

**NORTHWEST**news

**K**atharine English always has worked for the underdog and against oppression, so she sees her latest job as chief judge for the Confederated Tribes of the Grand Ronde as a natural extension of her work philosophy. And she has quite the résumé: teacher, lawyer, juvenile court referee, Dyketone.

"Anyone interested in hearing about me is probably interested because I was involved with lesbian custody cases when I was still in law school back in 1975. So I am one of those 'are they dead yet' kind of old lesbians," she laughs.

During her third year of law school, she worked for a firm that represented a lesbian mother. English disapproved of the way the attorney handled the child custody case, which he lost. It was a pivotal moment in her early law career.

"It was a dreadful event," she remembers. "After that I made a commitment to do lesbian custody cases when I finally got my license."

English eventually joined the Community Law Project, a collective of women who handled a variety of issues such as divorces, adoptions and wills. They also represented lesbian mothers.

"We lost a lot of cases because the prejudice was simply so deep and so ingrained," English recalls. "But eventually we began to win them."

A lot of behind-the-scenes work was required to lay the foundation for those victories. English and her fellow lawyers met with judges outside the courtroom to educate them that mothers shouldn't be denied custody of their children just because they are lesbians.

"Behind-the-scenes work really softened up the judges in a way that they could understand the issues, because when you have to rule from the bench, it is not easy to do something that is possibly going to be unpopular," she explains.

# AND JUSTICE FOR ALL

**Katharine English recalls early victories in lesbian custody cases**

by Pat Young

"You have to be pretty confident in the substance of your ruling. So we knew we needed to educate the judges, lawyers and psychologists."

It didn't take long before English was known for her work with lesbian custody cases. In 1980, she and her partner, Janet Metcalf, started the first openly gay law firm.

English remembers the early litigation as being scary in an emotional and psychological way because her lesbian clients were taking courageous steps by going public with their sexuality and fighting in court against terrible odds.

"My heart always raced no matter how often I did it, especially when the other side would call their expert witnesses," she says. "We would have to listen to those experts say what a horrible influence lesbians were on children. At the same time, I was the mother of two kids, and it was very hard to depersonalize what the experts were saying."

Despite the struggles, the job was extremely rewarding.

"The men and women who made the deci-

sion at that period of time to fight for their kids were the most astonishing people. It was a privilege to represent them," English says. "And when we won, it was almost indescribable."

As a member of the Dyketones, English could get a break from lawyers and courts for some much-needed fun. The lesbian music group dressed in vintage attire and transformed oldies into their own; for example, they sang "My Dyke" instead of "My Guy."

"I grew up in the '50s wearing makeup, ratted hair, spiked heels, the poodle skirt, the patent leather purse and the flirtatious femininity," English says. "To re-create it as a dyke was so mind-boggling."

In 1984, English became a juvenile court referee. Supervisors hired her knowing she was a lesbian.

Her six months of experience as a pro tem circuit court judge helped her get the job. She heard cases involving abuse and neglect as well as juvenile delinquency.

English held the position for 14 years with the exception of one year she took off to fight against 1992's Measure 9. She ended up leaving the bench because it was emotional, draining work.

But shortly after her retirement, the Confederated Tribes of the Grand Ronde lost their judge, so they asked her if she could help out for a few months. Four years later she's still there, but that's fine

with her because she enjoys the work.

Looking back on her career, English says she is proud of being a visible and vocal lesbian. She was able to make friends with a lot of straight judges and convince them to think differently about sexual minorities. And she is proud to have shaped gay and lesbian history. ☐

PAT YOUNG is a Portland free-lance writer and gay and lesbian historian.



Katharine English now works as chief judge for the Confederated Tribes of the Grand Ronde

PHOTO BY PAT YOUNG

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