

Courting Attire

By Donnie Radcliffe and Nina S. Hyde

Chief Justice Warren E. Burger is getting ready to lay down the law to attorneys appearing before the highest court of the land. Only in this case it will affect what they wear, not how or what they argue.

In a suggested "dress code" to be issued early next year by the Clerk of the Supreme Court, attorneys scheduled for appearances there will be advised that the conservative look is back "in," the mod look "out."

That means no more patterned knits, colored shirts and flashy ties on men and no more sweaters or pants on women.

Upon orders from Burger, Clerk Michael Rodak's advisory will spell out dark suits, matching vests and somber ties as appropriate attire for men; classic tailored suits and white blouses for women.

Burger, who voiced some critical thoughts about the manners and training of the nation's lawyers in a Fordham University speech last night, has been known to wear flamboyant ties and even a red vest at Washington parties.

But he reportedly was less than enchanted last month

when a woman attorney in a pantsuit showed up to plead her case before him and the Supreme Court's eight associate justices.

"He wasn't overwhelmed," according to Rodak.

On another occasion, Rodak described Burger as "dismayed" when an attorney appeared before the court wearing a morning suit with a pearl gray — instead of dark — vest.

Cutaways and striped trousers are traditional Supreme Court apparel for male attorneys in the Solicitor General's office. Women in the department, however, have no guidelines as offered in "Supreme Court Practice," a handbook defining Supreme Court etiquette.

Deputy Solicitor General Jewel Lafontant recently adapted her own courtroom wardrobe along traditional male lines by designing a one-button cutaway, striped skirt and jabot ruffled blouse.

(She had dismissed as "too large," then-acting Attorney General Richard Kleindienst's offer of his morning suit for her first Supreme Court appearance shortly after her appointment.)