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Tribute to John Pickering

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TRIBUTE TO JOHN PICKERING

*Marcia Greenberger**

This room is filled with many women lawyers. All of us loved John Pickering and are in his debt, but we are only a small number of those who do. For many decades, John guided young, and I must admit not so young, women lawyers to positions where they could stand up for their own rights and the rights of others. He worked with us to champion the causes that matter most to women and their families.

John used his great stature and the enormous respect that he garnered to open doors for women to leadership positions in the bar, just as Elaine Jones recounted to you, on prestigious commissions and committees and, of course, in his own firm. He gave them the chance to serve and to shine.

The women who are pillars of the bar today, not only in our own city, but nationally, each have a favorite John Pickering story to tell. Brooksley Born,¹ Marna Tucker,² Judy Lichtman,³ Katherine Mazzaferri,⁴ Zona Hostetler,⁵ Estelle Rogers,⁶ my own colleague, Nancy Duff Campbell,⁷ and I are just so very few of the women who, although not a part of his firm, were the beneficiaries of his extraordinary vision, his mentoring, his encouragement, and—as you have heard—his unwavering commitment to equal justice.

John took great pride in their accomplishments, as he did the superb women lawyers in his firm. With Sally Katzen⁸ and others to follow, Wilmer, Cutler & Pickering—as it was known in the old days—was among the first

* Founder and co-president of the National Women's Law Center.

1. Chairperson of the U.S. Commodity Futures Trading Commission from 1996–1999, former head of Arnold & Porter's derivatives practice, and chairperson of the National Women's Law Center's Board of Directors.

2. First woman president of the District of Columbia Bar, founding member of the National Women's Law Center's Board of Directors, and current chair of the Federal Judicial Center Foundation Board.

3. Former president and founder of the National Partnership for Women & Families.

4. First woman executive director of the District of Columbia Bar.

5. Former member of the legal ethics committees of the American Bar Association and the District of Columbia Bar; former chair of the American Bar Association's Professionalism Committee. Ms. Hostetler also has served on the consultant group for the Restatement on Lawyers for the American Law Institute, as chair of the Fellows of the American Bar Foundation, and chair of the Individual Rights Section of the American Bar Association.

6. Former executive director of the Death with Dignity National Center.

7. Founder and co-president of the National Women's Law Center.

8. First woman partner at Wilmer, Cutler & Pickering; former deputy director of the Office of Management and Budget ("OMB"); former administrator of the Office of Information and Regulatory Affairs in OMB; former deputy assistant to the President for Economic Policy in the White House under President Clinton.

of the major D.C. firms to offer partnerships to women. The bar, our city, and the nation are the better for his simple approach, which Sally has described—that women are regular people and could excel, just like men.

Some years ago, the National Women's Law Center honored John Pickering at our annual awards dinner for all of his extraordinary contributions to the law and to women lawyers. I must preface this story by telling you that this was before his marriage to Mrs. Wright.

That year, in what some might say could seem an unlikely combination, we also honored Susan Sarandon. It seemed like a good idea to check with John to be sure it would be okay. It turned out that John had never heard of Susan Sarandon. So I explained a bit about her, and suggested that he see *Bull Durham*, which was in the movie theaters at that time, in the interest, as they say, of full disclosure.

He did so, and he called back to say it would be entirely fine by him. So fine, in fact, that he would be available for a special meeting with her.

They got along famously that evening, as you might expect. She became an instant fan of his. Who, after all, could resist, as Esther said, the twinkle in his eye, his wonderful sense of humor, or his extraordinary decency and unerring moral compass?

Whether it was setting an institutional standard for pro bono work for his firm, encouraging lawyers to become personally active in the bar and other activities where they could serve the public good, or putting himself in the middle of the fray where he spoke up on the great issues of the day, John fought to ensure that our laws and our legal system, which are dedicated to the principles of equality and opportunity and fair play, are applied in fact and not just acknowledged in theory.

Holmes said that life is action and passion.⁹ A man must share the passion of his times at the peril of being judged never to have lived. We are all the stronger and the surer because John Pickering applied the discipline of his mind and the generosity of his heart, with action and passion, to his life's work and brought us all along with him.

9. Oliver Wendell Holmes, Jr., *Memorial Day (May 30, 1884)* in *SPEECHES* 1 (1913), reprinted in *THE MIND AND FAITH OF JUSTICE HOLMES: HIS SPEECHES, ESSAYS, LETTERS AND JUDICIAL OPINIONS* 9–10 (Max Lerner ed., 1943).