When the United States celebrates Women's History Month every March, images like Rosie the Riveter posters or pictures of marching suffragists come to mind. However, another image can be introduced in the framing of women's history: a judicial robe.

In the roughly three decades since Sandra Day O'Connor became the first female justice on the U.S. Supreme Court, the percentage of women serving as full-time judges on federal district courts and courts of appeal has more than quadrupled. In 1981, there were 43 full-time women appellate and district court judges, 7.3 percent of the total. According to the Federal Judicial Center, whose web site provides biographical and demographic data on all federal judges, women now make up 235 of the 772 full-time judges in the U.S. District Court and Courts of Appeal—30.4% of the total.

Claudia Wilken, chief judge of the Northern District of California, views the long-term change from multiple perspectives. Since December, all six judges at the Oakland courthouse where she sits have been women. It is the only federal court house ever to have an all-female bench.

Judge Joan V. Churchill, President of the National Association of Women Judges and a retired Department of Justice Immigration Judge, recalls graduating from University of Michigan Law School in 1965. “There were only 10 women graduating out of a class of 350 students; in the period I went to law school, traditional career routes for women did not include law.”

According to U.S. District Judge Saundra Brown Armstrong, now on senior status in the Oakland federal courthouse, "Women were given the "unstated" message that while they can finish the program and get their degrees, they may never be as good or as successful professionally as men in their areas," said Judge Armstrong, "Women are fully capable of understanding and mastering these principles."

“I don’t think one can generalize as to any different approach to judging on the part of women versus men. All kinds of people make up the justice system and can succeed in it,” Judge Wilken said. But she added: “I do think it is important that there be women on the bench. At least half of the bright, dedicated and talented people in the country are women, so it would be counterproductive not to have them serving as judges.”

The earliest known female judge at any level was Esther Morris, who in 1870 briefly served as a territorial judge in Wyoming. She served only nine months and did not pursue re-election when her term ended.

In 1928, Genevieve R. Cline was appointed to U.S. Customs Court by President Calvin Coolidge, becoming the first female federal trial judge. In 1934, Ohio Justice Florence Allen, already the first woman to serve on a state Supreme Court, became the nation’s first female Article III Judge, and also an intriguing road not taken in American judicial history.

After President Franklin D. Roosevelt nominated Allen to the U.S. Court of Appeals for the Sixth Circuit, she was publicly floated multiple times as a possible...
candidate for the U.S. Supreme Court—decades before Justice O'Connor was nominated by President Reagan. Allen retired in 1959 as chief judge of the Sixth Circuit.

Other historic firsts were accomplished by Burnita Shelton Matthews, whose 1949 appointment to the U.S. District Court of the District of Columbia made her the first female federal district judge. And in 1966, Constance Baker Motley became the first African American woman federal court judge, in the Southern District of New York.

The percentage of women on the federal bench lags behind that of women law school graduates—who made up 47 percent of all law students in 2012, according to the American Bar Association. But both have risen sharply since the women's movement gained force in the early 1970s.

"More women will aspire to become judges if they see successful women judges," said Judge Wilken, chief judge of the Northern District of California. "I think big strides were made early on with the women's movement but that a glass ceiling was hit when the work force failed to change systemically."

"We haven't made as much progress as we may think in this country," said Judge Armstrong. "The progress is undeniable, but there is always room for more progress."

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