

THE HONORABLE MARILYN KITE

Distinguished UW Alumna

Colleagues have called Marilyn (Stebner) Kite (B.A. international studies '70, J.D. '74) full of life. They say she's extremely bright, very prepared and very discerning. "Wyoming tough," her brother called her. Quite the compliments, considering her colleagues are all judges, including her brother Ken.

It's no wonder that she became the first woman to serve on the Wyoming Supreme Court, ascending to the rank of chief justice.

"Having a woman finally serve on the Supreme Court was a significant moment in our state's history," Kite says. "There weren't a lot of women practicing law in the time I went to law school. Consequently, there really weren't that many women to be considered for a judgeship. We did have a district judge, Elizabeth Kail, and a few county judges. So my appointment to the Supreme Court was a happenstance of history—a happy one for me."

She adds, "I'm certain (Gov. Geringer) did not appoint me

because I'm a woman. I'm hopeful he appointed me because I had the necessary experience at the time and in his judgment was the best candidate."

Though Kite has worked very hard and is eminently qualified, she is modest about her success: "I was lucky enough to have a career that started here in the capitol in the attorney general's office. As it is with a lot of people, life is a question of timing and luck and events, and for me I started out here as an environmental lawyer when there weren't any."

In addition to being Wyoming's first female Supreme Court justice, Kite was also the first lawyer to represent the state on environmental issues. "We had no environmental laws before I got out of law school," she says. "It really was a timing thing. Judge Brimmer was the attorney general at that time and hired me, and that happened to be the opening. It was total luck." She became the senior assistant attorney general, and from there, she went into private practice with the firm Holland & Hart LLP.

In 2000, Gov. Jim Geringer appointed Kite to the Wyoming Supreme Court, and she served as chief justice from 2010 to 2014. In that role, Kite advocated for improvements to court security, expansion of civics education, justice for indigent people and the promotion of women interested in the law.

"We have to consider everything from dog bites to death penalties," she says of the Wyoming Supreme Court. She cites child custody and welfare cases as the most challenging for all the justices.

Always thoughtful and well spoken, Kite carefully explains the duty of a Supreme Court justice: "Our job is to separate our personal feelings and our personal prejudices from the facts and the law of the case. You're trained in law school to study the law and to try to apply it to the factual situation. There are cases where it's very close. You make your best judgement to interpret the law, not create it."

"I used to say when I first got on the court that I thought this would be a great job because I had a 6-year-old and a trial lawyer (as a husband), and I'd finally get the last word," she says wryly. "As it turns out, though, you don't get the last word there either—people have strong opinions about court judgments, and as a judge, you cannot comment!"

