

# Judge Irma S. Raker: Style and substance

On some day in April 2008, Judge Irma S. Raker of the **Court of Appeals** of Maryland celebrated her 70th birthday. She would not approve of us revealing the exact date, but her motive would not spring from any sense of vanity. Rather, she would be concerned with the implications for identity theft were it made public. Some insight into her thinking and personality lies within this vignette.

As we have been reminded all too frequently in the last few years, reaching the age of three score and ten triggers Maryland's mandatory retirement for judges. Regardless of whether a judge, upon reaching 70 years, is at the peak of his/her intellectual and experiential skills, he/she must go to the "bench," if you will. Most recently we have lamented the forced losses of Judge Alan M. Wilner and Judge Dale R. Cathell from the Court of Appeals. Our lament is equally heartfelt as regards Judge Raker.

Since 1994, Judge Raker has been the very stuff of style and substance on the court. That is not so say that she was not every bit of that while serving previously on the Circuit Court for Montgomery County (1982-94) and the District Court (1980-82). Only the second woman ever to serve on our state supreme court in its storied history (Judge Rita Davidson, also from Montgomery County, preceded her), Judge Raker came relatively late in life to the law, illuminating her many achievements as all the more remarkable. She was 32

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years old when she matriculated at the Washington College of Law at American University in the District of Columbia, deferring her professional career until she and Sam, her husband, began their family.

Touching all of the professional bases after graduation, she made up for any lost time rapidly by becoming the first female prosecutor in the Office of the State's Attorney for Montgomery County, a private practitioner (Sachs, Greenbaum & Taylor), jurist, legal educator (Adjunct Professor of Trial Practice at her

alma mater and frequent lecturer at the Judicial Institute of Maryland) and legal

activist across a wide array of bench and bar organizations.

Perhaps, other than her judicial opinions, Judge Raker's most tangible legacy to the Maryland Bench and Bar are the Maryland Criminal Pattern Jury Instructions, which she birthed in 1986 and has nurtured ever since.

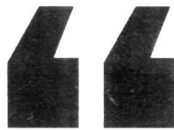
Her appellate opinions have been among the most learned and lucid ones issued by the Court of Appeals each term that she served. She set high standards for her work, and held her colleagues to a comparably high bar as to theirs. Her dedication to logic (leavened by pragmatism) and clarity (yoked with relative brevity) are manifest in such opinions as *Montgomery Mutual Ins. Co. v. Chesson*, 399 Md. 314, 923 A.2d 939 (2007) (examining the motion *in limine* process for considering the admissibility of proffered novel scientific evidence) and *Bernadyn v. State*, 390 Md. 1, 887 A.2d 602 (2005) (exploring nuanced hearsay evidence questions), to name but two recent examples.

The professional honors accorded Judge Raker are abundant. Most recent-

ly, in August 2007, she was one of five women recognized nationally by the American Bar Association with the Margaret Brent Women Lawyers of Achievement Award. In 2001, this newspaper selected her as one of that vintage's Leadership in Law honorees and, in 1997, 1999 and 2001 (the limit being three) as one of Maryland's Top 100 Women. The Criminal Law Section of the Maryland State Bar Association awarded her the Robert C. Heeney Award in 1993. The Maryland Women's Law Center's Dorothy Beatty Memorial Award followed in 1994. We truly could fill an entire page of this publication with her other honors.

Judge Raker could serve as the "poster judge" for professionalism and civility. Referred to by her colleagues, so we are told, within the inner sanctum of the Court of Appeals' conference room as "Judge Nice" or "Miss Manners," she also brought to the public arena an unfailing politeness to lawyers, staff and the public. One need only tune in randomly to the court's archived Webcasts of recent oral argument to witness evidence of this. Her genuine and sincere interest in the lives of her colleagues, the courts' staff, her chambers' staff, and former law clerks inspired warm loyalty in return.

We foresee for her, as a recalled retired judge, continuing service to the trial and appellate benches. Her other public service commitments undoubtedly will continue and even broaden, as in the case of chairing the Judiciary's response to issues raised by the burgeoning number of self-represented litigants in the judicial system. She may even make time to undertake the many entreaties that undoubtedly will come her way to serve as mediator or arbitrator. Most importantly, we wish for her more well-deserved time with Sam, their children and grandchildren, sailing on the Bay or lounging in the sun at their Bethany beach house.



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