

*[Handwritten initials]*

June 28, 1972

The Women's Law Center  
525 St. Paul Street  
Baltimore, Maryland 21202

Attention: M's Emma Clarke

RE: Emily Stuart v. Board of Supervisors of  
Elections for Howard County et al.  
No. 105 - September Term, 1972

NO. 105, 1972

Dear M's Clarke:

We enclose herewith copies of two  
Orders of Court filed today in the above entitled  
case.

Very truly yours,

James H. Morris, Jr.  
Clerk

JHNjr/h

Encls. (2)

cc: M's Ann Llewellyn McKenzie  
M's Kathryn Scates Levedahl  
M's Mary Ellen Brooke  
Attorneys at Law  
Charles E. Hogg, Esq.  
E. Stephen Derby, Esq.  
Asst. Attorney General

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95  
FILED

IN THE  
COURT OF APPEALS

Mary Emily Stuart

v.

Board of Supervisors of JUN 21 1972  
Elections for Howard  
County et. al.

James H. Norris, Jr., Clerk  
Court of Appeals September Term 1972  
of Maryland  
No. 105

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MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE

The Women's Law Center, by its attorney Emma Clarke, moves for leave to file brief amicus curiae in the above-captioned case. The grounds of the motion are as follows:

1. This action raises an important legal question in the area of women's rights, namely the right of a married woman to retain her maiden name for voting purposes, and more particularly the operation, effect and Constitutionality of Art. 33 §3-18, Annotated Code of Maryland (1971 Replacement Volume).

2. Movant is a non-profit unincorporated association of women lawyers, law students and others interested in achieving full equality for all women through the law. Movant has received numerous requests for legal advice from women with problems similar to Appellant, has researched the specific question and its ramifications on other areas of women's rights and has thus acquired substantial background and knowledge which may be of assistance to the court. The serious legal questions in this case of first impression in the State of Maryland require consideration of relevant facts and authorities and a point of view based upon the interest of women in general, which the parties may not be in as good a position to provide the court as an organization such as movant with a background of specialization and devotion to the interest of women's rights in all areas of the law.

3. Movant, through its President Kathleen O'Ferrall Friedman, Esq., has orally obtained assurance from E. Stephen Derby, assistant Attorney General, that attorneys for Appellee have no objection to the filing of an amicus brief by movant. Appellant, through her attorney, Katherine Scates Levedahl has similarly expressed consent.

Emma Clarke

Emma Clarke  
Attorney for Amicus Curiae  
The Women's Law Center  
525 St. Paul St.  
Baltimore, Md. 21202

I HEREBY CERTIFY that a copy of the foregoing Motion was mailed this 20<sup>th</sup> day of June, 1972, to Charles E. Hogg, Esq., 8335 Court Avenue, Ellicott City, Maryland, Attorney for Appellee, and to E. Stephen Derby, Assistant Attorney General and Francis B. Burch, Attorney General, One South Calvert Street, Baltimore, Md. 21202, Attorneys for Appellee, and to Ms. Ann Llewellyn McKenzie, 500 Druid Hill Avenue, Baltimore, Md. 21201, Ms. Kathryn B. Levedahl, 810 Loyola Drive, Towson, Maryland 21204, and to Ms. Mary Ellen Brooke, 1719 Gough Street, Baltimore, Md. 21231, Attorneys for Appellant.



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Emma Clarke  
Attorney for Amicus Curiae

Mary Emily Stuart

v.

Board of Supervisors of  
Elections for Howard  
County et al.

IN THE

COURT OF APPEALS

OF MARYLAND

September Term 1972

No. 105

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ORDER

Upon the foregoing Motion for Leave to File Brief Amicus Curiae, it is this 28<sup>th</sup> day of June, 1972.

ORDERED by the Court that the Women's Law Center may file brief amicus curiae, but not participate in oral argument. Counsel for amicus curiae shall furnish a copy of her brief to all counsel of record, and they shall serve upon her a copy of all motions or briefs hereafter filed.

*William K. Barnes*

Acting Chief Judge

*AS W*

**FILED**

Mary Emily Stuart

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IN THE

v.

JUN 21 1972

COURT OF APPEALS

Board of Supervisors of  
Elections for Howard  
County et. al.

James H. Norris Jr., Clerk  
of Court of Appeals  
of Maryland

OF MARYLAND

September Term 1972

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No. 105

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MOTION FOR AMICUS CURIAE TO PROCEED  
WITHOUT PAYMENT OF FILING FEE AND  
COSTS AND TO FILE A TYPEWRITTEN BRIEF

The Women's Law Center, by its attorney Emma Clarke, moves to proceed without payment of filing fee and costs and to file a typewritten brief. The grounds of the motion are as follows:

1. Movant is a non-profit unincorporated association of women lawyers, law students and others interested in achieving full equality for all women through the law, whose total assets are \$209.75 from voluntary contributions and dues.

2. Movant could not afford to proceed with an amicus curiae brief unless this Court allows them to proceed without payment of filing fee, and costs and to file a typewritten brief.

*Emma Clarke*

Emma Clarke  
Attorney for Amicus Curiae  
The Women's Law Center  
525 St. Paul St.  
Baltimore, Maryland 21202

I HEREBY CERTIFY that a copy of the foregoing Motion was mailed this 20<sup>th</sup> day of June, 1972, to Charles E. Hogg, Esq., 8335 Court Avenue, Ellicott City, Maryland, Attorney for Appellee, and to E. Stephen Derby, Assistant Attorney General and Francis B. Burch, Attorney General, One South Calvert Street, Baltimore, Md. 21202, Attorneys for Appellee, and to Ms. Ann Llewellyn McKenzie, 500 Druid Hill Avenue, Baltimore, Md. 21201, Ms. Kathryn B. Levedahl, 810 Loyola Drive, Towson, Maryland 21204, and to Ms. Mary Ellen Brooke, 1719 Gough Street, Baltimore, Md. 21231, Attorneys for Appellant.



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Emma Clarke

Attorney for Amicus Curiae



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|-------------------------|---|---------------------|
| Mary Emily Stuart       | : | IN THE              |
|                         | : | COURT OF APPEALS    |
| v.                      | : | OF MARYLAND         |
| Board of Supervisors of | : | September Term 1972 |
| Elections for Howard    | : | No. 105             |
| County et. al.          | : |                     |
| .. .. .                 | : |                     |

ORDER

Upon the foregoing Motion For Amicus Curiae To Proceed Without Payment of Filing Fee and Costs And To File a Typewritten Brief, it is this 28<sup>th</sup> day of June, 1972.

ORDERED, by the Court that the Women's Law Center is hereby granted leave to proceed without payment of filing fee and costs and to file ~~XXXXXXXXXXXXXXXXXXXX~~ twenty (20) copies of a typewritten brief.

*Ann M. Barnes*

*Acting Clerk*

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Judge