
An Interview with
KAYE O'RIORDAN

By Linda Heywood

Enthusiasm is the first word that comes to mind in relation to Kaye O'Riordan. Energy runs a close second. As the first woman president of the Idaho State Bar Board of Commissioners, Kaye projects both of these characteristics in quantity. The quality also is undoubtedly there.

Kaye and her husband Hugh moved to Idaho in 1978. They had decided that six years in Washington, D.C. was enough, and were debating whether to move back to Arizona, or to California when Hugh came to Idaho in the summer of 1978 to write Amicus briefs for a Pocatello OSHA case. Guy Hurlbutt, currently a nominee for the Ninth Circuit Court of Appeals, showed him the town, and the Boise area. Fishing, floating and the atmosphere convinced Hugh, and he convinced Kaye.

After ten years in Idaho she says that she can't think of anyplace else she would rather be. "There is a sense of community in Idaho that you don't get in more populated areas," Kaye comments. "It seems as if I know everybody; my daughter goes to a school about three blocks from home; it's just a more comfortable, and comforting environment. It feels so much safer than Washington, D.C. Living there is like living in another country."

Kaye doesn't know exactly why she decided to become a lawyer. "My father is a scientist, and that didn't sound too great to me. I thought about being a vet, but settled on law instead. I used to watch Perry Mason all of the time, that fascinated me. That and reading mysteries. The idea of using words, of being able to argue, of using the power of our language was appealing." She gradu-

ated with highest distinction in 1973 from the University of Arizona where she was a member of Phi Beta, Kappa and Phi Kappa Phi. In law school she was admitted to the Order of the Coif and was a member of the University of Arizona Law Review. Says Kaye, "I didn't really like law school, very few people do. But I love practicing law. It's fun, and exciting. It's a challenge."

After graduating from law school, Ms. O'Riordan began working for MCI Communications in Washington, D.C. as Assistant General Counsel. She then joined the faculty of Catholic University Law School where she taught corporate law, communications law and remedies. When she moved to Idaho, she joined the Boise law firm of Elam, Burke and Boyd. She has served on the Idaho Law Foundation Continuing Legal Education Committee and on the Idaho Corporate Take Over Law Study Committee as well as being a member of the Federal Communications Bar Association, the American Bar Association, the Idaho State Bar, the Boise Bar Association and the District of Columbia Bar Association. She was actively involved in rewriting the Idaho Business Corporation Act, and serves as the American Bar Association's State Regulation of Securities Committee liaison to the Idaho Department of Finance. Ms. O'Riordan heads the Elam, Burke and Boyd Corporate Securities Section, and is primarily responsible for corporate matters and matters pertaining to securities regulation.

How does she feel about being the first woman president of the Idaho State Bar? "I think it's great. People in Idaho take things pretty much in stride. There was not much reaction

when I ran for the Commission. In fact I was a little surprised. Since it was a contested race, I thought there would be some questions about where my opponent and I stood on certain issues, but nobody asked anything."

When Ms. O'Riordan (along with Judge Deborah Bail and Rep. Patricia McDermott) became one of the first three women to apply for the Idaho Supreme Court last year, there was the same type of acceptance. "Most people seemed to think it was a good idea, and I really thought one of us had a shot at the position. One of the interviewers asked me if I thought it should make a difference that I am a woman. It made me think about this whole business of being the first this or that. I told him yes and no. All things being equal, and if all of the other qualifications were met by several candidates and one of those was a woman, I would hope that the woman would get the nomination just because we need that balance. If a woman were more qualified than a male candidate, and the male was chosen, then I would be upset. I'd like to see a woman on the Supreme Court, but I want to see one that is qualified. I think they made the right choice. Byron Johnson was by far the best candidate."

When asked if she has sensed any resistance in Idaho to women in the legal profession, Ms. O'Riordan responded that she has not. She says her reception in Idaho has been one accorded to an equal, and she does not feel her gender has been a factor in any situation. "It's not like it was back East," she remembers. "I knew one woman who worked for a large New York securities firm. They wouldn't let her put her full name on

the letterhead, only her initials, and she did all of the 'Blue Sky' work for the firm. She was never allowed to do any of the initial securities registrations. They just kept her on one thing. She was in her forties at the time, and she wanted to do securities law badly enough to put up with that garbage. When I went to work for MCI in Washington, D.C. in 1973, they had the bright idea that I could do all of the blue sky work for everybody else's offerings. I told them no way — each guy does his own work. But that was ten years ago, so maybe things have changed."

O'Riordan says that she has not encountered any of that prejudice in Idaho. "Of course," she adds, "when I moved here in 1978 it was the perfect time to come. Idaho needed good lawyers. There was no problem finding work if you were competent." She sees even more opportunity for women today. "Women can seize the moment. This is a great time for women to be lawyers; everybody wants women to be involved in the law. And Idaho is a great place to do that. I think the fact that the ISB records don't even carry a gender designation is indicative of the attitude we have about who is a lawyer. What a person is, is more important than that person's sex." Ms. O'Riordan hasn't seen many changes in Idaho during the last ten years, except that she thinks the demand for lawyers is close to being supplied. She says that she worries about the new crops of lawyers coming out of law school now, but they all seem to find jobs.

Also, the median age for lawyers has dropped: 37-39. They are much younger now, she says which could cause some problems. She is concerned that younger lawyers going into practice without several years of experience behind them might be more liable to make poor decisions. "It is possible that a lack of experience, and the economics of their personal situations may drive them to make some decisions they shouldn't."

When preparing to write her first President's Message for The Advocate, O'Riordan says she went back over some of the old columns, and she finds that Bill McCann's advice still holds true. She says that his comments about expertise, ability and balance of activities are the same that she emphasizes to young lawyers. "You have to practice to become a lawyer. You get the tools in law school, but it takes five or six years before you really can use them effectively. You not only need the expertise, you need to like people, to want to work with them. Your entire life becomes part of your business. I know that sounds crass, but it's not really. If you like people and are sympathetic, they can sense it, and you practice will flourish. You can keep a balance in your life because you will enjoy doing pro bono work, and getting involved in community activities. If you don't like people and are just going through the motions because it's the thing to do to make money, you're not going to be a successful lawyer. Or a successful human being."

Which brings her to one of her pet peeves: The way law is practiced in other areas of the country, especially the East. Says O'Riordan, "They don't know how to do it right. I work with a lot of New York and Eastern lawyers, and it's terrible. They're up all night, at the office all day, the pressure is tremendous, and dehumanizing. By the time I talk to them I have to go very carefully and try to calm them down. They don't have any common sense left. I had one of the greatest compliments from an investment banker. We were walking through the office about 5:30 p.m. and he couldn't get over the fact that almost everybody was gone. I told him that we finish the day and go home, and he was amazed. He said, 'And you still do good legal work.' My husband's firm has the same attitude. You can do good legal work and not become a slave to it. I think in Idaho we do it right."

Among other ISB organizations, Ms. O'Riordan is a member of the Idaho Women Lawyers, Inc. She says that she is not actively involved in their projects though, just as she cannot give a lot of her time to the Corporate and Securities Law Section right now. "I have been on track with the Board of Commissioners, and I would not have enough time to do a good job of anything if I spread myself too thin. I support the Idaho Women Lawyers, and I support the Corporate and Securities Law Section as much as I can, but I would rather participate in less and do a better job, than to get so busy that I can't be effective anywhere. One thing I do emphasize to young lawyers though is that they need to get involved in Bar and community activities. The rewards and advantages are tremendous."

The next six months will be busy ones for Ms. O'Riordan. Her term of office for the ISB will include the culmination of Settlement Week, a concept introduced by her predecessor, Mark Nye. She would like to see the wheels set in motion for a Young Lawyers Section. The Young Lawyers have been extremely active in many other states, and she sees this as a method of getting some people involved in community and Bar activities who might not otherwise join those activities. Another project that she would like to see started is a push toward an awareness of Professional Courtesy. She doesn't see that there is a great need for this in Idaho yet, but many other state bars are concerned, and she feels that it is better to be alerted to the do's and don'ts of professional courtesy now rather than wait until it is too late. "Judge Anderson warned us one time in a speech. He cited examples of actions he had seen in other Bars and he said, 'Don't do it.'"

Says Kaye, "I'm really looking forward to the next six months. Being a Commissioner now is a lot more fun than it used to be. When I ran for Commissioner, the major issue was that they were basically running the

Kay O'Riordan

office of the ISB. They had to do all of the routine things like hiring and firing. Now that Dennis Harwick is the Executive Director everything is so much better. Mark Nye and I were talking about it the other day. Do you just kind of rest now, and relax and enjoy where we are, or do you come up with lots of new ideas and try to implement some of them? This is the first two or three years that the Bar has run so smoothly. We don't realize how lucky we are."

Now that she has, in her own mind, succeeded, Ms. O'Riordan is looking forward to enjoying her career. She plans "to do more of the

same. I'm really enjoying watching my clients in the Boise area make it. They're successful and I've had some part in it. That's a pretty big reward. My firm encourages community activities. Reaching the lay public is one of my priorities. That was one of the biggest complaints on that survey the ISB sponsored. The public has so little information about the law and the legal profession. They don't know what lawyers do. And we need to emphasize that we are a team: the Legal Secretaries, the Court Reporters, the Paralegals and the Judiciary. We all need each other."

Her family has supported and encouraged her all of the way. O'Riordan says her husband thinks it's great. "He just became President of the Boise Public Library Board of Directors. So we have all kinds of jokes about being a family of presidents. My daughter, Moira, is not quite so impressed. When I applied for the Supreme Court, she told me that Judge Bail should get the nomination because she looked better in a black robe than I did. And besides, I had the Idaho State Bar and Judge Bail needed something!" □



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