



2020

## Deborah Gelin: Supreme Court Pioneer

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### Recommended Citation

Todd C. Peppers, Deborah Gelin: Supreme Court Pioneer, 42 Sup. Ct. Hist. Soc'y Q. No. 3 & 4 at 6 (2020).

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# Deborah Gelin: Supreme Court Pioneer

By Todd C. Peppers\*

Monday, October 2, 1972 was a momentous day at the United States Supreme Court. At approximately 10:00 a.m., the Justices processed into the courtroom to start October Term 1972. For the first time in the Court's history, a young woman took a seat on the raised rostrum. She was not Sandra Day O'Connor, who would become the first female Justice approximately nine years later. Her name was Deborah Gelin, and she was a fourteen-year-old high school student from Rockville, Maryland. Hired by the Court in September of 1972, Gelin was the first young woman to serve as a Supreme Court page. The goal of this short essay is to tell Gelin's story.

The old expression "for the want of a nail the kingdom was lost" reflects the idea that small events in our lives have significant consequences. This saying is especially relevant for Deborah Gelin. In her story, the trivial event upon which history turned was the book **Patty Goes to Washington** – a book that a "nice Jewish girl" found in her Christmas stocking. Based on the characters from "The Patty Duke Show," the paper-thin plot is summarized on the dust cover:

"Join television's favorite teen-agers, pretty, perky Patty Lane and her look-alike cousin, Cathy, on a whirlwind Washington tour filled with wonderful fun and fascinating facts about famous people and places. The girls have a very special guide to the White House and two handsome pages to show them around the Capitol."

The "handsome pages" work in the United States Senate. After a chance meeting outside the Capitol, Patty and Cathy learn about the page program from their male admirers as well as get a tutorial course in the "fantabulous" history of Washington, DC. And, of course, there is time for romance!

As Gelin read the book, she was intrigued by the storyline about the pages. The job "sounded unusual and interesting," recalled Gelin. That spring, she reached out to both Congress and the Supreme Court and inquired about working as a page. While the Supreme Court marshal's office told Gelin that they did not have any open positions, it still sent her an application.

Undaunted, Gelin completed the application and returned

it to the marshal's office. In the summer of 1972, her luck turned and she was offered an interview. "I interviewed with Frank M. Hepler, who was in the marshal's office [marshal of the court]," said Gelin. "He asked me about what sports I liked and things like that." Curiously, the fact that Gelin might become the first woman to serve in the century-old page program was not discussed. Gelin was quickly offered the job. When asked why she accepted the position, Gelin simply said: "I like history and it was better than babysitting."

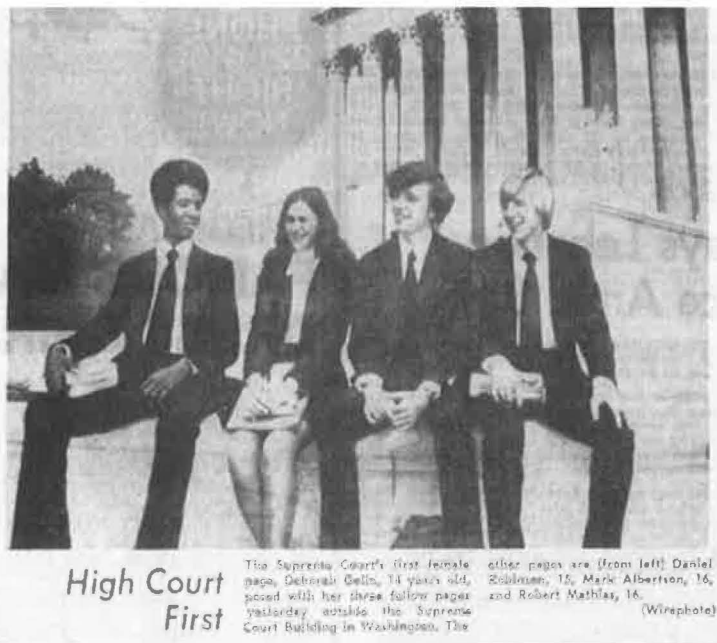
Gelin's hiring sparked headlines across the country, many of which were patronizing. "A Lass, at Last, 'Liberates' Court" (*The Los Angeles Times*). "High Court Hires Girl" (*The New York Times*). "Girl Page on Payroll" (*The Amarillo Global Times*). "Girl Makes History" (*The Capital Journal*). "Teen-ager to Reign Supreme as Court's 1st Girl Page" (*The Cincinnati Inquirer*). "New Look Page" (*The Washington Post*). "New Page in History" (*The Herald*).

Most of the newspaper articles were accompanied by a picture of Gelin, standing on the steps of the

Supreme Court. Joining Gelin were returning pages Daniel Robinson, Mark Albertson, and Robert Mathias. The three male teenagers were not only fellow pages, but now Gelin's classmates at the Capitol Page School. Located in the Library of Congress, all pages attended morning classes at the school before starting their duties on Capitol Hill or the Supreme Court. The teenagers look uncomfortable in their staged poses, with tense smiles plastered on their faces. "We were shell-shocked" during the photo session, recalled former page Mark Albertson.

The newspaper articles did not contain much information about Gelin, in large part because the Supreme Court banned the young teenager from talking to the press. Desperate for any details, the newspapers reported that "Debbie" was a "petite brunette" who learned about the page program from "reading books." Gelin's parents would not tell reporters how much their daughter would be making as a page, but her father – an attorney at the Justice Department – couldn't help bragging that his daughter was "quite a bit above average" and that she played both the bassoon and the saxophone.

The Kansas City Times (September 26, 1972)



High Court First

The Supreme Court's first female page, Deborah Gelin, 14 years old, posed with her three fellow pages yesterday outside the Supreme Court Building in Washington. The other pages are (from left) Daniel Robinson, 15; Mark Albertson, 16; and Robert Mathias, 16. (Wirephoto)

The 1972 class of pages at the Supreme Court (above) included a young lady, Deborah Gelin.

While we don't know why the Supreme Court banned Gelin from talking, its decision may be linked to the earlier hiring of Charles Vernon Bush, the first black page to work at the Court. After Bush's hiring was announced in the summer of 1954, Bush and his family were hounded by the press. "We were inundated with interview requests and information requests and I was an instant media personality," remembered Bush. Not surprisingly, the fourteen-year-old Bush was not ready to be "paraded around Capitol Hill having my picture taken and [be] asked all sorts of intrusive questions." Bush felt like the Supreme Court failed to prepare his family for the limelight, and perhaps the Court learned from Bush's hiring.

While Gelin stated that she never felt any gender discrimination at either the Court or Capitol Page School, the photoshoot did result in two gendered responses. The Court decided that the skirt worn by Gelin in the pictures was too short. "I was told that I had to wear a knee-length skirt," said Gelin. "Finding a longer skirt for a thin 14-year-old was hard." Her mother eventually found some skirts at the thrift store. Gelin was not allowed to wear slacks until her third and final year in the page corps. This would not be the first time that page uniforms preoccupied the Court; until the early 1960's, traditionalists at the Court insisted that the male pages continue to wear their trademark knickers.

The second gendered reaction to her hiring: Gelin received hate mail for taking the place of the young men who were better suited to be pages. When asked about the letters, Gelin recalled being "appalled."

In preparing to write this essay, I spoke with former pages Albertson and Mathias about Gelin's hiring. "It was a big deal when Deborah was appointed because no female had ever been on the bench in any capacity," explained Albertson. "I thought it was great that a female page was hired... the ground had already been broken in Congress...[and] it would have been wrong for the third major branch of government not to follow suit."

Mathias stated that although the pages were "curious" to meet the first female Supreme Court page, no discriminatory animus was directed towards Deborah. "I don't recall anything at the Court regarding discrimination on the basis of gender," said Mathias. "Most of the people at the Court were male, and that might have made Deborah uncomfortable. But I don't remember anyone being mean to her." Concluded Mathias: "She came in and fit in well." Albertson echoed Mathias. "We were all very accepting of Deborah. I don't recall the Justices having a problem with it."

By the time Gelin started at the Court in September of 1972, the duties of the pages were well established. After going to school in the early morning, the pages quickly walked from the Library of Congress to the Supreme Court. "For a normal day at school, we would finish school at 9:45 a.m. and it would be a mad race to head to the bench," explained Albertson. "We would drop our books off in the anteroom behind the bench and take our positions to open the curtains for the Justices."



The Kansas City Times (September 26, 1972)

Along with her fellow pages, Deborah Gelin attended school in the mornings prior to assuming her duties at the Court.

After the Justices entered the courtroom, the pages would push in the Justices' chairs. Then the pages took their positions in four chairs located immediately behind the Justices. During oral argument, the Justices would pass notes to the pages – typically requesting that the pages retrieve court reports located in the anteroom behind the bench or deliver notes to their chambers. Former page Mathias explained that William O. Douglas kept the pages busy:

"The pages didn't want to sit behind Douglas because he wrote the most amount of notes. He was one of the most prolific multitaskers that I have ever met. He would act like he wasn't listening to oral argument, but he was. We thought he was working on books, [writing] notes to his wife Cathy, etc."

From her perch behind the Justices, Gelin witnessed some of the most important cases of the twentieth century being argued. *Roe v. Wade*. *United States v. Nixon* (the "Nixon tapes" case). *Miller v. California* (the case in which the Court crafted its obscenity test).

In October of 1974, Gelin was sitting behind the Justices when *Southeastern Promotions, Ltd. v. Conrad* was argued. The case revolved around the question of whether the city of Chattanooga, Tennessee violated the First Amendment when it denied the application of a theater troupe to mount a production of the musical "Hair." As Gelin listened to the Justices question the attorneys, it suddenly struck her that she was the only person on the bench who had actually seen the musical.

Oral argument also afforded Gelin the chance to see talented lawyers in action. "I remember Ruth Bader Ginsburg arguing twice," said Gelin. "She did a phenomenal job." Gelin added that when Ginsburg was scheduled to appear before the Court, the Justices would request her file from the clerk's office so they could learn more about the young activist attorney. Gelin was also impressed with the oral advocacy and "presence" of Sarah Weddington, the lead attorney in *Roe v. Wade*.

Gelin had one unique responsibility during oral argument.

*Deborah Gelin: Supreme Court Pioneer continued from Page 7*

On December 31, 1974, Justice William O. Douglas suffered a severe stroke. When the impaired Douglas returned to the Supreme Court bench, he had difficulty staying awake during oral argument. At the Justice's request, Gelin would discreetly lean forward in her chair and gently poke Douglas when he started dozing.

When the Court was not in session, the pages worked out of Chief Justice Warren Burger's chambers. The pages opened the mail as well as delivered correspondence and legal files to other chambers. One page sat outside the conference room during the Justices' meetings in case notes needed to be delivered. In particularly slow times, Gelin would go down to Justice Douglas' chambers and help do filing.

In my conversation with the former pages, all three had vivid memories of reviewing the endless stream of letters that the Court received after the *Roe* decision – including the graphic images included with the letters. “I remember opening all these letters with pictures of dead fetuses and negative notes about the decision,” stated Albertson. “[It was] the first time I had seen images like this.” The pages read the letters in the Justices' conference room, and on one occasion Justice Harry Blackmun – who penned the majority opinion in *Roe* – joined the pages in sorting through the mail. “It was an emotional time for the Court,” Mathias explained. “They were under attack.”

The pages worked under the watchful eye of Alvin Wright, Sr. – the Chief Justice's messenger. Former page Albertson described Wright as a “good friend and mentor” and a “decent and loyal man” who was “very close to all the pages.” Mathias recalled that Wright treated the pages “like his own kids,” from helping train the young teenagers to bringing them dessert (mainly pies). And to Gelin, Wright was simply “terrific.” Since the pages worked in the Chief Justice's chambers, they also regularly interacted with the Chief Justice himself. “He was a very gracious man,” said Albertson. “He was certainly kind to the pages.”

As with pages of generations past, the close working quarters afforded them the opportunity to get to know the Justices. “I liked Potter Stewart the best,” said Gelin. “He was a really nice guy

[and] I admired him.” When Gelin applied to Yale, she asked the Justice to write her a letter of recommendation. Most memorable was Stewart's comment on the form accompanying his letter. He wrote that he knew the applicant as “as a fellow employee of the Supreme Court.” Gelin's letter of recommendation to Harvard was written by alumnus Harry Blackmun. Gelin ultimately attended Harvard, and, as a student, she was surprised to see the visiting Blackmun on campus. “I was wondering if I would run into you,” Blackmun announced when he spied the former page.

All three former pages interviewed had fond memories of one of the newest member of the Court, William H. Rehnquist. Both Albertson and Mathias played high school basketball, as did Justice Rehnquist's son. The day after the games, Justice Rehnquist liked checking the box scores and chatting with Albertson and Mathias about their shooting performances. “I remember being on the bench on Monday morning during oral argument,” said Albertson. “Rehnquist turned his chair around during oral argument and asked me how the team did in their last game. When I told him that the team didn't do well, he encouraged me to ‘hang in there.’ And then turned his chair back around [and returned to] oral argument.”

One Justice who intimidated the pages was the gruff and taciturn Byron White. “He was a very tough man,” explained Gelin. “Instead of saying hello when you passed by, he would raise his eyebrows.” The pages were also worried about how White handled case books. “He would crank open books...[and we] would worry about the spine.”

When White ran out of cigarettes, he would ask the pages to fetch him a fresh pack from the vending machine outside the court cafeteria. “One day he came out of conference and asked me to get him a pack of cigarettes,” said Albertson. “He gave me the brand name and the coins. He told me

that the machine wouldn't work unless I put in the coins in a certain sequence, which he explained to me.” Luckily, Albertson successfully followed White's precise instructions.

Deborah Gelin graduated from Capitol Page School in the summer of 1975. In her senior yearbook, her peers lauded Gelin for her

Collection of the Curator, Supreme Court of the United States



The Supreme Court as it was comprised in 1972. First row (left to right): Justices Potter Stewart, William O. Douglas, Chief Justice Warren Burger, Justices William J. Brennan and Byron R. White. Back row (left to right) Justices Lewis F. Powell, Thurgood Marshall, Harry Blackman and William H. Rehnquist.

historical place in the page program. “Breaking through the barriers of sexual discrimination, Deborah has experienced the singular honor of being the first female Supreme Court page.” After listing Gelin’s honors – including three years of serving as class president, membership on the student council, and election to the National Honor Society, the yearbook predicted future success. “The students at CPA [Capitol Page School] are certain that whatever this liberated lady decides for the future, her accomplishments will surely threaten any male dominated society. Watch out world, step aside boys, here comes Deborah Gelin!” While the yearbook language is a bit dated, the sincere sentiment shines through.

Harvard College awaited Gelin, followed by Harvard Business School. Gelin’s Harvard degrees would initially propel her into positions at *Newsweek* and the *American Lawyer*, followed by a long stint as the head of a legal placement agency. When asked whether her time as a page impacted her professional life Gelin replied: “After being a page, I wasn’t in awe of people who were in positions of power; if Justices know you on a first-name basis, you can relate to other people better.”

The first female Supreme Court page would also be the last one. In July of 1975, the Supreme Court announced that it was ending the practice of hiring young teenagers to work



The pages enjoyed Justice Rehnquist who often discussed high school basketball scores with them.



Gelin admired Justice Potter Stewart (above), and when she applied to Yale University she requested a letter of recommendation from him.

as pages; henceforth, only “attendants” with high school diplomas would be hired by the Court. I’ve been unable to determine why the Court ended the page program, although considerations of efficiency and professionalism likely drove the decision. What was lost, however, was the rare opportunity for generations of future teenagers to learn about the nation’s highest court from a perch behind the Justices’ bench.

Notes:

1 For those readers too young to remember, the “Patty Duke Show” starred child actress Patty Duke. In the television series, Duke – thanks to the magic of the split screen – played “identical cousins” whose different personalities and tastes led to crazy adventures – often involving dreamy boys.

2 Frances Spatz Leighton. **Patty Goes to Washington.** Ace Books, 1964.

3 Author’s June 17, 2020 interview with Deborah Gelin.

4 Author’s June 19, 2020 interview with Mark Albertson.

5 “Teenager to Reign Supreme as Court’s 1st Girl Page.” *The Cincinnati Enquirer*. September 19, 1972.

6 Darryl Gonzalez July 24, 2007 interview with Charles Bush.

7 Albertson interview.

8 Gelin interview.

9 Albertson interview.

10 410 U.S. 113 (1973).

11 418 U.S. 683 (1974).

12 413 U.S. 15 (1973).

13 420 U.S. 546 (1975).

14 *Frontiero v. Richardson*, 411 U.S. 677 (1973) and *Weinberger v. Wiesenfeld*, 420 U.S. 636 (1975).

15 Linda Carlton was hired in the fall of 1973 to work as a page. At the time, Carlton was attending night law school. Despite the title “page,” I do not consider her to be a traditional page because of her age and education.

16 “Supreme Court Page No More.” *The South Bend Tribune*, July 9, 1975; “Supreme Court Upgrades Pages to ‘Attendants.’” *The Los Angeles Times*, July 9, 1975.

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