

**Ruth Bader Ginsburg  
Associate Justice  
Supreme Court of the United States**

**William H. Rehnquist Award for Judicial Excellence  
Presentation to Chief Justice Christine M. Durham  
Supreme Court of the State of Utah  
November 15, 2007**

**The William H. Rehnquist Award for Judicial Excellence honors a jurist for “outstanding qualities of judicial excellence, including integrity, fairness, open-mindedness, knowledge of the law, professional ethics, creativity, sound judgment, intellectual courage, and decisiveness.” It is my great pleasure and privilege to introduce the Rehnquist Award winner for 2007, Chief Justice Christine M. Durham of the Supreme Court of**

the State of Utah.

Chief Justice Durham has nobly served Utah and the legal profession both in her work on the bench and in a wide range of extracurricular pursuits. Like the late Chief Justice himself, she has demonstrated time and again every quality this award was created to honor.

Chief Justice Durham graduated *summa cum laude* from Wellesley College. After a year of teaching, she embarked on a rather peripatetic legal education.

Starting out at Boston College Law School, she trans-

ferred, after just one semester, to Arizona State. Then, at the end of her first year, she transferred again, this time to join her husband at Duke University, where he had enrolled as a medical student.

Graduating from Duke with high grades, Chief Justice Durham encountered a problem familiar to women lawyers at or beyond “a certain age”: No law firm in the area would consider her for an associate position.

Wasting no time on anger or depression, she devoted her energy to starting up a solo practice that included consulting, legislative work, litigation, and teaching.

Chief Justice Durham moved to Salt Lake City with her family in 1973. The city's legal community then included only a dozen or so women. The sometimes chill atmosphere did not slow her progress. In 1978, just five years after her move to Utah, she became the first woman to gain appointment to the state's district court. Four years later, impressed by her bright mind and spirit, Governor Scott Matheson appointed her to the state Supreme Court. Once again, she was the first woman so elevated. Her colleagues elected her Chief Justice in 2002—yet another first—and re-elected her to

a second four-year term in 2006. In her tenure as Chief, she has gained respect as a wise jurist, a caring and efficient administrator, and a dedicated champion of justice, equal and accessible to all.

Throughout her career, Chief Justice Durham has been both a role model and an unflagging advocate for women in the profession. A founding member and former president of the National Association of Women Judges, she was that organization's highest honoree in 1997. At the national level, she also served on the American Bar Association's Commission on Women in

**the Profession. Legions of women in Utah and elsewhere have been encouraged by her words and deeds.**

**Jan Graham, co-founder of Women Lawyers of Utah and later the state's Attorney General, described Chief Justice Durham as "a beacon in the darkness" during Graham's early years in law practice. A fitting tribute, Women Lawyers of Utah created the Christine M. Durham Woman Lawyer of the Year Award to honor professional excellence and sustained work to improve opportunities for women in law practice.**

**Tonight's award recognizes, particularly, Chief**

**Justice Durham's commitment to various educational initiatives from grade school to graduate school. She has been a passionate and effective advocate of collaboration between the judiciary and Utah's schools. Her strong belief, expressed in her own words: Courts must "look for ways to explain themselves to their communities if they are to regain and maintain the legitimacy and respect necessary for their fundamental role in a representative democracy." To that purpose, she helped to found the Education for Justice Project, a program in which judges and lawyers work with Utah's**

**Board of Education to reinvigorate civic education.**

**Typical of the project's endeavors are "court-school partnerships," which pair trial courts with local schools. An allied innovation, she served as the first chair of the Coalition for Civic, Character, and Service Learning, an effort to advance civic education through cooperative ventures involving judges, lawyers, legislators, and educators.**

**Chief Justice Durham has been an equally ardent proponent of judicial and professional education. Perhaps that commitment stems from her own experience,**

in 1978, as a newcomer to the trial bench. Offered no training, she was simply “handed a borrowed robe and a case file and told, here, go be a judge.” Utah’s novice judges today are not left to sink or swim that way, in no small part thanks to Chief Justice Durham’s guiding hand. First Chair of the Utah Judicial Council’s Education Committee, she was also a founder of the Leadership Institute in Judicial Education, which has provided training for hundreds of state court judges and other court personnel since its origination in 1989. She has also graced the faculty of New York University’s

## **Appellate Judges Seminar.**

**The legal profession as well as the judiciary has benefited from Chief Justice Durham's service on a host of blue-ribbon boards, commissions, and committees, including one that I volunteered for, unsuccessfully, many times in the 1980s, the U.S. Judicial Conference Advisory Committee on the Rules of Civil Procedure. I did have the pleasure of serving with her on the American Law Institute Council, which she continues to enrich with her keen intellect, common sense, and good judgment.**

Chief Justice Durham has earned high regard in yet another dimension—scholarship. Her work centers on state constitutions and, most recently, state religion clauses. She teaches state constitutional law at the University of Utah College of Law, and has also taught at Duke University and Brigham Young University.

Tenth Circuit Chief Judge Deanell Reece Tacha rightly calls Chief Justice Durham “[o]ne of the country’s pre-eminent scholars on state constitutions.”

I would be remiss if I left you with the impression that Christine Durham’s remarkable—and remarkably

active—career has come at the expense of family life. In fact, if you want to know the secret of successfully combining work and family, consult Chief Justice Durham and her husband George, a pediatrician and former Chief of the Medical Staff at the Primary Children's Medical Center, a hospital serving five Western states. Parents of four, their first child was born just two weeks before Christine entered law school, their second, during her third year.

Chief Justice Durham has served nearly three decades on the bench, with constant dedication to the im-

**provement of professional and civic education and to better equipping the legal profession to attend to the needs of the communities law exists to serve. For her unwavering pursuit of justice, and the inspiring example she has set for countless young lawyers, please join me in applauding the Honorable Christine M. Durham, 2007 recipient of the William H. Rehnquist Award for Judicial Excellence.**