

JUDGE DIANA E. MURPHY

1934 - 2018

U.S. COURT OF APPEALS FOR THE EIGHTH CIRCUIT



Photo credit: Roger Rich/University of St. Thomas

- ◆ **FIRST WOMAN TO BE
CHIEF JUDGE OF A DISTRICT COURT IN THE EIGHTH CIRCUIT**
- ◆ **FIRST WOMAN TO BE A
U.S. DISTRICT JUDGE IN MINNESOTA**
- ◆ **FIRST WOMAN TO BE
CHIEF JUDGE OF THE U.S. DISTRICT COURT, DISTRICT OF MINNESOTA**
- ◆ **FIRST WOMAN APPOINTED TO THE
U.S. COURT OF APPEALS FOR THE EIGHTH CIRCUIT**
- ◆ **FIRST WOMAN TO CHAIR THE
U.S. SENTENCING COMMISSION**

THE EARLY YEARS



The woman of so many significant firsts did not initially set out to be a judge. She started out studying history and ended up making history.

Judge Murphy was born Diana E. Kuske in 1934, in Faribault, Minnesota. She earned her Bachelor of Arts, magna cum laude, from the University of Minnesota in 1954 and studied history on a Fulbright scholarship at the Johannes Gutenberg University in Mainz, Germany. She completed course work for a doctorate at the University of Minnesota in 1958. While working on her doctorate, she taught Modern European History at the University of Minnesota and met Joseph Murphy, a fellow teaching assistant. They married and had two sons, Michael and John.

As her sons grew older, she became active in community affairs and human rights issues, and eventually enrolled in law school at the University of Minnesota, at the age of 37. She received her Juris Doctor, magna cum laude, in 1974, and was Order of the Coif and editor of the *Minnesota Law Review*.

After law school, she entered private practice in the Minneapolis firm Lindquist & Vennum. In 1976, she was appointed to the Hennepin County Municipal Court and then to the Hennepin County District Court, where she served from 1978 to 1980.



Two above, left: Judge Murphy's mother, a nurse, and father, a doctor.
Above, right, top: The Murphy family. L-R: Husband Joe, son John, Judge Murphy, son Michael.



Judge Murphy in her early years



Judge Murphy with labor leaders

HISTORIC FEDERAL JUDGESHIPS



U.S. District Judge
Diana E. Murphy



U.S. District Court
Judges and Clerk of
Court, District of
Minnesota, 1980. L-R:
Clerk of Court Robert
Hess and Judges
Robert G. Renner,
Edward J. Devitt (Chief,
standing), Harry H.
MacLaughlin, Miles W.
Lord, Earl R. Larson,
Diana E. Murphy,
Donald D. Alsop.



U.S. Court of Appeals
Judge Diana E. Murphy



U.S. Court of Appeals for
the Eighth Circuit, 2010.
Seated L-R: Judges C.
Arlen Beam, Myron H.
Bright, William Jay Riley
(Chief), Roger L. Wollman,
James B. Loken, David R.
Hansen. Standing L-R:
Judges Bobby E.
Shepherd, Raymond W.
Gruender, Lavenski R.
Smith, Kermit E. Bye,
Diana E. Murphy, Michael
J. Melloy, Steven M.
Colloton, Duane Benton.

When a new seat was created on the U.S. District Court for the District of Minnesota, Murphy applied for the judgeship. She became the first woman to serve on this Court on February 20, 1980, by appointment of President Carter, and the first woman to serve as chief judge of a district court in the Eighth Circuit, a position she held from 1992 to 1994. Then in 1994, President Clinton appointed Judge Murphy as the first woman to serve on the U.S. Court of Appeals for the Eighth Circuit.

In 1999, breaking barriers beyond the federal courts, Judge Murphy was appointed the first woman to chair the U.S. Sentencing Commission, an office she held until 2004.

In the Eighth Circuit, she served on the Judicial Council as both a chief district judge and circuit judge, including chair of the Fairness Implementation Committee, and organized the Gender Fairness Task Force.

Judge Murphy's leadership in national judicial administration and professional associations was widespread. She was a board member of the Federal Judicial Center, President and founding member of the Federal Judges Association, board chair of the American Judicature Society, and chair of the American Bar Association Ethics and Responsibility advisory committee. She was also a member of the U.S. Judicial Conference Committee on Court Administration and Case Management, the American Law Institute, the National

Association of Women Judges, and the American Bar Association and its standing committees on Federal Judicial Improvements and on Judicial Selection, Tenure, and Compensation.

Judge Murphy took senior status in 2016, at the age of 82. She planned to retire in July 2018, after 38 years of outstanding service on the federal bench, but passed away on May 16, 2018. She leaves behind a historic legacy as a woman of firsts in the law in the Eighth Circuit. She will also be remembered for her decisions of "fairness, dignity, compassion and understanding," her national expertise on American Indian law and federal criminal sentencing guidelines, and her professional and civic leadership.



Judge Murphy with Senator David Durenberger after her appointment as U.S. District Judge.



Eighth Circuit Judges applauding after Judge Murphy (center) took the oath of office as the first woman to serve on the Eighth Circuit Court of Appeals at her investiture in St. Paul's Landmark Center, Nov. 28, 1994. Background, L-R: Judges John Gibson, Pasco Bowman, Frank Magill, Richard Arnold (presiding Chief), Morris Arnold.

PAVING THE WAY

Judge Murphy served as board chair of the Bush Foundation, member of the Minneapolis Charter Commission, and chair of the Minnesota Constitution Bill of Rights Committee. She was also a member of the boards of the United Way, St. John's University, the University of Minnesota Foundation, the University of St. Thomas, the Minnesota Opera, and the Association of Governing Boards of Universities and Colleges. In addition, she was a founding board member of the University of St. Thomas School of Law.

The Judge received many honors including Fellow of the American Bar Foundation, Devitt Distinguished Service to Justice Award, National Association of Women Judges Award for Leadership of Judges and Judicial Administration, and the International Women's Forum ("Woman Who Makes a Difference"). She was the first recipient of the Judge Diana Murphy Legacy Award sponsored by the Infinity Project, and in an honor bestowed posthumously, the Minneapolis courthouse was named the Diana E. Murphy United States Courthouse.



Judge Murphy with the first woman appointed to the U.S. Supreme Court, Justice Sandra Day O'Connor.



Judge Murphy with the second woman appointed to the U.S. Supreme Court, Justice Ruth Bader Ginsburg.



President Carter with Judge Murphy (6th from right) and other women appointed as federal judges.



Most likely the Eighth Circuit's first all-woman district court panel in a hearing held on April 26, 2005 in Rapid City, South Dakota. L-R: U.S. District Judge Karen Schreier, U.S. Court of Appeals Judge Diana Murphy, U.S. District Judge Joan Ericksen.



Above: Justice Ginsburg delivering the keynote address at the "In Her Honor" event on Dec. 17, 2014, celebrating Judge Murphy's accomplishments, hosted by the U.S. District Court of Minnesota, in partnership with the Minnesota Supreme Court and the Minnesota Chapter of the Federal Bar Association. (Photo credit: Sheila Ryan)

Below: Judge Murphy receiving the Infinity Project's inaugural Judge Diana Murphy Legacy Award in 2008, presented by Infinity founder Lisa Brabbit. (Photo credit: Infinity Project)



The Eighth Circuit's first all-woman Court of Appeals panel, Dec. 15, 2016. L-R: U.S. District Judge Ann D. Montgomery, sitting by designation; Circuit Judge Diana Murphy; Circuit Judge Jane Kelly. (Photo credit: Maureen Gornik, Deputy in Charge, St. Paul Clerk's Office.)