

VIRGINIA WOMEN ATTORNEYS ASSOCIATION

ROANOKE CHAPTER

ORAL HISTORY PROJECT

ATTORNEY: Judge Diane Strickland
INTERVIEW DATE: March 20, 2023
INTERVIEWER: Sharon Chickering
TRANSCRIBER: MaryTheresa Ferris, RPR

MS. SHARON CHICKERING: My name is Sharon R. Chickering, Esquire, and the date is March 20, 2023. I'm interviewing The Honorable Diane McQuade Strickland, retired judge of the Circuit Court for the 23rd Judicial District for the Commonwealth of Virginia, encompassing the City of Roanoke, the City of Salem, and Roanoke County.

This interview is part of the Oral History Project of the Roanoke Chapter of the Virginia Women Attorneys Association recording the oral histories of the first women attorneys to practice in the Roanoke Valley.

In 1970 to 1971 there were no women attorneys practicing in the Roanoke Valley or on the membership roster of the Roanoke Bar Association, an organization which was incorporated in 1925.

By 1977 to 1978 there were seven women attorneys on the membership roster and practicing in the Roanoke Valley: V. Anne Edenfield, Angelica D. Lloyd (now Light), Sarah H. Ludwig, Diana M. Perkinson, Melba C. Pirkey (deceased), Linda F. Steele (deceased),

Patricia H. Quillen, and Diane M. Strickland, our interviewee today.

By 1980 to '81 the number of women attorneys had grown to include Betty Jo Anthony, Tonita M. Foster (deceased), Joan M. Gardner, MaryEllen Goodlatte, Evelyn K. Krippendorf (deceased), Lea Lautenschlager, Barbara Mason, Jennifer Mulligan, Susan R. Robertson, and Parthenia E. Fields.

In addition, Ellen S. Weinman, with an office in the City of Salem, practiced in the Roanoke Valley, although she was not a member of the Roanoke Bar Association.

Judge Strickland has the additional experience of being the only female judge to have been named to the 23rd Judicial Circuit Court bench in its history.

We are conducting the interview in the Roanoke office of the law firm of Woods Rogers Vandeventer Black. The stenographer is Mary Theresa Ferris, and the videographers are J.B. and Melissa Stephens, who have generously donated their time and expertise to this important project.

Judge Strickland, do I have permission to record this interview?

JUDGE DIANE STRICKLAND: Yes, you do.

MS. SHARON CHICKERING: Please tell us your full name, when and where you were born, the names of your family members, and a little bit about your childhood.

JUDGE DIANE STRICKLAND: Well, my full name is Diane McQuade Strickland, and I was born and grew up primarily in New Jersey. Two-year stint in Poughkeepsie, New York, but basically New Jersey. For a long time I was an only child. My mother was a elementary school teacher, and my dad worked for a finance company.

My little brother came along when I was eight. So that was a change for me to have to share the limelight a little bit with him. I had a great childhood. I had wonderful parents who were very loving and supportive. I did the usual dance lessons and music lessons.

One thing that I do recall, from an early age I have always sort of been an

organizer. And if you ask any of my family members, they will say, oh, yeah, she's an organizer. And when I was probably eight or nine, I began organizing the neighborhood children. And we would put on plays each summer, and we'd invite all our parents.

And our parents had to pay to attend these plays. And we would take the money -- there was a -- it was called The Fresh Air Fund from the paper that was, I believe, out of Newark, New Jersey at the time. And the fund would go to send children from inner city Newark to the countryside for summer camp.

And so we did that for a number of years, and that's the one thing that really stands out in my childhood.

Then when I was in my junior year of high school, my father's business moved from New York to Washington, D.C. And so I started in Alexandria, Virginia -- well, Fairfax County, actually -- in high school. And it was there that -- while I hated at the time having to leave all my friends in New Jersey, it was great because my husband Art, to this

day, had to leave all of his friends in California when his dad transferred to Washington. So we sort of bonded together by virtue of our anger at our parents for making us leave all our friends in high school.

So that's a thumbnail sketch.

MS. SHARON CHICKERING: Okay. So what is your educational background and your college experience?

JUDGE DIANE STRICKLAND: So I started at George Washington University. I don't remember even applying anywhere else. The Dean of Students lived across the street, and he was good friends with my dad. So it was just decided that that's where I would go.

But Art went to UNC, and I was spending a lot of time down at UNC. So in my junior year I decided I would transfer to UNC, which, actually, in those days women, unless they were in the School of Nursing, didn't get in until their junior year anyway. So it worked out fine.

And it worked out well because my dad had been on the swim team at UNC. So he

couldn't push back too much that I wanted to switch colleges since it was his alma mater.

So I went to UNC with Art. We got married, because in those days you didn't live together if you weren't married. So we got married. And I remember my father saying, oh, no, you're going to start a family and never finish your education. Then I remember him saying ten years later, oh, no, you're never going to have children.

So, needless to say, we both finished our educations; went from there to UVA.

Want me to keep going?

MS. SHARON CHICKERING: Yes, and both of you were in law school at UVA?

JUDGE DIANE STRICKLAND: Yeah, I started out in Graduate Spanish. I never had any intentions of being a lawyer. That never was on my radar screen. And so I was in Graduate Spanish. And, simple explanation, it was too hard, so I quit. And I took a job at the School of Education working for the Dean, which I really liked, and allowed me to do a lot of organizing again, because he had me

organize different curriculum and things of that nature.

And Art said to me, this marriage is never going to last if you're working and having fun, because I was. I had bought myself a guitar and was teaching myself to play the guitar, and got a dog, and I could spend time with the dog, and he was studying and studying. So I said, well, I don't know if I want to go back to school. He said, come on to law school. So you have it. I went to law school.

MS. SHARON CHICKERING: That's amazing. So what was the general proportion of male and female students, from your recall?

JUDGE DIANE STRICKLAND: Very few women. I was thinking about that just recently, because we are having our 50th reunion this year in May.

MS. SHARON CHICKERING: Wow!

JUDGE DIANE STRICKLAND: And they have been asking people to send in photos and little bios to put together the book. And so far there's only one other woman besides me

that has sent anything in. Now, close to a hundred people have sent things in. I think there were maybe ten of us out of 300 or more students. That's my guess.

MS. SHARON CHICKERING: Wow! Were there restrictions to the admission of women at UVA prior to your application and admission?

JUDGE DIANE STRICKLAND: I don't know whether there were to the law school. There was to the undergraduate school. It was actually just like UNC, except one year later. They would take women into the nursing school and junior transfers. And then one year after UNC started -- UNC started in '67, and I think UVA started in '68 to take women as freshmen.

MS. SHARON CHICKERING: So describe your law school experience.

JUDGE DIANE STRICKLAND: I loved it. I had fun in law school, I really did, because I hadn't -- you know, I didn't have any career plans. I didn't have any idea what I wanted to do. So it wasn't a matter of feeling like

I was driven because I had to do really well, because I wanted to get into a big firm or I wanted a clerkship or any of those things. It was just something that I was doing at that moment in time.

And I did a lot of things with the rest of the university. I had a lot of activities that were university-wide. I guess the most prominent of those activities was that Larry Sabato, who's still a university professor there, was President of the student council at the time. And he and I -- and I was President of the Student Legal Assistance Society of the law school.

So the two of us got together, and we came up with the idea of putting together Student Legal Services. I think it was really Larry's idea. I won't take credit for it. Because the students didn't have an attorney. There was Leigh Middleditch, who was the attorney for the university, but no attorney just for the students.

So we went to Leigh with the idea, and he agreed. And so we put together Student

Legal Services, which then gave me my first job out of law school.

MS. SHARON CHICKERING: That's lovely. Tell me a little bit more about that.

JUDGE DIANE STRICKLAND: Well, we represented the students in matters that were not of a fee-generating nature, because we didn't want to alienate the local bar. So I did a lot of landlord/tenant work, a lot of consumer rights things, and a lot of petty crime. And my big claim to fame during those years may still -- I may still hold the worldwide record for having represented more streakers than any other attorney in court, because that was all the rage in those days.

So I was frequently in general district court representing these young men -- never had a woman -- young men who were *au naturel* on the campus. And my best case was a young man who was riding his unicycle in the buff. And he got quite a bit of publicity, because the police had a hard time catching him.

MS. SHARON CHICKERING: How did the judges handle that?

JUDGE DIANE STRICKLAND: They were pretty understanding about it. They either took it under advisement for a period of time, until the students graduated college, and dismissed it, or one of the judges would convict of disorderly conduct. But they were charged with indecent exposure, which, of course, nobody wants to start out their career with that on their record.

MS. SHARON CHICKERING: Wow! Wow! And what was Art doing during that time?

JUDGE DIANE STRICKLAND: He was clerking for a federal judge, Judge James Turk. And Judge Turk let him -- he was Judge Turk's very first law clerk, and -- because Judge Turk went on the bench just at the time that Art was graduating. And Judge Turk, very kindly, let him stay in Charlottesville at the courthouse there.

MS. SHARON CHICKERING: And after you practiced in Charlottesville, what brought you and Art to the Roanoke Valley?

JUDGE DIANE STRICKLAND: Jobs. This was the time when it was very, very unusual

to have husband-and-wife attorneys. And they didn't even, at that point, have the LEO with the bar telling how that should be handled for conflicts of interest. So we wanted to stay in Charlottesville, but it was just too small of a community. We would be bumping into each other all the time.

So even Roanoke was a bit that way, but Judge Turk made it happen. He gave Art the opportunity to become the youngest U.S. Magistrate in the country.

MS. SHARON CHICKERING: Oh, wow!

JUDGE DIANE STRICKLAND: So Art became U.S. Magistrate after his clerkship. And I came to work for this firm here, Woods Rogers. At that point they were Woods, Rogers, Muse, Walker & Thornton. Different name, but Woods Rogers.

MS. SHARON CHICKERING: So describe your interview and application process.

JUDGE DIANE STRICKLAND: I interviewed with Mr. Frank Rogers, Sr., who at the time was the Rector of the Board of Visitors at the University of Virginia. So I was a bit

intimidated by that prospect since he was technically my boss of all bosses with the job that I had there in Charlottesville. But he couldn't have been nicer. He was just very pleasant.

Actually, before Art got the opportunity for the clerkship, we came together to interview. And we were told they didn't think it would work out to have two of us working here. And they were concerned about Art working in the community. That was a big concern.

So that's when Judge Turk made Art the offer of the U.S. Magistrate position. And then Woods Rogers said, okay, fine, we'll take you. You're the leftover.

MS. SHARON CHICKERING: So this was one of the larger, more premier firms in Roanoke at the time; was it not?

JUDGE DIANE STRICKLAND: It was the largest. I became the 12th attorney, which in those days was a large firm.

MS. SHARON CHICKERING: Wow! Wow!
So were there any other women attorneys

employed at the firm when you began employment there?

JUDGE DIANE STRICKLAND: No, and no other women until the year that I left. So I was the only woman for the entire time I was here.

MS. SHARON CHICKERING: Wow! And that would be what time frame?

JUDGE DIANE STRICKLAND: From '75 to '82.

MS. SHARON CHICKERING: Wow! So tell me a little bit about your experiences at the firm.

JUDGE DIANE STRICKLAND: I did exclusively insurance defense work, with a specialization in medical malpractice. I had a -- well, really three mentors: Jay Walker, Tommy Lawson, and Bill Poff. But Bill Poff was my main mentor. I did almost all of my work with Bill. And he was just a wonderful person to work with.

And he also was very involved in bar matters. He was President of the Virginia State Bar at the time, and he was on the

council of the ABA. So he got me involved in bar matters, and I became president of the young lawyers section of the state bar, I think the year after he was president of the old lawyers, I guess. All of us, everybody over 35 was in his group, I think.

MS. SHARON CHICKERING: So did you -- how did you feel as a female in terms of your interaction with your colleagues?

JUDGE DIANE STRICKLAND: I think it was a very good relationship, from my perspective. They were all very cordial to me, very supportive of me. I do remember one little anecdote that I will share.

I had only been here about, gosh, not even two weeks, and a little delegation of the staff -- the staff was all women at that point, so it was very clear delineation. And one of the three women came to me one day, and came into my office and closed the door, and said, Tommy Lawson told us that once you -- and Tommy was always Tommy. Most of the other attorneys were Mister, But Tommy was always Tommy. He was just that type of person.

Tommy Lawson told us that when you came you would persuade Mr. Rogers to allow us to wear slacks to work.

MS. SHARON CHICKERING: Oh, my gosh.

JUDGE DIANE STRICKLAND: I thought, oh, no. Here I just made it through the interview, been accepted by default into the firm, and you're going to put me up to that.

I had to go in and address him. And at this point in time the attorneys weren't even allowed to go out into the -- if they left their offices, they had to put on their suit jackets to go out into the lobby.

And it was only a couple of years before that that they had to put a hat on to go out into the street.

MS. SHARON CHICKERING: Wow!

JUDGE DIANE STRICKLAND: So things were changing rather slowly. And I talked to him, and he -- he agreed that they could wear them as long as it had a matching jacket. So they had to wear pantsuits. Since polyester pantsuits were all the rage in those days, that worked out just fine.

So they were very happy with me that I got them permission to wear slacks.

MS. SHARON CHICKERING: So how did your clientele respond to you as a woman attorney?

JUDGE DIANE STRICKLAND: I think we had, again, a very good rapport. I can remember the insurance companies that I worked with were -- I think because Bill Poff paved the way for me, I think that was what really helped. He told them, you're going to like her; she's going to do a good job for you; give her a chance. And so they did.

I remember one case that I had with Elbert Waldron, who was the Principal in Fralin & Waldron, and he was a very well-respected member of the community. And he wanted to build the first low-income housing project in Franklin County, in Rocky Mount.

MS. SHARON CHICKERING: Wow!

JUDGE DIANE STRICKLAND: And Bill sent me with him to court. And I remember driving down there with him, and I said, are you okay with me going down here? He said, yeah, Bill

told me the judge is going to really like you, and he'll do -- you'll do better for me than he would be for this judge.

And lo and behold, we got the agreement to put in the housing project down there.

MS. SHARON CHICKERING: Who was the judge at that time?

JUDGE DIANE STRICKLAND: Monk Davis.

MS. SHARON CHICKERING: Oh, okay. Wow! So you said that your areas of practice was basically primarily insurance defense with a focus on medical malpractice. How often did you appear in court?

JUDGE DIANE STRICKLAND: Not real frequently. A lot of the work that I did was doing depositions and then doing hearings. Because most of my work was on the circuit court. I did not go to -- I don't think I ever went to J&D court, and I probably was only in general district court a handful of times, because most of the cases were circuit court cases.

And so since I was still -- I guess I should explain. I had two leaves of absence.

One was extended during that seven-year period because I was having a family. I had three kids during that time frame. And so as Bill liked to say, every time I turn around you're having another kid.

And so after my first one was born, I only took two months off and came back. And then I realized when the second one came along that I really wanted more time. And so I talked to Bill, primarily, and he talked to the rest of the partners. And this would have been '80. I had now been here five years at that point. Well, four-and-a-half years.

And they agreed that I could -- they were very accommodating. It was probably maybe the beginning of maternity leave for women in the legal profession. They said, you can go ahead and practice part-time from home. And I said, I just want to get off of the partnership track. I will just be an associate, and you pay me an hourly rate and bill me at whatever hourly rate you want.

And that worked well. And I practiced, I guess, for maybe about eight months or so.

And then I said to Bill, I said, Bill, you know, I finished the cases I was working on. Rather than me taking any new ones, can I just have straight maternity leave for another six months, and he said yes.

And so that's what I had, and then I came back. And when I got pregnant with my third child, things had started to change. They had interviewed Betty Jo Anthony and thought that they were going to bring her on board.

They said, well, now that we will be not just a one-woman shop, we need to have a little more regulation. Bill wasn't on board for this at all. He didn't like the idea. But they decided that they needed to have regular -- everybody on the same path. You couldn't be on -- get off the partnership track. You had to stay on.

So at that point Art made me an offer that I couldn't refuse. He had by then left the magistrate's office and gone into the practice of law. He said, well, why don't you come on over and practice with me.

And I thought, well, that's good because I knew that I didn't want to -- with three little kids, the oldest of whom was not yet five at home -- that I didn't want to be on partnership track.

So I left and went with Art. And seven months later Bill called me and he said, the folks that were most insistent of having that policy have left our firm. Will you come back? But I didn't. I stayed. I was very happy. I liked the flexibility that I had at that point.

So I stayed over there only for, I guess, two years before I went on the bench.

MS. SHARON CHICKERING: So how were you treated by male members of the bar and the judges generally at the beginning? And then how did that change over time during the time that you actually practiced?

JUDGE DIANE STRICKLAND: I would say that at the beginning I was treated very specially. I was given special consideration and special treatment because there just weren't any -- there were no women appearing

in the circuit courts in Southwest Virginia except for me. And so that gave me really a lot of special attention.

And as more women came in, I lost that specialness. And so I got treated more like one of the guys then. So it was sort of the reverse of what you might think, that it got better; it actually got tougher for me. I had to prove my medal. I couldn't just rest on my laurels of being a woman.

MS. SHARON CHICKERING: So do you feel that you were treated differently as a duo, I guess is what I'm trying to say, with you and Art being husband and wife and both practicing in the Valley?

Do you think that made any difference in how you were received?

JUDGE DIANE STRICKLAND: It did a little bit. Because there were one or two occasions that I can recall, when I was still at Woods Rogers, when there would be a conflict between a case that I was going to be involved in that Art's firm was involved in. And so there was a little bit of friction

there.

But other than that, I don't think -- I think most everything else went smoothly.

MS. SHARON CHICKERING: Okay. So you were talking about taking maternity leave. But then, of course, when you went back to work, you still had little ones that got sick and needed to be taken to school and those sorts of things. How did you all handle that?

JUDGE DIANE STRICKLAND: Well, I have to give a lot of credit to Art because he was always willing to do his share. And so we would look at -- if there was a need for that -- we had a woman, we found this wonderful woman, who came to our house every day and stayed with the children at home.

But if there were special things that needed to be done, particularly as the children got older and had soccer or dance or music or whatever, then we would sort of split up the schedule each day. We'd say, who can go at three o'clock today and provide this transportation.

She would provide some of the

transportation. But with three of them going three different directions, it sometimes took all three of us. And other times we were able to allow her to provide the transportation that was necessary.

But it was a bit of a juggling act, I guess I would say. But he, he was just as much a part of the juggling team as I was.

MS. SHARON CHICKERING: So did you ever see that there was any, any conflict with the schedules that you were trying to keep with the children and then the schedule of trying to be in court?

JUDGE DIANE STRICKLAND: Only to the extent that there were a few times that I missed out on a couple of soccer games or something of that sort that started before I would have been comfortable leaving the courthouse. But other than that, no, I think for the most part it went pretty well.

MS. SHARON CHICKERING: So were there any, when you were in practice and before you went on the bench, were there any particular judges or fellow attorneys that you

particularly admired?

JUDGE DIANE STRICKLAND: Well, Bill for sure. Actually, Jay, Tommy, and Bill, all three of them were great. They were all excellent trial attorneys, and I learned so much from all of them. But learned the most from Bill because of having the most cases with him, and of because his involvement with the bar, which I really enjoyed. I went on to become involved with the Virginia Bar Association as well, and served on their board.

So I sort of learned from him to be interested in bar activities and committees and in addition to learning the tips for practicing law.

MS. SHARON CHICKERING: He was very exacting.

JUDGE DIANE STRICKLAND: He was.
He was.

MS. SHARON CHICKERING: And well-respected.

JUDGE DIANE STRICKLAND: And, again, I was special. You know, the story that the

attorneys at the time used to tell on Bill was that he -- he, of course, he was married to Mag Poff at the time, who was a reporter for the newspaper, but they had no children.

And Mag, after she finished her day at the paper, would come over to the law firm. They would have dinner together, and then she worked typing up notes. This was before we had paralegals. And so she would, you know, put the depositions into a format that was easy for him to access what he needed and so forth.

And they would work here even on holidays. And it was often the source of a good bit of grumbling, when the attorneys came back in after Christmas, that there was a note on their desk from Bill, I was looking for thus-and-so on December 25th and couldn't find it. And they would grouse about it. I never got one of those notes, so I considered myself very blessed.

MS. SHARON CHICKERING: Were there any judges that you felt were inspiring?

JUDGE DIANE STRICKLAND: Yes, there

were. Well, Judge Turk would have to be number one, because he just became such a wonderful supporter of both of us, and really helped us throughout our careers for many, many years. He offered me the U.S. Magistrate position when Art left. I didn't take it, obviously. I was enjoying what I was doing as an attorney. But he just was so supportive for us.

And then Judge Dalton, who was the other federal judge at the time, who was just so politically savvy and politically well-connected, being the father of the governor. And he was -- he could make things happen.

I will tell you just a really quick story. When I was the attorney for the students at the University of Virginia -- actually, it was only -- had started my job as soon as I -- I had to pass the bar to get the job. But as soon as I passed the bar, I had the job. And so I started in the beginning of September when the bar results came out.

And in October he was going down to

Puerto Rico to help with the overcrowded dockets there. And he had two condos there, and he decided that it was time for Judge Turk to get a chance to go down. So they always took their law clerks, and they took a member of the U.S. Marshal Service. And so he was organizing all of that, and he said to Art, he said, of course Diane will go, right? Art said, oh, no, she can't go. She's got this new job, and besides that, we are not in a financial situation to, you know, pay for her to go down.

Next thing you know Judge Dalton has contacted the president of UVA and arranged for me to get a week off, and he has had me appointed the substitute Clerk of the Court for the Federal District Court in Puerto Rico. So I was there on the bench swearing in witnesses, marking exhibits for the week. And it was a wonderful experience, and he was a very special person in our lives as well.

MS. SHARON CHICKERING: Wow! So as noted in the introduction of the interview, there were six other women attorneys in the

practice of law in the Roanoke Valley when you began your practice here.

Were there particular women attorneys with whom you formed relationships or interacted with on a regular basis?

JUDGE DIANE STRICKLAND: Well, Anne Edenfield and Linda Steele and Angelica and I became friends, and we would have lunch together frequently. Not weekly, but at least once a month or maybe more so.

And Anne, Anne and I became social friends, and Linda and I became social friends, but separately. We would have dinner together with our husbands. Linda wasn't married at the time but Anne was. And Linda actually dated another attorney in town that was friends with us. So we would all socialize together.

And then Angelica and I became friends, because she had her first child just a little bit before I had my first child. So she had professional maternity clothes available. Two outfits we would alternate. I mean, she wore them when she was pregnant, and then I wore

them when I was pregnant. We would alternate. We had a navy blue two-piece and a gray two-piece. And so I was able to have the benefit of her maternity clothes.

MS. SHARON CHICKERING: So Anne Edenfield worked for Legal Aid. Is that correct?

JUDGE DIANE STRICKLAND: She did.

MS. SHARON CHICKERING: And Linda Steele?

JUDGE DIANE STRICKLAND: At that time it was Fox, Wooten & Hart.

MS. SHARON CHICKERING: And what was she doing?

JUDGE DIANE STRICKLAND: She was doing insurance defense work also.

MS. SHARON CHICKERING: Okay. And Angelica Lloyd was...

JUDGE DIANE STRICKLAND: Angelica was with the railroad. She was assistant corporate counsel at the railroad.

MS. SHARON CHICKERING: Did they have different experiences from you when you interacted with them?

JUDGE DIANE STRICKLAND: I think somewhat they did. Well, yes, they clearly did. I mean Angelica's was all corporate. She didn't go to court. Anne Edenfield went to court, but she went more to juvenile court and general district court.

Linda's practice would have been somewhat like mine, but she didn't stay long enough, really, to get into doing a lot of court appearances. She ended up going and working for a firm in New York City.

MS. SHARON CHICKERING: Oh, okay. Okay. And did you feel that you were treated any better or worse by male bar members or judges or clientele?

JUDGE DIANE STRICKLAND: No, I really felt that I was treated very fairly.

MS. SHARON CHICKERING: If I'm correct, a number of the women attorneys in practice in the Seventies were also married to attorneys. Angelica Lloyd and Diana Perkinson and Mary Ellen Goodlatte and Betty Jo Anthony. Is that accurate?

JUDGE DIANE STRICKLAND: All of those

were, yes.

MS. SHARON CHICKERING: Do you feel that it affected your experience or relationships in any way?

JUDGE DIANE STRICKLAND: Well, I think our experiences with one another somewhat, because we would talk. Angelica and I would talk about the balancing of families when we had our children and our husbands had careers. The other women both -- Diana and Frank did not have children. And Anne Edenfield did not have children.

Betty Jo came later. She came just as I was leaving Woods Rogers, so I didn't have much interaction with her.

MS. SHARON CHICKERING: Okay. Okay. And I forgot to ask you. When did you actually -- when were you actually admitted to the bar in Virginia?

JUDGE DIANE STRICKLAND: '73.

MS. SHARON CHICKERING: '73. Have you seen progress in the way that legal employers and the courts have handled and supported women attorneys since you started practice in

the Seventies?

JUDGE DIANE STRICKLAND: Certainly have seen a lot of improvement in the area of working with women with maternity leaves, and men, if they want to take paternity leaves. All of that has evolved quite a bit since when I came along and there was nothing in place.

And more significantly probably is dealing with the perceived conflicts of having a husband-wife team that -- I can't remember what year it was, somewhere along in the Eighties, they put in an LEO that sort of provided guidance to firms as to how to handle husband-and-wife lawyers.

And that made a big difference because that allowed people to know exactly what to expect and to give firms some comfort in hiring a member of a married team and knowing that it wasn't going to be a problem for their clientele by having --

MS. SHARON CHICKERING: So what did that legal ethics opinion say?

JUDGE DIANE STRICKLAND: It provided, as I recall -- it's been probably almost 40

years since I looked at it. It stated that it would not be, *per se*, a conflict for a firm to take a case in which the opposition was either a spouse of a member of their firm or a firm that the spouse was a partner in, that you could, in effect, build a firewall to protect.

You couldn't have, obviously, the attorneys working on the case. But you could build a firewall so that if the attorney in one firm wasn't involved, then his or her spouse could be involved on the other side.

MS. SHARON CHICKERING: Especially in areas like Roanoke and, as you mentioned, Charlottesville, that was pretty groundbreaking for you all to be able to actually practice.

JUDGE DIANE STRICKLAND: It was, absolutely.

MS. SHARON CHICKERING: Okay. So then in Virginia judges are appointed by the legislature, not elected. And so there came a time when you were appointed by the Virginia legislature to the 23rd Judicial District General District Court. When and how did that

occur?

JUDGE DIANE STRICKLAND: Good question. I can tell you when it occurred. It occurred in 1987. As to how it occurred, I am really hazy. It was not ever something that I sought out. I didn't ever think about becoming a judge. That was just not on my radar screen, same way as not becoming a lawyer.

Art likes to quote, I think it was Bob Dylan that had the lyrics: Life's what happening when you're making other -- it was either John Lennon or Bob Dylan. Life's what's happening when you're making other plans. And that seems to be the story a lot.

And it was either some folks from the local bar or some members of our general assembly delegation. And I honestly cannot remember, or it may have been a combination of them both. Somehow or another, I think Dickie Cranwell may have been involved.

But they came to me at my office at the time, which was with Art's firm, and said, you know, it's time for a woman. And you're the only woman that goes to court regularly and so

would you be interested?

I talked to Art about it and, you know, it was a little bit of a challenge from the standpoint of being with Art. Of course, he gave me as much flexibility as he possibly could. But there was -- in that time, you know, I was doing travel with my practice and so forth. So this would guarantee I would be in town all the time. And I would have very regular hours on the general district court bench.

And so we finally decided that was probably an okay move for me to make, and so I said yes. And I can't remember -- I mean, I'm sure the bar had to vote on it, and I'm sure there must have been other people that were interested. I honestly don't remember, but it happened.

MS. SHARON CHICKERING: And Dickie Cranwell was actually in the legislature at that point.

JUDGE DIANE STRICKLAND: He was, yes.

MS. SHARON CHICKERING: Did it surprise you that they had the insight that they wanted

to have a female attorney on the bench?

JUDGE DIANE STRICKLAND: It did a bit, yes. It did surprise me a bit. Although, I will tell you, when I was -- I was in a jury trial down in Smyth County, and there was a circuit court judge down there, an elderly gentleman -- some referred to him as a bit crotchety -- Judge Matthews. Not Joe Matthews' father. Joe Matthews' father was also a judge, but there were two Judge Matthews, and this was the more senior of the two.

And we were waiting for a jury back in his office, the attorneys. And he said to me, he said, young lady, have you ever thought about becoming a judge? And this would have been, gosh, I guess '83, '84, somewhere around there. And I said, no, I really haven't, Judge Matthews. He said, well, you ought to give it some thought because -- and I remember these words. Talk about damning with faint praise. He said, because we're going to get stuck with having women one of these days, and it might as well be somebody that has some

talent like you.

MS. SHARON CHICKERING: Oh, my goodness.

JUDGE DIANE STRICKLAND: So it didn't come as a complete surprise.

(A recess was taken)

MS. SHARON CHICKERING: Were there or had there ever been any female judges appointed by any of the courts in the Roanoke Valley at that time?

JUDGE DIANE STRICKLAND: No, there had not been.

MS. SHARON CHICKERING: Who were your fellow judges at that time?

JUDGE DIANE STRICKLAND: Well, starting off on the general district court bench it was Judge John Apostolou, Ed Kidd, and Julian Raney.

MS. SHARON CHICKERING: And how were you treated or received by them?

JUDGE DIANE STRICKLAND: They were very, very helpful to me. Judge Kidd, of

course, was just a really jolly fellow and always made people feel comfortable, whether it was in court or outside of court.

Judge Raney was the one that was closest to my age and he was the newest. I think he had been there maybe three years by the time I arrived. And so he was still new enough that he remembered what it was like and went through it. And most significantly what I remember was that we at that time -- I think they still do, but I'm not sure -- we divided it into three divisions: civil, traffic, and criminal.

Of course, I had never done a traffic case in my life, nor had I ever done a criminal case in my life. And so they started me in civil, which was very kind of them to let me get my feet wet doing something that I knew and felt comfortable. And then they switched me over to traffic, which they knew would be less demanding than criminal. And then finally went into criminal. And, boy, that was an eye-opener for me. I just felt like I had lived such a sheltered life when I

got in there and saw some of these cases in the criminal court.

I remember still to this day the one case that really comes to mind that it was all I could do to sit there with my -- to keep my composure and not be letting my mouth drop open. It was a neighborhood brawl over somebody's child's football coming into the neighbor's yard. The people that were involved in the brawl were all women, and there were grandmothers, mothers, and adult daughters. And they had chains and tire irons.

MS. SHARON CHICKERING: Oh, my gosh.

JUDGE DIANE STRICKLAND: And I just could not believe it. I thought, I had no idea that this went on in the world. So it was an eye-opener.

MS. SHARON CHICKERING: So how do you feel that you were received by former colleagues and litigants when you first went on the bench?

Did your gender really figure into that, from your perspective?

JUDGE DIANE STRICKLAND: Well, when I first went onto the bench, I didn't see many of my colleagues. Because most of the people that I had practiced with were really doing just circuit court. So I was meeting an entirely new sector of the bar in the general district court from the people that I had been working with. And they were very respectful, and I enjoyed getting to know them.

MS. SHARON CHICKERING: And how about the litigants?

JUDGE DIANE STRICKLAND: Now, I think the litigants for the most part were accepting. I had a bailiff, a female bailiff who really took me under her wing, and she demanded respect for me. I can remember her sending people home because she didn't feel like they were dressed respectfully.

And they had to go home and change their clothes before they were allowed to have their case heard. So I think that was sort of handled for me.

MS. SHARON CHICKERING: Who was that bailiff?

JUDGE DIANE STRICKLAND: Oh, boy! Let me think what her name is. Because then for many, many years I had a bailiff by the name of June. What was June's last name? I can't remember June's last name. She was my bailiff on the circuit court when I moved to the County.

The general district court in the City -- Rita. Her name was Rita. I don't remember her last name. I'm sorry.

MS. SHARON CHICKERING: Oh, that's okay. Did you see a significant difference in the competency of women attorneys or male attorneys who appeared before you?

JUDGE DIANE STRICKLAND: No, I didn't.

MS. SHARON CHICKERING: How long were you on the general district court bench?

JUDGE DIANE STRICKLAND: A year and a half.

MS. SHARON CHICKERING: What do you feel were your primary achievements in that position?

JUDGE DIANE STRICKLAND: Oh, my

goodness. Well, I remember on one occasion I shook things up a little bit by asking the attorneys who were arguing a case before me, isn't this governed by the Uniform Commercial Code? They both gave me this blank look, like, what is she talking about? And I said, I think we'll take a recess on this case. You can go and read the UCC, and then come back and we'll finalize the case.

Sure enough, they both came back and said, thanks, Judge, we didn't even know that provision existed. So maybe I interjected a little bit of new law on the civil side.

MS. SHARON CHICKERING: And then there came a time when you were appointed by the Virginia legislature to the Circuit Court in the 23rd Judicial Circuit. When did that occur?

JUDGE DIANE STRICKLAND: That happened in April of '89.

MS. SHARON CHICKERING: And at that time you were the only female appointed, ever appointed to the circuit court bench in the Roanoke Valley. Is that correct?

JUDGE DIANE STRICKLAND: To this day, unfortunately.

MS. SHARON CHICKERING: Who were your fellow judges at the time?

JUDGE DIANE STRICKLAND: It was Judge -- let's see, I took -- trying to think of whose place I took. Judge Coulter was there, Judge Trabue was there, Judge Willett was there, and Judge Weckstein.

MS. SHARON CHICKERING: Okay. And how were you received by them?

JUDGE DIANE STRICKLAND: Excellent. Just as graciously as I was received on the general district court bench. Judge Weckstein and I already had a friendship, because he had gone on the circuit court at the same time that I went on the general district court.

And you have to go to what we used to refer to, disrespectfully, as baby judges school. So he and I were in baby judges school together and had become friends. So when I moved up and took the office next to him, he was just as gracious as he could be in helping me with anything and everything, you

know, that I might need.

MS. SHARON CHICKERING: Was that a daunting new step for you to go on the circuit court bench?

JUDGE DIANE STRICKLAND: The main difference for me -- well, there were a number of differences, I guess. But it was so much more demanding. I had no idea how much more demanding it was going to be than the general district court in terms of, not only the amount of research that had to be done, the -- the hours.

In the general district court, when court ended there was very little to do other than to sign, you know, some paperwork that would come in. Or occasionally somebody might wander into the clerk's office and want to be married, and you do the marriage ceremony. But your work was really limited to the courtroom.

In the circuit court, so much of your work had to be done once you finished your court day. So it was a lot more demanding. And, of course, it was far more comprehensive

in terms of the type of cases you were presiding over.

MS. SHARON CHICKERING: So, generally, how was your experience on the circuit court bench? What stood out most to you? And what was most important from your perspective?

JUDGE DIANE STRICKLAND: It's the -- well, I was a bit surprised. I thought I would be doing -- I thought, okay, now I will get to do a lot of medical malpractice cases, which is what I was trained to do. And there really weren't that many that actually made it to trial.

And there weren't really all that many civil jury trials. The majority of the work was either presiding over criminal cases or presiding over divorces. And in the criminal field, a lot of it was drug-driven. I think to this day it still is, the crimes that were being committed.

So I had the opportunity -- actually, it came about one Saturday morning I was at the Y. I was on the treadmill, and on the treadmill next to me was a fellow from

probation and parole who had just come back from Florida from having visited the first drug court in the country that was started by, at that time, Judge Janet Reno, who went on to become Attorney General Janet Reno.

And he told me about that. He said, this is great. This is something that I think could stop the revolving door of people committing crimes, going to prison, coming back out and being involved in the community in the drug scene and coming right back into your courtroom again.

And it sounded exciting to me. So I started looking into it. And I talked with my fellow judges and they were -- Judge Trabue was the Chief Judge at the time, and he was very supportive. He said, take the ball and run with it, so we did. We formed an interdisciplinary committee.

Don Caldwell was on it from the prosecution side; Ray Leven, who was public defender at the time, from the defense side. And then we had probation and parole people, we had treatment people, and we got it up and

running. And that's probably what I remember as the most important thing that I did while I was a circuit court judge was to get drug court started.

I think there's maybe 35 or 36 of them in the state now. At the time we were the only one in Virginia. I actually got invited up to the White House when President Clinton signed the authorization legislation into effect. So it was an exciting time.

MS. SHARON CHICKERING: Very exciting. So you went on the bench in 1989. Is that correct?

JUDGE DIANE STRICKLAND: Circuit in '89.

MS. SHARON CHICKERING: And were there until 2002?

JUDGE DIANE STRICKLAND: The end of 2002, yes.

MS. SHARON CHICKERING: Okay. And you started the first drug court program in 1995. Is that correct?

JUDGE DIANE STRICKLAND: '95, uh-huh.

MS. SHARON CHICKERING: Okay. And so

how much work did it take to get all of this -- did you use a paradigm from some other drug court program?

JUDGE DIANE STRICKLAND: We did. I traveled to visit drug courts in -- at that point they were scattered. There weren't any close by. I traveled. And this is one in Seattle, and I traveled to the one in Miami, and then, of all places, Las Vegas.

MS. SHARON CHICKERING: Oh, wow!

JUDGE DIANE STRICKLAND: Oh, and LA, actually. So I traveled to quite a diverse number of locations.

MS. SHARON CHICKERING: And the goal of the drug court program was what?

JUDGE DIANE STRICKLAND: Was to take people who were addicted. The prerequisite was addiction. You couldn't be just a street dealer and get in. And the gatekeeper was the Commonwealth's attorney's office, and they would review every case.

And initially the police officers were not sure what to think about it, but eventually they became very supportive. And

they would actually contact the prosecutor's office, whether the City or County or City of Salem, and say, hey, this is a great candidate for drug court. See if you can push this guy into drug court.

So if they had an addiction -- and usually it was -- of course, had to be a felony that they were charged with. So it was usually either cocaine or heroin at that point in time. You didn't see much meth, fentanyl or oxycodone or any of those sorts of things. Later on in the course of my still doing drug court, I would get to see more of that. But in those days it was mainly cocaine and heroin.

And you had to be willing to spend a minimum of a year. I don't think we ever had anybody that finished it in a year. Everybody took longer going through probation and parole. You had to have a job. You had to pay off your court fines and costs and be gainfully employed before you were allowed to graduate out of the program.

MS. SHARON CHICKERING: And then if you

graduated out of the program, what happened with the felony charge that was pending against them?

JUDGE DIANE STRICKLAND: It usually remained. There were some cases, very few, because it was not the ability statutorily to take these cases under advisement. So most of these people still ended up having that conviction on their record.

MS. SHARON CHICKERING: Okay. And I believe you started Virginia's first youth court. Is that correct?

JUDGE DIANE STRICKLAND: Yes, uh-huh.

MS. SHARON CHICKERING: So tell me a little bit about that and when it occurred.

JUDGE DIANE STRICKLAND: That would have been maybe -- let's see, '80... I'm going to say '98, '99, somewhere around there, I think. And I honestly can't remember where that idea came from. I think it came from an attorney that I -- not an attorney, a judge that I met at a nationwide conference. And I think they -- I believe they may have been from Pennsylvania.

But in any event, we worked with both of the high schools in the City. We never got around to expanding it to the County or to Salem. But we worked with Patrick Henry and William Fleming.

MS. SHARON CHICKERING: Those are the local high schools?

JUDGE DIANE STRICKLAND: The two local high schools, right. And we had a teacher in each school, or an administrator, that was the coordinator there. And then we had student leaders who would head it up. And we set up for infractions that occurred at the university or at university events, they could be sent to youth court. We would have a jury of students, and we had the bar. We recruited the bar. The bar was very heavily involved.

I think you were involved in it, if I'm not mistaken. And they would have an attorney there that would oversee the proceedings, make sure they were being conducted in proper legal fashion. And the student jurors would have been given some training and they would have a little mock trial, I guess, so to speak. Not

mock; it was really a real trial. And they would come up with a decision as to what was going to happen with the students.

They could, in the most serious cases, most serious infractions, they could recommend suspension to the administration. It was ultimately the administration's decision on that. But it was really set up to keep students in school, not kick them out of school.

So they would come up with creative things, such as having to maybe do certain community service or maybe they would have to write an essay about what they had done, why they did it, and what they had learned from the experience.

Or in the event it was a kerfuffle between students, they would have to write an apology letter to the other student involved. And if it was anything that had been damaged, maybe make some restitution.

MS. SHARON CHICKERING: Did you feel that that was a successful court?

JUDGE DIANE STRICKLAND: I did. The

students involved really enjoyed it. In fact, I just crossed paths, within the past two weeks, with one of the administrators from Patrick Henry High School that had overseen the court. She was a teacher there at the time, and she was saying, I just thought that was the greatest program and the students so enjoyed working with it. So, yes, I did feel good about it.

MS. SHARON CHICKERING: So you practiced in the City, Roanoke City, initially, and then moved your chambers over to Roanoke County.

What was the difference between Roanoke City and Roanoke County?

JUDGE DIANE STRICKLAND: A kinder gentler world. In the City you had more serious criminal cases than we ever had out in the County. I would see more civil cases in the County, more civil jury trials than I had in the City. That was the main difference.

You sort of had to pay your dues. That's the way we had it set up on the circuit

court. You had to spend a certain amount of time -- I actually spent ten years in the City -- before it became available in the County with the retirement, and I got to move out there.

MS. SHARON CHICKERING: Is there any particular case that stands out today that you had while you were on the bench?

JUDGE DIANE STRICKLAND: Well, there was one case that comes to mind. I'm sure there were many more, probably a lot more, far more significant than this one. But this one touched me, because the young man -- and he was a young man -- just seemed like he should not have been caught up in what he did.

He was not a drug addict, and that's what surprised me. But he had -- he had gone into a fast food restaurant just as they were closing up. And he had tied up the, I guess, three people that were still on duty there. How he managed to do that, I can't recall. But he did manage to get all three of them. And he left them in the refrigerator area of the establishment.

Fortunately, one of their family members alerted the police pretty quickly when -- because it was a younger woman -- when she didn't get home when she was expected. So they got them out. They were -- other than being traumatized -- physically none the worse for the experience.

But I remember we tried the case, and the jury convicted him. He pled not guilty, and he was convicted. And he was sentenced to a sentence that exceeded 20 years. And I remember at the time when I had to impose that sentence on him, that -- and I didn't absolutely have to. I mean, there was some discretion. But I went through a lot of the information about him, and I couldn't understand, you know, why he had done this. And he never properly explained to anyone why he had done this, other than just for the money, which wasn't a lot that he got.

And I thought about him. He was probably 19, and I thought, you know, he's going -- half his life is going to be spent incarcerated by the time he comes out.

But when he came in for sentencing, he didn't say anything that -- he didn't apologize. He didn't say anything to suggest, I've learned from this experience. And I remember feeling a great deal of sadness when I had to impose that sentence on him, thinking, you know, there should be some redemption here but I'm not seeing it.

MS. SHARON CHICKERING: Right. Criminal cases were hard with the sentencing and trying to balance, I would imagine.

JUDGE DIANE STRICKLAND: Yes, they were. They were.

MS. SHARON CHICKERING: So what are your thoughts about the importance of diversity on the bench?

JUDGE DIANE STRICKLAND: I think it's very important, whether it's, you know, ethnicity, sex, male, female, spiritual beliefs, I think all of that -- the more diverse your bench is, the better your judiciary is, the stronger the judiciary is going to be.

The judges can learn from one another.

And the opportunity to have the litigants experience someone that looks like them, that feels like them, I think it's an important thing for them to realize, okay, you know, I'm represented as part of the judiciary as well. And I think that diversity is very critical.

MS. SHARON CHICKERING: And do you think that the fact that you are a different gender gives you a different insight into the cases that you hear and how they would be handled?

JUDGE DIANE STRICKLAND: I believe so, yes. I think -- and particularly so earlier, maybe not quite as much now as earlier. But I think back in the days where traditionally women were doing more of the child-rearing. I think that that brought a different feel to the bench.

Thinking back on that case that I just mentioned, I have a feeling that it, that I struggled with it more as a women, as a mother, than I might have as a male and a father. And I think that's, you know, that's a good thing.

If you look at our courts in Virginia today, there are, I guess, upwards of between 30 and 40 percent of the women on the juvenile & domestic court bench are now women. I think that's an important thing. I think they bring something to the bench that's unique.

MS. SHARON CHICKERING: And particularly, I would think, in cases involving families and divorces and custody, visitation types of issues.

JUDGE DIANE STRICKLAND: Absolutely. Absolutely.

MS. SHARON CHICKERING: So what are your thoughts about the fact that, since you retired, there has been no other woman appointed to the circuit court bench in the Roanoke Valley?

JUDGE DIANE STRICKLAND: Yeah, that's been an interesting journey for a number of woman who were interested, and I think maybe remain interested, and I'm hopeful one day will have that opportunity.

It's -- from my perspective, it's important that eventually we have a woman on

the circuit court. And I hope it won't be a whole lot more years. But it's now been 20-plus, and it's hard to imagine that there hasn't been.

It's certainly not for a lack of capable, qualified women expressing an interest. It's just the nature of the political process, I guess, that has turned it the way it has. And I don't mean to suggest we don't have wonderful judges on the circuit court bench. It's just we have some wonderful women that could be there as well.

MS. SHARON CHICKERING: Yes. So what are your thoughts about the fact that, for the first time since its incorporation in 1925, that the Roanoke Bar Association now has a fully female board and officers?

JUDGE DIANE STRICKLAND: I think that's very interesting, but I'm not surprised. I think that -- I think my husband would even agree with this. I think woman are better at multitasking. And so practicing law is -- it's going to court or meeting with clients is only one part of

practicing law.

I found that my career was greatly enriched by the interaction I had with my fellow members of the bar in different committees, whether they were state bars or local. And I suspect that's what these women are seeing.

I hope it doesn't mean that men are losing interest in it. I suspect that it's just a bit unique that it has happened now. And I think we'll go back to having more of a mix in the years to come. But I find it very intriguing.

MS. SHARON CHICKERING: Yes. So following your retirement in 2007 you were selected by then Governor Tim Kaine to serve on the Independent Virginia Tech Incident Review Panel after Seung-Hui Cho -- is that pronounced --

JUDGE DIANE STRICKLAND: Sueng-Hui Cho.

MS. SHARON CHICKERING: Seung-Hui Cho shot and killed 36 students and faculty at Virginia Tech.

Can you describe the experience of investigating the mass shooting and what impact it had on you, both in the intensity of the investigation itself and your thoughts on mental health and the education system in Virginia as a result?

JUDGE DIANE STRICKLAND: It was probably the saddest experience that I have ever encountered in my legal career. We had a wonderful group of folks that were on the commission from all different disciplines. I was the only judge on the commission. We had to meet with so many students, family members, faculty members.

We even met with the family of Sueng-Hui Cho. And it was very, very sad from beginning to end, hearing the stories and the challenges and seeing the impact that occurred on these individuals whose lives would never be the same thereafter.

We focused a lot on mental health. And I had the good fortune to work a lot with Professor Richard Bonnie from UVA to write a lot of the recommendations in the mental

health area, many of which have not been implemented, I'm sorry to say. Not from lack of trying, but maybe from lack of resources, financial resources, primarily, in the Commonwealth.

Some of our recommendations have been implemented. I think universities on their own have done a lot to try and improve the way mental health is handled on the college level. Although we, not too long ago, had the shooting at UVA. And so you do still have to be concerned about what mental health -- how mental health issues are being addressed on the university level.

But I think overall, hopefully, we made some changes, not nearly as much as I had hoped, or certainly that Governor Kaine had hoped would be accomplished.

MS. SHARON CHICKERING: What were some of the recommendations and which ones actually have been successfully implemented and which ones haven't?

JUDGE DIANE STRICKLAND: The ones that have been successfully implemented largely

have to do with college campuses, the requirements for notifying up the chain of command for different concerns that came along. The requirements for getting waivers from students so that their mental health information could be shared if the provider became concerned about what he or she was seeing, follow-up, being sure.

In the case of Seung-Hui Cho, unfortunately, he had started at mental health counseling as soon as he got out of being committed. And he only had one visit there before the winter break, and then there was no follow-up when he came back.

So the need for follow-up, for keeping records, maintaining contact with individuals that have been seen, that's where we made the biggest change.

Some mental health changes have been implemented from the standpoint of trying to free up more bed space for the -- particularly the TDOs when people are detained temporarily for concern for their mental health or and being a danger to themselves other others,

that has improved somewhat. But again, there are financial restraints there.

I think in the area of the recommendations for guns and management of weapons, I don't think really anything has happened.

MS. SHARON CHICKERING: What were your recommendations there?

JUDGE DIANE STRICKLAND: We were recommending tighter controls with gun shows, with personal transactions of guns from one individual to another. We were recommending more scrutiny.

Now, some of this has happened on a federal level, more scrutiny, more of a time frame, kind of like stop and wait and see before purchases could be made. Because Seung-Hui Cho made his purchases of all of the weapons and bullets -- I guess ammunition -- in a very short period of time.

And so there has been more done, I think, to prevent that from happening, but still a ways to go.

MS. SHARON CHICKERING: Right. So you

have also been involved with mediation since your retirement, first as a mediator with the McCammon Group, and currently with your own independent Strickland Dispute Resolution. Is that correct?

JUDGE DIANE STRICKLAND: That's correct, yes.

MS. SHARON CHICKERING: So, generally, how many mediations have you done over the course of your mediation career?

JUDGE DIANE STRICKLAND: I hit 1,000 in the month of February, last month.

MS. SHARON CHICKERING: Wow! So how do you feel mediation differs from court litigation in assisting parties and resolving disputes?

JUDGE DIANE STRICKLAND: I personally find it to be a much better way of resolving disputes. Civil, civil disputes, of course. I have to clarify that I'm not talking about the criminal cases. Although, there are some processes in place for some mechanisms in general district court too. We address some of the criminal cases as well.

But for the civil cases, I think folks are far better served with mediation. They get to make their own decisions. They are empowered with the assistance of their attorneys or in some cases just on their own. If they don't have attorneys, they always have the right to consult with an attorney.

When they make their own decisions, they are usually more likely to be long-lasting and binding, and usually more likely to promote a good ongoing relationship, particularly -- and I'm not doing much in the family law area anymore. But particularly in family law where parents need to continue raising their children and having contact with one another, they are much better served if they are not in court duking it out. They are working together as a team in the best interests of the children.

And, similarly, I do a lot of business mediations. And the businesses are going to -- if it's two businesses, and they are going to continue to have interactions with one another, or if it's employees within a

business, employment law cases, and they are going to continue to have to work together, they are much better suited, again, if they are not arguing across the courtroom, if they are sitting down at a table trying to work things out in a mutually advantageous manner.

MS. SHARON CHICKERING: And how long have you been doing mediations?

JUDGE DIANE STRICKLAND: 20 years.

MS. SHARON CHICKERING: Wow! So you, obviously, feel that that is a real calling?

JUDGE DIANE STRICKLAND: I do. I do.

MS. SHARON CHICKERING: Are there any cases that particularly stick out where you feel like that that was a -- that the mediation really was something that the litigation never could have accomplished and that you feel, you know, good about?

JUDGE DIANE STRICKLAND: I have, actually, a lot of cases that I feel that way about. The ones that probably come most to mind are cases which involved either a death or a family tragedy.

I do -- again, I'm doing a lot of medical malpractice work and a lot of those cases involve a death of a loved one. And it's so painful for the families to have to go through a loss of a loved one that they weren't anticipating.

There's one case that particularly comes to mind, and since mediation is confidential I can't say a whole lot. This one was written up in Lawyers Weekly because they didn't have confidentiality because it had already received so much publicity before it went to court.

It started out as a criminal case in Fairfax County and ended up civil that came out of it. It was two young women in their late twenties, both of whom were -- had mental health challenges. And they worked at a sheltered workshop. And they were both impregnated by one of the supervisors at the sheltered workshop. And neither one of them even knew they were pregnant. And the families, of course, didn't know, and the other staff didn't know, until they began to

show. And they, both families, decided to keep the babies and to raise them.

In the case of one family it was particularly impressive that that was the decision they made because she, the mother, was being raised by her grandmother, and her parents weren't on the scene at all. And her grandmother was 78 years old when this baby was born and was going to be the full responsible party. Her brother said, during the course of the mediation, he participated in it, he said, I'm going to help out as much as I can with my mother. But he was just a single male that -- not just a single male. He was a single male; had not had any experience with children personally.

But I think the mediation process served them very well, because they were -- the families were so distraught by this whole experience. And, obviously, neither of these women could take the stand to testify. They weren't capable of telling their stories. They didn't know what the stories were. And so it was much better suited to a mediation

process. And we were able to secure enough money for both of these children to be raised without financial concerns, which is a good thing.

MS. SHARON CHICKERING: And you continue to do mediation even today. Is that correct?

JUDGE DIANE STRICKLAND: I do. I did a mediation two weeks ago with 16 attorneys involved.

MS. SHARON CHICKERING: Oh, my gosh. So what do you consider to be other life accomplishments?

JUDGE DIANE STRICKLAND: Well, one of the things that I'm somewhat proud of, back when Hurricane Katrina occurred, there were so many people throughout the United States, but some here in the Roanoke Valley, that wanted to make a contribution and do something. I had the good fortune of knowing a number of people that were in the clergy at that time. And so I started contacting them. And I said, why don't we -- I know every church is going to want to do something. Why don't we try and

join forces and see if we can't make a bigger impact by joining together.

And so I got my friend, Rabbi Kathy Cohen, to make the Temple available, synagogue available, for us to have our first meeting. And we had members of the clergy from 18 different denominations. And it was a wonderful experience to see everybody coming together.

And we at that point in time, it was our plan to bring folks here to Roanoke, to provide homes, get them jobs, get kids in school, cars if needed, whatever. And I was also fortunate that I had a good friend who was the head of public safety for the State of Virginia at the time, Bob Crouch, who used to be clerk of the court down in Martinsville. And so I was working with Bob. He was overseeing bringing the people. We were supposed to have 600 people that were going to come, not to Roanoke, but to Virginia, and they were going to get them and they would be parceled out throughout the Commonwealth.

Three days before that was to

happen the -- in its infinite wisdom -- FEMA decided they were all going to Texas. So I called my group back together. I said, do not lose faith. If they are not coming to us, let's go to them. So out of the 18, 12 decided to stick with it. And we set up teams that would go down.

And in the beginning we were interfaith teams. We made a concerted effort to get people from different churches, synagogues. We even had the, a Buddhist mosque from Blacksburg involved for a short period of time. And we did that intentionally so that in the long drives down and back you could share your ecumenical experiences. And it was wonderful. I did several trips with members from all different denominations, and there was -- it was great.

I remember on the very first one we had talked so much and done so much talking about our own religious practices that by the time we hit the Virginia state line coming back in, we started talking about things that none of us had any knowledge about. And that was,

what do you think about denominations that handle snakes? What do you think that's all about?

So we had some wonderful trips down there to rebuild the coast. And as it evolved over the years, we ended up sending over 300 members of the Roanoke Valley down there to help rebuild.

MS. SHARON CHICKERING: That's very impressive. And you also were a founder of a non-profit?

JUDGE DIANE STRICKLAND: Yes. I give credit to my daughter for that. When she was in college -- my middle daughter, Danielle -- went to Mexico as an exchange student. And she worked part-time with a non-profit that was educating street children, little children that sell the trinkets on the street to help support their families.

And she decided she was going to go back, that that was her calling. So as soon as she graduated, she located herself a job teaching in the -- teaching fifth grade down there in a private school, and headed on back

to Guadalajara, Mexico.

And she was doing volunteer work with the same organization that she had worked with. And one of the administrators there -- and I guess he was -- in fact, he was actually a lawyer by training. And they became good friends, and they decided they wanted to do a slightly different approach. Because those children in that program were actually taken from their families and put in a group home.

And they said, we think we ought to be able to provide an education and let the children continue to live with their families. So they started their own organization down there. And she said, Mom, we need some financial support. What can you do?

So I started contacting friends, and the next thing you know I organized a non-profit here that matched people in the states with a child down there and sponsorship. And now we are -- we started that -- we have been doing that program now for 17 years.

MS. SHARON CHICKERING: Wow! So you

also have had some service on boards, including Governor Mark Warner's Crime in Minority Communities Initiative Task Force, and also the Virginia Code Commission.

And then you have been a commission member on the Virginia Supreme Court studying Virginia Courts in the 21st Century.

Tell me about what you feel you accomplished with those.

JUDGE DIANE STRICKLAND: Well, I will take them in reverse order. The Courts in the 21st Century, where they follow up, there had been what they call the Futures Commission. And Judge Trabue, from our circuit, served on that one. And it was to lay out a blueprint, if you will, for the future of the court system in the Commonwealth.

And after, I guess, maybe a decade or so they decided that they had implemented what they wanted to implement from that, and it was time to take a new look. And so then Chief Justice Hassell put together this second commission. And it did not have judges from every circuit, but it had probably at least 20

or more circuit court judges from various levels. And I had the good fortune to participate in that.

We looked at what had been accomplished and what had changed in the system since then. And I worked a lot on jury reform, and we came up with recommendations to do things like let jurors take notes, which wasn't being done at that point in time; to shorten the term that jurors had to serve. A lot of circuits were requiring the jurors to spend several months being on call. The goal was to get down to a week. I got down to two weeks here in Roanoke. But I think they have gone, reverted back to a month now.

But it's disruptive to somebody's life to have to not know, am I going to have to go to court tomorrow, can I go to my job, and so forth. So you like to minimize that impact.

And just other things as far as how to handle, I guess to a certain extent, what one group was working with, how to handle the criminal docket, the sentencing, probation and parole, things of that sort.

Another group was working with the juvenile courts and the support network that juvenile courts would have available to them. And I also worked at about the same time on a committee that I think actually Chief Justice Carrico set up a little bit earlier that had to do with implementing alternative dispute resolution in the Commonwealth, and how you would date annex that to the court's court-annexed mediation on all three levels as well.

Then, let's see, going backwards. I don't remember what else you mentioned.

MS. SHARON CHICKERING: I mentioned the --

JUDGE DIANE STRICKLAND: Oh, the Code Commission.

MS. SHARON CHICKERING: Yes, uh-huh.

JUDGE DIANE STRICKLAND: That was an interesting experience. There were only eight of us on the Code Commission and two judges. At the time we were going through -- you would just go through -- they would go through year after year every chapter of the Code and

figure out what needed to be revisited and to make recommendations to the general assembly for changes that needed to be made.

And now Justice Goodwin was the other circuit court judge on it with me. And he was a great. We became good friends during the course of those years that we worked on that.

And Justice Mims was also on it, but he wasn't on it as a judge; he was on it from the AG's office at the time. So it was a good group. We enjoyed our time. And I think we got some good changes made in the Code.

And then before that was --

MS. SHARON CHICKERING: Was Governor Mark Warner's Crime in Minority Communities Initiative.

JUDGE DIANE STRICKLAND: Yes, uh-huh. That was a very interesting group. I was the only judge on that one. And Pearl Fu from Roanoke was on the commission with me.

MS. SHARON CHICKERING: Oh, yes.

JUDGE DIANE STRICKLAND: And I used to drive her down for the meetings. We had people of all sorts of ethnic and racial

backgrounds on the committee. And the meetings were fascinating too, to hear from the different perspectives. And we traveled all around the state and met with people from different communities in terms of what the needs were.

I remember when we were in Northern Virginia we were focusing on gang violence up there. And my oldest daughter, Nicole, at the time was working for a youth opportunities program in Baltimore, Maryland that was doing a lot of work with gangs. And so she and her boss came over and made a presentation -- even though it was over the state line -- made a presentation with their recommendations of what could be done to curb youth violence. So that was a very interesting experience for me.

MS. SHARON CHICKERING: And Pearl Fu is...

JUDGE DIANE STRICKLAND: Pearl Fu has been the head for many, many years -- I think she just maybe recently retired from the position of being head -- or she began as head of the Sister Cities Program here in Roanoke.

But then she went to become, really, our culture ambassador and every year would put together what is our over-growing event of bringing all the cultures in our community together for a wonderful fair, festival every summer.

MS. SHARON CHICKERING: Local Colors?

JUDGE DIANE STRICKLAND: Local Colors. Local Colors. Absolutely. Thank you. I was floundering for the name.

(A recess was taken)

MS. SHARON CHICKERING: Judge

Strickland, you truly have been a trailblazer, not only for women in the law in Virginia, and in particular in the Roanoke Valley, but also for mental health reform; drug rehabilitation; alternative dispute resolution.

What are your observations of the progress, or lack thereof, of the equality of women attorneys in Virginia and elsewhere and women on the bench?

JUDGE DIANE STRICKLAND: Well, I would

say that I think we have an outstanding group of women judges in Virginia. I think they bring to the bench a very diverse background, a lot of experience in both the legal field, but in other areas as well. And I think their talents and their experience have greatly benefited the courts in Virginia.

I think we now -- I guess the one area that I think we need improvement is women on the circuit court bench. While I think we have probably 30 to 40 percent women overall in all the courts in Virginia, I think the circuit court is not even 20 percent yet.

And so while Roanoke has -- and the Roanoke Valley -- has been slow in adding another woman, they are not unique. It's not unique. It's going on throughout the state. And I think since that is the trial court of record in the state, we need more women on it.

MS. SHARON CHICKERING: So do you have any message you wish to give to women just coming into the practice of law today?

JUDGE DIANE STRICKLAND: I would tell

them to be themselves and to use whatever comes naturally to them to work to their benefit. I can recall there was a time period -- and I'm glad to see that it is no more.

But there was a time period when women attorneys were trying to dress more like male attorneys. They were wearing not bow ties, but blouses with bows that tied, and always wearing a suit. And they would, I think, try to be a bit more masculine than they really were by nature. And it didn't come across as true to me when I was presiding over the trials.

And I did on one occasion mention it, because I felt that I had a close enough relationship with that particular attorney to just say, be yourself. It will serve you well. The juries will like you and opposing counsel will like you if you just be yourself and act naturally.

And I think that would be my main advice is, just don't try to be something you're not. Don't feel like you have to

compete on the same level with anyone else.
Use your talents and attributes to best serve
your interests and your client's interests.

MS. SHARON CHICKERING: So what would
you like your -- most like your legacy to be?

JUDGE DIANE STRICKLAND: Oh, I think
probably just to have impacted in a positive
manner, maybe a creative manner, the
individuals whose paths I have crossed,
whether it be as an attorney or a judge or
a mediator.

MS. SHARON CHICKERING: Thank you,
Judge Strickland. I appreciate you
participating in this oral history.

The Virginia Women Attorneys
Association will keep a copy of the audio
and video recording of our interview and a
transcript on its website.

And the Roanoke Law Library, part of
the Roanoke City Library System, is currently
assessing whether it can serve as the official
repository for this and the other oral history
interviews.

The goal of the Roanoke Chapter VWAA

Oral History Project is to make them available for use by researchers and the public for educational purposes, including publications, exhibitions, WorldWideWeb and presentations, including possible publication in the Lex Claudia, the magazine of the Virginia Women Attorneys Association. And I thank you on their behalf.

JUDGE DIANE STRICKLAND: I thank you for giving me this opportunity.

MS. SHARON CHICKERING: Thank you.