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M. Margaret
McKeown

‘AN OPEN MIND FOR THE UNKNOWN’

M. Margaret McKeown, who has led a distinguished career as a federal judge, is well known at USD School of Law as its jurist in residence. Here, McKeown discusses how maintaining an open mind has helped her balance jurisprudence, academia and her own scholarly pursuits.

Judge M. Margaret McKeown, USD School of Law’s jurist in residence, was the first female partner at Perkins Coie, starting there in 1975 in Seattle and later opening the firm’s office in Washington, D.C. Known for her expertise in intellectual property law, she has represented clients such as Boeing, Nintendo and Amazon. In 1996, she was nominated to sit on the U.S. Court of Appeals for the Ninth Circuit by President Bill Clinton, was confirmed in 1998 and continues in her role as a federal judge. McKeown was the keynote speaker at the USD School of Law’s 2022 commencement and has recently published a new book, *Citizen Justice: The Environmental Legacy of William O. Douglas*.

What is the most important aspect of your role as jurist in residence?

The focus of my role is to connect with the students to provide a judicial resource for them as they move through law school. In addition, I try to provide practical insights about law school, legal jobs and the legal world in general. Although I do many things, such as judging the moot court, guest lecturing during the year, Extern Bootcamp and participating in seminars, my favorite things are the Brunch with the Bench series that I do with first-year students and teaching in the USD summer program in Paris.

In your 2022 commencement speech, you advised the graduates to “have time and an open mind for the unknown” or, in other words, to allow some serendipity in the shaping of their careers. Was serendipity also an element in your career?

“The prospect of being in public service and having the chance to think, write and influence the law was a chance I couldn’t pass up.”

—JUDGE M. MARGARET McKEOWN

I sincerely believe that not everything in life can or should be scripted. The future is often unknown, and there are opportunities and avenues that one can never fully anticipate. When I took a chance after law school to move to Seattle—where I had never lived and knew almost no one—it was an adventure that played out in so many positive ways. I joined a firm, Perkins Coie, which it turned out complemented my interests and talents, and it was a fabulous relationship for almost 25 years before I joined the bench. Likewise, when the firm asked me to help open its D.C. office, the challenges and realities of such an undertaking were unknown but stretched me in ways I couldn’t imagine. And when I was approached about applying for an opening on the Ninth Circuit, it was not an option I had ever imagined. I loved practicing law, but the prospect of being in public service and having the chance to think, write and influence the law was a chance I couldn’t pass up. When I agreed to be considered, I had no idea it would be three and a half years before I was confirmed. That was a bit of serendipity I neither anticipated nor enjoyed. But the end result was well worth it and, as one of my friends on the district court told me, “You’ll never look back.” And he was right.

You also said in your commencement address, “We are a profession, not a business.” Could you expand on that?

To me, the law profession evokes the spirit of service, ethics and dedication to clients. Of course, the business aspect is infused in the reality of private practice, but lawyers should never forget that we are a profession, not just a business.

Why did you decide to write about Justice William O. Douglas, who served on the U.S. Supreme Court from 1939 to 1975?

I am a Wyoming native and one winter I was cross-country skiing in the Grand Teton National Park when I discovered the Murie Ranch, the home-stead of two famous conservationists—Olaus and Mardy Murie. I learned they were good friends with Justice Douglas because of the conservation movement. I began researching the topic, and what began as a lark ended up as a book.

What can you tell us about your new book?

Citizen Justice: The Environmental Legacy of William O. Douglas, Public Advocate and Conservation Champion chronicles Douglas’ dual role as the longest-serving Supreme Court justice and his lobbying activities on behalf of the environment. He cajoled presidents, members of Congress, environmental organizations and federal agencies to preserve wilderness. He also took a number of protest hikes and was instrumental in saving the C&O Canal in Washington, D.C., from being paved over; the Olympic Peninsula from sprouting a highway that would ruin the longest stretch of beach wilderness in the continental U.S.; and preserving the Red River Gorge in Kentucky. He led similar protests around the country and was a vocal advocate for wild places. Although he is well known for his opinions on civil liberties, perhaps he is best known for his famous dissent in *Sierra Club v. Morton*, which queried whether trees have standing. His political and conservation activities distinguished him as a controversial justice.

Now that you are stepping back as a judge with the U.S. Court of Appeals for the Ninth Circuit, what’s next on your agenda?

I am not really stepping back but taking senior status, which will allow me to continue hearing cases as a member of the court. I expect to take a substantial load, but over time, I hope to reduce my load somewhat so I can focus on more teaching and more writing—perhaps another book, this time about the courts and the digital wave. ■