

Judge Davidson faces vote on pioneering role

By J. S. Bainbridge

For almost two years, Rita C. Davidson has been at the center of judicial power in Maryland.

Her name might not be a household word, but some of her words and thoughts have become part of the law of the state.

In January, 1979, Judge Davidson was appointed to the Maryland Court of Appeals, the state's highest court, and became the first woman to break the sex barrier in what had been an all-male club for 200 years.

On election day this year, the voters in the appellate circuit from which she was appointed will decide whether she should remain on the court for a full 10-year term. Montgomery, Frederick, Washington, Allegany and Garrett counties comprise her circuit.

Judge Davidson faces no opponents. A constitutional amendment passed a few years ago eliminated the possibility of contested races at the appellate level, leaving the judges to run on their records. Voters will pull levers only to say whether or not she should remain on the high court.

The 52-year-old Chevy Chase resident has a reputation of being a bright, vigorous and strong advocate for positions she believes are right.

Judge Davidson grew up in Brooklyn, N.Y., the daughter of Russian immigrants fleeing the revolution. She is a Phi Beta Kappa graduate of Goucher College and received her law degree from the Yale University Law School.

After practicing law for 15 years in Washington and Rockville, she became a zoning hearing examiner for Montgomery

county. In 1970, she was appointed secretary of what was then called the state Department of Employment and Social Services (now the Department of Human Resources).

In 1972, she was appointed a judge on Maryland's Court of Special Appeals, the state's intermediate appellate court, becoming the first woman on that court, too. Continuing her outspoken independence, Judge Davidson became one of that court's most frequent dissenters.

When she was named to the high court, she replaced the late Judge Irving A. Levine, a legal scholar respected for his clear thinking and for some piercing and well-reasoned dissents.

It is difficult to see in less than two years how one judge affects the decisions of a seven-judge court whose deliberations before issuing opinions are always secret. But Judge Davidson has emerged as a member of a solid liberal bloc on questions of criminal law and defendant's rights.

A number of decisions she has written for the court have also dealt with questions of administrative law, a specialty of hers. In addition, she was the author of a major decision interpreting the state's Equal Rights Amendment.

However, the speed with which she files opinions is below the court average, although several court observers said she is not the slowest member in this respect.

Last term, for example, for the court as a whole the average opinion came out 2.8 months after opposing lawyers made their final arguments before the judges, according to figures provided by the state court administrator's office.

Judge Davidson's opinions last term



JUDGE RITA C. DAVIDSON
... running on her record

averaged more than four months between argument and the filing of a decision, according to a list of cases supplied by the judge and dates from the court clerk's office.

Opinions are required to be filed within three months, but the appeals court judges have held that this is only a guideline.

One court observer cautioned, however, that speed of decisions is not always a guarantee of quality. The observer added that it is difficult, because of the court's secrecy, to say what has delayed the filing of an opinion