh sure. Yes. As long as it doesn't hurt my case, I don't mind it. If they want to help me out that's fine. Call me honey and dear and give me a good decision, I don't mind it.

D: Okay. (Chuckles) Let me ask you one question. Well, see, you've been practicing law now for three years. Do you belong to the Bar here in El Paso?

P: Yes.

D: Do you participate in the activities of the Bar?

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P: Pretty much. You know, the banquets I'll go to and especially if they have seminars and things, I'll go to those.

D: What's your reaction to the annual banquet that the Bar Association has?

P: Well, the one where they have those terrible skits?

D: Right, that's what I'm talking about.

P: Is that it? I don't like it because the wives are excluded and it started now and I never could understand why they had these raunchy skits and what it was is: it started out as a male stag party and you didn't bring your wife, you didn't bring your girlfriend. It was like a stag party. Then when women lawyers started entering, you see, we kind of stepped on their parade and so now I don't see why we can't have one with the wives and the spouses there. I think that would keep it in a better tone and I don't see what the purpose is of having it like a stag party anymore.

D: Do you go to these? What's your reaction when you attend one of these and what is the reaction from the men around you?

P: Well, we've been, you know--I'm sure you'll get from Janet and from everybody else--we've mounted a great campaign against that little skit and then when we don't, you know, and then we can't not go, you know after arguing about it we can't just not show up so we have to show up and be embarrassed or take a lot of heat, you know. There's just this running fight that we have but I think it's starting to change and last year you may have found out, they took it away from, I think they took it away from Young Lawyers finally. So it's now more in control of the Bar and not in control of Young Lawyers which was a group of young men mostly; it was very college. It was like a fraternity skits.

D: Are the skits sexist?

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P: Oh yeah.

D: They are very sexist?

P: Oh yes. I mean they made jokes about the men, the jokes will be concerning their intelligence or their this or their that and the women, they are all sexual jokes. I mean that was so pointed out not this year but the year before, you know, and they made fun of Judge McKellips' intelligence and they were just things like that and with Janet they made this horrible joke about, I mean everybody was sex if it was a woman and if it was a man it was something else. It wasn't sex.

D: I see. Okay. Are you a member of the Women's Bar Association?

P: Yes.

D: You've been a member for the three years that you...?

P: Um hm.

D: What are those meetings like? Have you attended one lately?

P: Well, lately, it seems like I haven't gone as much but I see it; there's a change now even in the Women's Bar because as there have been more and more women in the profession, it's getting less intimate. Before, when there were just a few, it's like this intimate club trying to support and now, I mean it's good. What's happening is the women that are coming in are in different fields, different areas. It's not like they're, you know, you are close just because you're a woman. You may not have any interests in common anymore so it's fine. It's just getting to be more diverse and that diversity is now changing the feelings that, "Oh, here's a woman lawyer and we must be really close. We're going to have a lot in common." Just because you're a woman lawyer now doesn't mean that you're going to be best of pals, you know. I mean it's just like anybody else. You may be friends. You may not be friends.



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D: Is the networking that was there when you were five or ten people or women [the same]?

P: I don't think so. I don't think it's there as much.

D: Do you feel like there is maybe a push to try and get it back or is it just not [worthwhile]?

P: I don't know. I have my own networking. My own personal friends who are lawyers are my network but I haven't, I haven't needed as much networking actually.

D: Is your networking mostly with women or is it with both?

P: With both. If I have a legal question I ask whoever I think can answer it for me. Sometimes it's men, sometimes it's women.

D: Depends on the field.

P: Sure and if it's a field that one of my best friends can answer like Kitty is a wealth of information. I'm always calling Kitty. Anything, you know, if it's something that she can answer, I'll just call Kitty in a second and, you know, she will just spend hours or days or whatever it takes and I don't feel bad about that because she's so generous with her knowledge and with her time. Now if it's somebody else, you know, just like if it's calling Ray Caballero I'm going to be a little more reluctant to call and ask him a legal question but if he knows that it's a malpractice case, I'll call him and he's generous with his time. So I've never had any problem calling up just about any lawyer I know. I've even called people I don't know in foreign cities (chuckles) who are experts in the field.

D: Well, that's good. Okay, I've asked all the general questions I wanted to ask. If there any other comments you want to make or anything else you want to say

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P: No, that's pretty painless.

D: Okay. I told you it would painless.

P: Yeah.

D: Thanks, Pat.

END OF INTERVIEW