

118 YEARS IN THE MAKING: A WOMAN TAKES THE FEDERAL BENCH IN IDAHO

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Candy Wagahoff Dale is the first woman to serve on the federal bench in Idaho.

In 1890, the state of Idaho was admitted to the Union and organized as one judicial district—the District of Idaho. President Benjamin Harrison nominated James H. Beatty to serve as Idaho’s first United States District Judge. Since then, Idaho has had a long list of distinguished judges representing the District of Idaho as district, magistrate and bankruptcy judges, as well as serving on the Ninth Circuit Court of Appeals. But, a woman has never served on the federal bench in Idaho. On December 2, 2007, Chief United States District Court Judge B. Lynn Winmill announced that this dubious

distinction would end. One hundred eighteen years after its creation, the District of Idaho will welcome its first female member to the Bench. Candy Wagahoff Dale, will succeed Chief United States Magistrate Judge Mikel H. Williams on March 30, 2008.

Ms. Dale is a well known and highly respected trial attorney with the Boise law firm Hall, Farley, Oberrecht & Blanton where she has long practiced business litigation and employment law. She has served on numerous professional organizations, including as Past President of the American Inn of Court No. 130 (Boise), the Federation of Defense and Corporate Counsel, the Management Labor & Employment Roundtable, the Board of Directors for the Federal Defender Services of Idaho, the Idaho Law Foundation’s CLE Committee and as a member of the Advisory Council for the University of Idaho College of Law. She is a frequent author and lecturer on employment law topics and, to that end, has earned a reputation as one of Idaho’s premiere employment lawyers. In addition, Ms. Dale is well known to the members of the federal bench in Idaho based on her years of service to the District as a Lawyer Representative to the Ninth Circuit Conference of United States Courts, a member of the Ninth Circuit’s Advisory Board and as a member of the Gender Fairness and Long Range Planning Committees for the District.

Despite her many accomplishments and seemingly “natural fit” for the law, Ms. Dale did not originally set out to pursue such a career. Instead, after graduating from Borah High School in Boise, she enrolled at the College of Idaho in Caldwell in a secondary education focusing on math and English. After spending a semester in Oxford, England on an American exchange program, however, Ms. Dale felt her horizons had been significantly broadened. Upon returning to the College of Idaho she enrolled in a political science class. She loved the class so much that she approached her professor and advisor from the math department about attending law school. In Ms. Dale’s words, “they virtually signed me up for the LSAT and encour-

aged me to pursue law.” Her math advisor counseled that the “logic of mathematics was a perfect foundation for law.” Apparently, he was right.

After graduating *cum laude* in a self-designed program focusing on mathematics and English, Ms. Dale attended the University of Idaho College of Law. There she served as Editor-in-Chief of the Law Review, received the Idaho Law Foundation Scholarship for 1981-82, and graduated in the top ten of her class in 1982, *cum laude*. She was one of fewer than twenty women in her graduating class. While in her third year of law school, Ms. Dale met and fell in love with Jim Dale, whom she would later marry in June 1984. Upon graduating, Ms. Dale joined the Boise law firm Moffat Thomas Barret & Blanton, eventually being elected shareholder of the firm. In 1988, she and some of her colleagues left Moffat Thomas to create their own firm; Hall, Farley, Oberrecht & Blanton, where she has practiced ever since and currently serves as President of the firm.

Ms. Dale and her husband have one daughter, Lindsay, who is a senior at Boise High School (and loves wearing her “Beat Borah” shirt around her mother). Ms. Dale proudly reports that Lindsay is an accomplished dancer, having attended summer intensive ballet training programs the past three years in Connecticut, Boston and Italy, and is currently applying to colleges in New England so she can pursue both her academic interests and passion for ballet and modern dance. In her free time, Ms. Dale and her family like to go to McCall to spend time on and off the lake in the summer and to ski at Brundage in the winter.

Judge Dale said, “I’m mindful of how my mother always encouraged me to pursue an education so I could be a ‘lady’ professional in a traditionally male field.”

When asked about her friends’ and family’s reaction to her selection as a United States Magistrate Judge for the District of Idaho, Ms. Dale responded that everyone has been very supportive, proud and excited for her and for the fact that she has achieved this professional goal. Her only regret, she notes, is “that my mother [Elaine Wagahoff] ... is not alive to join in the moment. However, I’m mindful of how my mother always encouraged me to pursue an education so I could be a ‘lady’ professional in a traditionally male field.” As a final note, Ms. Dale adds that her mother was “fine with lady ‘lawyer’ but I’m sure she’s turning cartwheels knowing I will be the first female member of the federal bench in Idaho.”

Ms. Dale’s appointment to the federal bench in Idaho is a significant accomplishment not only for her personally and professionally, but for all citizens of Idaho. As Chief Magistrate Williams commented, “Candy W. Dale brings a wealth of litigation experience to the bench, is held in high regard by her peers, and is one of the most respected trial lawyers in Idaho.” As such, the citizens of the State of Idaho will be well served when they appear in Judge Dale’s court-

room. Moreover, her appointment—breaking the 118-year tradition of a male-only federal bench in Idaho—is empowering to others. As described by former United States Supreme Court Justice Sandra Day O'Connor:

For both men and women, the first step in getting power is to become visible to others—and then to put on an impressive show. The acquisition of power requires that one aspire to power, that one believe that power is possible. As women then achieve power and exercise it well, the barriers fall. That's why I'm optimistic. As society sees what women can do, as women see what women can do, there will be even more women out there doing things—and we'll all be better off for it.¹

Based on her impressive history, there can be little doubt that we're in for an "impressive show" when Judge Dale takes the bench on March 30, 2008.

ABOUT THE AUTHOR

Deb Kristensen is a partner with the Boise law firm of *Givens Pursley LLP*, where she practices commercial litigation. She is former President of the Idaho State Bar and currently serves as a Lawyer Representative for Idaho to the Ninth Circuit Conference of U.S. Courts. Deb is also the author of the book, *1895-1975: The First 50 Women in Idaho Law*, which chronicles the lives of Idaho's earliest women lawyers.

ENDNOTES

¹Sandra Day O'Connor, *The Majesty of the Law: Reflections of a Supreme Court Justice*, pp. 200-201. New York: Random House (2003).

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