

Evo DeConcini
Oral History Project:
Arizona Legal History

Charles Ares

Arizona Historical Society



THE EVO DECONCINI ORAL HISTORY PROJECT: ARIZONA LEGAL HISTORY

HISTORICAL NOTE

In 1985, James F. McNulty, Jr., former U.S. Congressman from Arizona and currently an attorney with Bilby and Shoenhair in Tucson, proposed that the Arizona Historical Society develop an oral history project to collect the reminiscences of senior judges and lawyers in Southern Arizona. As a former partner in one of the oldest law firms in the state, in Bisbee, he had long been aware of the wealth of information and experience expressed in many of his colleague's lives and careers, some of whom had been practicing law for over fifty years. In an effort to preserve and disseminate their stories and observations about the profession, the Archives Department of the Arizona Historical Society/Tucson developed a pilot program focused on Southern Arizona, with the goal of collecting the reminiscences of fifteen to twenty individuals associated with the legal profession over the last fifty years.

The project was funded through a challenge grant made by Roy Drachman and money subsequently donated by members of the Pima County Bar Association and the DeConcini family. At Mr. Drachman's request, the project was named for the late Judge Evo DeConcini, a highly-respected member of the Arizona Bar and a long-time friend.

Most of the interviews were conducted between 1986 and 1988, by Mr. McNulty. Interviews were also conducted by Robert

Palmquist, Jack August, and Adelaide Elm. Additional interviews with judges and attorneys conducted previously for other oral history projects were included with the DeConcini Project, to expand the scope of the project. The narrators, representing both rural and urban practices, were identified for inclusion by Mr. McNulty and other members of the State Bar. They included three judges, sixteen attorneys, the wife of a former state Supreme Court justice, and the legal secretary of one of the oldest law firms in the state. All transcripts and tapes are available to the public at both the Arizona Historical Society and the University of Arizona College of Law.

In addition to preserving the recollections of legal practitioners in Southern Arizona, the Evo DeConcini Legal History Project has spurred the collection and preservation of primary documents relating to legal history, such as day books, client ledgers, correspondence and photographs from law firms and individuals connected with the profession. It is hoped that the DeConcini Project will serve as a model for the collection of such memoirs and historic materials on a state-wide basis.

THE EVO DECONCINI ORAL HISTORY PROJECT: ARIZONA LEGAL HISTORY

SCOPE AND CONTENT NOTE

This collection consists of 43 cassette tapes (60 to 90 minutes in length), thirty-two 1/4-inch audio tapes, and twenty-one transcripts produced for the "Evo DeConcini Oral History Project: Arizona Legal History" by the Archives Department of the Arizona Historical Society between 1986 and 1988.

The collection is arranged in two series: (1) Oral interviews conducted for the project; and (2) Oral interviews gathered from other projects.

Series One consists of fifteen interviews: (1) Charles Ares; (2) Ralph W. Bilby; (3) Thomas Chandler; (4) Elizabeth Daume; (5) Ora DeConcini; (6) Gordon Farley; (7) Martin Gentry; (8) Thomas L. Hall; (9) Virginia Hash; (10) Norman Hull; (11) Ashby I. Lohse; (12) James F. McNulty, Jr.; (13) James Murphy; (14) Alton C. Netherlin; (15) Joseph C. Padilla; and (16) Wesley Polley. Interviews 1, 2, 3, 5, 6, 7, 8, 10, and 13 were conducted by Mr. McNulty. Interviews 11, 14, 15 and 16 were done by Robert Palmquist. Adelaide Elm conducted interviews 4, and 9, and Jack August conducted interview 12.

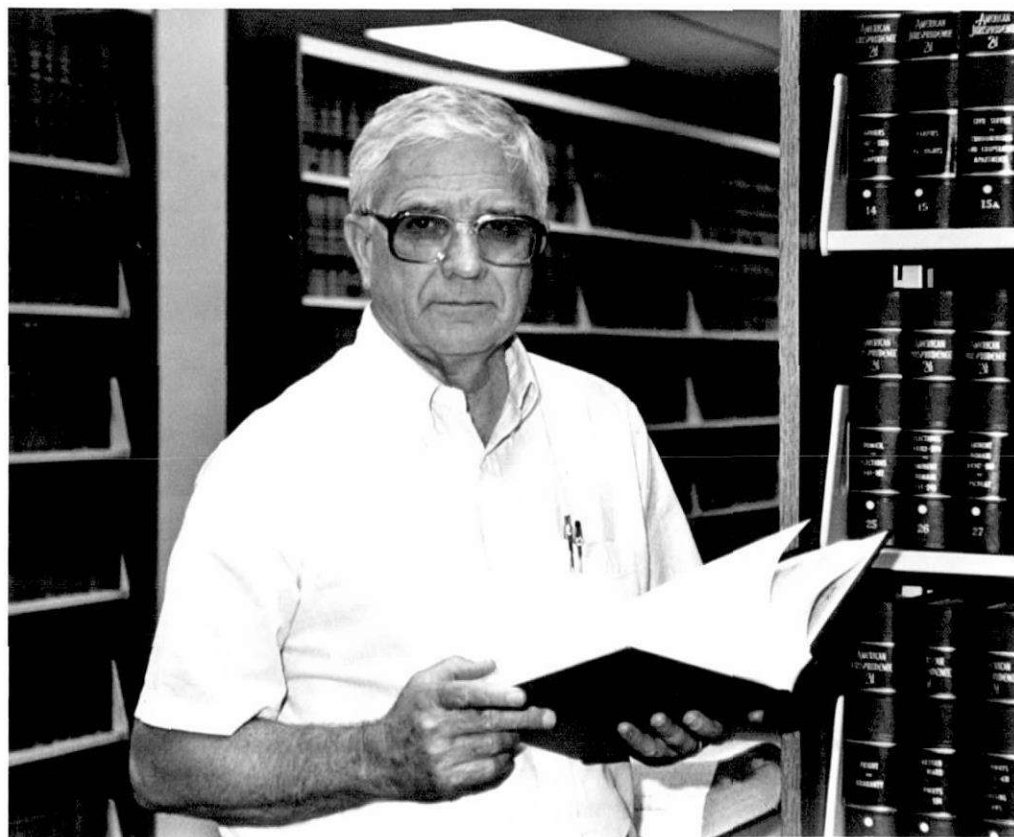
Series Two consists of five interviews: (17) Harry Gin; (18) Don Hummel; (19) Hayzel B. Daniels; (20) Rubin Salter; (21) Rose Silver. The Gin interview was conducted by Bonita Lam for the "Chinese in Tucson" project; Don Bufkin, Acting

Executive Director of the Arizona Historical Society, conducted the Hummel interview; Richard Harris and Carol Jensen conducted the Daniels interviews; Baiza Muhammad interviewed Salter for the African-American History Internship Project; and Rose Silver was interviewed by Mary Melcher for the "Women and Work: An Aural History," a joint project of the Arizona Humanities Council and the University of Arizona.

The bulk of the collection deals with the experiences and observations of these individuals relating to the legal profession in Southern Arizona over the last sixty years. The interviews document the following topics: education preparatory to the profession (law school, reading law, the bar exam); legal practice during the Depression, and the influence of the New Deal; relationships between the legal profession and politics; the role of judges vis a vis the Bar; the increasingly litigious nature of society; the effect of social changes on the practice of law; the experiences of women and minorities in the profession; and post- World War II changes in the legal system. Of particular interest are anecdotes about particular cases and clients; histories of several old law firms in Southern Arizona; University of Arizona Law School professors and courses of study; opportunities some had to practice law without a law degree; and remembrances of the colorful individuals who influenced the profession in Territorial days and early statehood.

The collection is valuable for its comprehensive look at

the law profession in Southern Arizona over the first half of this century, and its emphasis on the changes which have occurred within the profession during that period.



Charles E. Ares Interview

TABLE OF CONTENTS

Photograph, 1987.	i
Biography	iv
Parents' backgrounds.	1
Participation of father in Post Project at Marana, Arizona	2-3
Elementary and secondary education.	4-5
Grizzle family orchards near Willcox.	5-6
Graduation from high school and entry into the navy, 1944 .	6-7
Service in the navy	7-8
University of Arizona, 1946	8-9
University of Arizona College of Law, 1949.	10
Classmates in law school.	10-11
Standards for entry into law school	11-13
Reasons for entering the law.	13-14
Graduation from law school, 1952.	14-16
Appointment as law clerk for Justice William O. Douglas .	15-17
Move to Washington, D.C.	18
Arizona bar exam, 1953.	19
Law clerk for Justice Douglas	19-21
Reminiscences of William O. Douglas	21-22
Reminiscences of Justices Frankfurter, Clark and Black. .	22-23
Observation of oral arguments in Brown vs. the Topeka Board of Education.	23-25
Justice Douglas' method of selecting law clerks	25-26
Further reminiscences of William O. Douglas	26-27

Relationship with Justice Felix Frankfurter	27-28
Recollections of Professor John Lyons	29-30
Recollections of Professor Speight Barnes	30
Return to Tucson and establishment of law firm with Harry Ackerman, 1953.	30-32
Law firm of Morris Udall and Stewart Udall.	32
Continuing relationship with Justice Douglas.	33-34
Faculty of New York University, 1961-1966	35-36
The Vera Foundation; Manhattan Bail Project	37-39
Acceptance of Vera Foundation report by legal profession.	39-41
University of Arizona College of Law.	41-42
Dean, University of Arizona College of Law, 1966-1973	42-44
Arizona State University College of Law	47-48
Popular image of University of Arizona College of Law	48-49
Modernization of College of Law	48-49
Campus unrest, early 1970's	53-55
Move from dean to full-time professor	55-57
Pima County Superior Court judge, 1988.	57
Recollections of Morris Udall, Tom Chandler, Elias Romley and J. Mercer Johnson	58-59
Recollections of Judge James A. Walsh	59-60
Anecdote about case before Judge Walsh.	60-62
Reflections on women in the law	62-64
Reflections on recruiting Blacks and Hispanics to enter the law	64-65
Thoughts about on changes in the practice of law.	65-66
Reflections on litigiousness of society	66-67
Recommendations to those considering entering the law	68-69

Charles E. Ares

Charles Edgar Ares was born September 11, 1926, in Tucson, Arizona. His father, Albert Frederick Ares, was a cotton farmer in Marana. The family later farmed in the Flowing Wells area of Tucson, at Continental, and in Elfrida, where they worked on the Grizzle apple orchard.

Ares attended elementary schools in Southern Arizona. He graduated from Tucson High School and joined the navy in 1944, when he was seventeen years old. In 1946, after two-and-a-half years in the navy, Ares enrolled at the University of Arizona where he majored in political science, and in 1949 became a student in the College of Law. He received his J.D. in 1952.

Upon graduation from law school, Ares spent a year as law clerk to U.S. Supreme Court Justice William O. Douglas. He then returned to Tucson and entered private practice, first with Harry Ackerman and then with Morris and Stewart Udall. For the first three years he was also Deputy County Attorney. In 1961 Ares joined the New York University law faculty, returning to Tucson in 1966 to become Dean of the University of Arizona College of Law. After seven years he stepped down from the position of dean to become a full-time law professor.

This interview deals mainly with Ares' experiences in the legal profession. He discusses his year as law clerk at the Supreme Court, and reminisces about Justice Douglas and some of the other justices, particularly Felix Frankfurter. He also talks at length of his experiences in the education of lawyers.

In the discussion of his philosophy of legal education and the changes that have taken place over the years, he provides valuable insight into the role of the lawyer in the community and the relationship between law schools and the way law is practiced.

The interview ends with Ares' advice to those considering entering the legal profession.

CHARLES E. ARES INTERVIEW

Good Afternoon. This is Tuesday, May 10, 1988. I'm James McNulty. This is part of the Evo DeConcini Oral History of Laws, Lawyers and Judges in Southern Arizona in the Twentieth Century. We're pleased to have with us today, for an interview, Charles Ares, professor at the University of Arizona College of Law, former dean and a man who has been on very close terms with many of the best-known lawyers in the state of Arizona, not to mention his work with the United States Supreme Court and Justice William Douglas.

McNulty: Chuck, my classmate and friend, good afternoon, and nice to have you with us.

Ares: Good afternoon, Jim. Thank you.

McNulty: Where did you start life, Charles?

Ares: Well, my family was living at Marana, Arizona, about twenty-three miles northwest of Tucson, when I was born in 1926. My father [Albert Frederick Ares] was a cotton farmer there.

McNulty: Had he been born there himself?

Ares: No. My family came--actually there is some doubt, I suppose, to be honest about it, where my father was born. But he came from a French-Canadian family in Quebec. He always insisted that he was born when his mother was on a trip to upstate New York. So he was therefore a U.S. citizen, but he was one of a very large family; left home at an early age; worked his way around the country. Met my mother [Grace Dryden] in Kansas where they were married, and most of my, all of my brothers and sisters were born in Colorado,

where he was farming. Rocky Ford, Colorado. Out on the plains.

McNulty: What made him think that the dry farming, or the necessity of irrigation in Arizona might represent a real opportunity for him?

Ares: I think what made him think that was a guy named Post who was opening the so-called Post Project at Marana at that time. They were just opening up that area of land, and he went to Colorado and recruited a couple towns full of people to come to this new area and undertake cotton farming.

McNulty: Did your father rent land or did he homestead it?

Ares: No. They purchased land. He purchased land in that project and farmed there until the Depression hit in the thirties, or late twenties and early thirties.

McNulty: Had the irrigation district been formed at that time?

Ares: There was no irrigation district. There is sort of an interesting story to that. The water for that whole project was pumped at Cortaro. There was a large well at Cortaro and they ran the water in a concrete-lined ditch from there to Marana. And one of the stipulations when the farmers bought the land in the Marana project was that they not drill any wells. And they had to take their water from Cortaro. My father, who was by way of a kind of self-educated radical, saw danger in that because he

thought that if the people who owned the water rights were of a mind to, they could drive the price of water up and the farmers would be at their mercy. And he tried to get a cooperative organized in Marana. He was unsuccessful doing that. He was successful only in one thing and that is incurring the wrath of the people who owned the water rights. And so when the Depression came and the price of cotton went plummeting down, oddly enough the price of water went up. And the people who owned the mortgages on the property there then traded most of the farmers their equity in the land at Marana for equity in land in California, Visalia. A lot of orchard land. Everybody, I think--this is the story, at least. I was very young and didn't know this first hand. But the story is that everybody in Marana got this offer of a trade of land except my father. They offered him nothing. And ultimately he was driven off the land at Marana.

McNulty: And out of the community of Marana as well?

Ares: Well, he had to, yes. We then--he farmed at Flowing Wells here near Tucson for a while. Farmed at Continental for a while, in that area that had been developed down there as some sort of a company farm. I don't remember that very well. And then ultimately moved to Elfrida in Cochise County, where he had the

old so-called Grizzle apple orchard. And we farmed-- mostly took care of the orchard, which was sort of on the downhill slide at that time--until the late forties when I left there. They sent me to California to go to high school. And then they ultimately moved here to Tucson.

McNulty: Did you graduate from a California high school?

Ares: No. No, I went only a year when my folks then moved here. And I came back. I'd been living with a sister, and I came back to Tucson and went to junior high school at Mansfeld Junior High and then graduated from Tucson High School.

McNulty: How many different schools did you attend at elementary and secondary levels?

Ares: Well, let's see. I went to the Rillito School, which was the first one, that was an elementary school. Then I went from there to a school in the Flowing Wells District, then I went to the Continental School. Then I went from there to Webb School in Elfrida.

McNulty: Just north of Elfrida?

Ares: That's right.

McNulty: The old Webb Schoolhouse.

Ares: Right. And from there I went to James Madison Junior High School in Santa Monica, California. And then came back to Mansfeld Junior High School here in

Tucson, and then Tucson High School. And then the University of Arizona.

McNulty: And finally out of public schools, secondary schools, at least, in what year?

Ares: Graduated from high school in 1944.

McNulty: When you speak of the Grizzle apple orchard, my recollection is that there is no Grizzle apple orchard today, although there is still a significant peach orchard left.

Ares: That's right. The apple orchard, my guess is, probably disappeared along about the time my parents left. They were renting that land and in the late forties they left there. And I think that's been turned over to mostly chili and cotton. But I'm not sure about the cotton. The Grizzle peach orchard is the second generation of Grizzles. The old, older Grizzles had started the apple orchard. When they sold out they had--Louis Grizzle had started the peach orchard up on the hill, a little bit higher elevation.

McNulty: West and higher . . .

Ares: Yes.

McNulty: . . . than the place that you had farmed.

Ares: Yes. A tremendous peach orchard. I visited there, I don't know, back in the seventies, I guess, the last time I've been there.

McNulty: Every summer I go down at five o'clock in the morning and pick about a hundred pounds of peaches, and Jacquie [Jacqueline Boevers McNulty] and I put them up.

Ares: I should go back.

McNulty: This summer we telephoned Mamie Grizzle, which is our normal style of doing things, and she gives you a day that you can come. Because she doesn't want to have folks on the property after three o'clock in the afternoon.

Ares: Oh, is that right?

McNulty: Her view is that that's long enough to get your peaches that day and you can come back the next day.

Ares: No, I remember them very well. I was pretty young at that time.

McNulty: Louis and Mamie Grizzle.

Ares: Yes.

McNulty: You knew that Louis had since died?

Ares: Yes. I knew that.

McNulty: And my old firm in Bisbee is probating the estate.

Ares: Oh, is that right?

McNulty: But there's two more generations coming along, so that enterprise looks relatively secure.

Ares: (laughs) Good.

Ares: In 1944, now, when you graduated from high school, you'd have been about eighteen years old?

Ares: Seventeen.

McNulty: The war was still on.

Ares: Right.

McNulty: You would have been too young for that.

Ares: No.

McNulty: You were in the service?

Ares: Yes, I--it seems sort of odd now--I enlisted in the Navy as soon as I got out of high school.

McNulty: While you were still seventeen?

Ares: While I was seventeen. Yes. I suppose that's why I went to the navy, because I could get into the navy at seventeen and I think you had to wait until you were eighteen to get into the army. But I went into the navy in June of 1944.

McNulty: And what did the navy do with you?

Ares: Well, (laughs) they sent me through boot camp and then they, they tried to make an electrician out of me. And I think, probably, the best I can say about that is that I escaped electrocution. And I didn't electrocute anybody else, but I can't say much more than that (laughs) about my being an electrician.

McNulty: So after what, a year-and-a-half or two years . . .

Ares: Oh, I was about two years in the navy and I was, we went overseas. It was right at the end of the war, really. I was in the Philippines when they, when the war ended.

McNulty: This would have been after the Leyte invasion?

Ares: Oh, yes. Right. Right.

McNulty: Were you on shore or stationed on a ship?

Ares: No, I was stationed on a ship. A large repair ship, which ultimately wound up in Okinawa. And then anybody who had too few points to go back to the States with the ship was transferred off, and so I was transferred off to a very slow ship that made about eight knots an hour and they, my regular ship had gone back and they went twenty, twenty-five knots an hour. But it just took me that much longer to get back to the States.

McNulty: When did you arrive stateside?

Ares: Well, I don't know. It must have been sometime in the late spring of 1946, I guess it would have been.

McNulty: Did you enroll at the University of Arizona right away?

Ares: As soon as I came out of the navy I, yes, I started at the University the next September.

McNulty: What college had you chosen?

Ares: Well, I was in the College of Liberal Arts at that time. Richard [A.] Harvill was the Dean of the Liberal Arts College. And I went through on the accelerated program.

McNulty: Which means what?

Ares: Which means I spent, I guess, two years in

undergraduate, a little more than two years in undergraduate school, and then went into the Law School, as you could do in those days. A great mistake, I must say. And one on which I, a decision which I made with poor advice. I must say, from one of my dear friends, Dick Harvill. When I went to ask him whether he thought I should--because I was short of money, and I didn't have all that much G.I. Bill to cover me all the way through, and so I needed to make some money--and asked him if he thought it would be okay if I just went to the Law School without getting the degree. And he said sure, he thought that would be fine. In retrospect, I think that's the worst advice I think he ever gave a student.

McNulty: Why do you think things would have been better or different had you gotten . . .

Ares: Oh, I would have gotten a better education. That's all. I don't know whether it would have made a bit of difference in the direction my life took, at all.

McNulty: In what subject did you major?

Ares: I was in political science.

McNulty: And so with at least eighty units and at least a "C" average, you began University of Arizona College of Law.

Ares: Yes. I had better grades than that.

McNulty: Of course.

Ares: I had not been a very good, I had been an indifferent student in high school. Sort of lost in the crowd, I guess, looking back on it. I really found, I guess found myself when I was in college. And, I don't know, partly because I was exposed to the influence of Neil Houghton, who challenged me a great deal. I've always, I've often thought that a lot of my interest in public affairs, which is just sort of natural and a kind of outgrowth of my family's view of things, was really reinforced by being exposed to Neil and the sort of skeptical mind that Neil had about lots of things.

McNulty: You began in September of what year?

Ares: September of--I guess it would have been September of 1949 when I became a first-year student. I think Morris [K.] Udall had graduated from the Law College, I think the previous spring. I didn't know him, but I think that's when he graduated.

McNulty: Do you remember some of your classmates?

Ares: Sure. Harry Ackerman was one. John Mills was one. Keith Benton was one. Jim [James P.] Haythornewhite, Ted Bloodworth, Jack [John H.] Killingsworth. Nancy [Lee] Fulbright from Florence . . .

McNulty: Yes.

Ares: . . . was the only girl in our class.

McNulty: Well, almost the only woman in the school.

Ares: Well, there probably was one woman in each class.
Probably about that. I think . . .

McNulty: Mary Anne Reimann.

Ares: Mary Anne had been there. She was, what, two years ahead of us, or one year?

McNulty: One.

Ares: One year ahead of us, I guess. Lowell [E.] Rothschild was in that class. He was somehow out of phase. He was about a half a year ahead of us or something like that, I think.

McNulty: Well, those years, of course, you had the two summer sessions.

Ares: Right.

McNulty: And you had a lot of people in a big hurry.

Ares: That's right. It was the--the place was--we were all, virtually all, veterans of the services, attending on the G.I. Bill, and people going as fast as they could. The school was--my class was a large class. I think there were one hundred eight who entered in the entering class.

McNulty: How many of them were around a year later?

Ares: I'm not sure about a year later. Probably no more than half. Only thirty-five of us graduated.

McNulty: Of one hundred, eight?

Ares: Yes. That was under the old system, where, as you said, all you had to have was a "C" average to get

in.

McNulty: And eighty-two units.

Ares: And eighty or eighty-two units or something like that. But they were ruthless in weeding people out. And so well over half of the people who started didn't finish.

McNulty: Is that system inherently inferior or superior to the current system?

Ares: Well, the older I've gotten the more I think that there is no black and white answer to almost any question. And I think on balance that's an inferior system. I'm sure it's an inferior system for a number of reasons. It's brutal for one thing. I mean, there are people who started law school that way who could have been told, without anybody having any doubts at all, that they were never going to make it and they shouldn't try. The educational requirements were not rigorous enough. The atmosphere it created was one of absolute terror in the classes. That, combined with the fact that the faculty were by and large much older and a long way away from the experiences of the people who were the students. And it was a very rigidly hierarchical kind of society. And so the atmosphere really was one of terror. I think most of us who've gone through that and survived it, as you and I did,

really take pride in the fact that we did survive that kind of system. And it wasn't so terrible for us because we were among those who, fortunately, were able to do it fairly easily. Not easily, but well. And, but I think for a lot of the people in the class it was a terrible experience. And it, I think, for the teachers it's a bad system. Because you have to really guard yourself to be strong enough, rigorous enough to ruthlessly chop out people. And that's a bad way to educate people, if you have to be wondering whether you can really engage somebody in a deep discussion of something for fear that you may be creating a relationship that will prevent you from then saying, "I'm sorry, you flunk." And that's a very bad kind of atmosphere to create for the teacher as well as the student.

McNulty: When did you have an idea that you were interested in the law as a career?

Ares: That's an odd question for me. I, my family, I'm the first member of my family who graduated from college. I had a brother [Paul] who almost graduated, who should have. And who is a heck of a lot smarter than I am. But he just never, the Depression and he had some personal experiences that kept him from graduating. None of my family were lawyers. I never knew a lawyer before I went into the law school. I

don't think I'd ever met one. My family have always, had always been in public affairs. And there was that natural connection between an interest in public affairs and the realization, I guess, that lawyers were engaged in public affairs. So my, my interest in politics was first, I'm sure, and it just seemed a natural thing that if you were interested in politics and government, that you would become a lawyer. And so I wanted to become a lawyer. I hadn't, I didn't have the faintest idea, when I was a kid, what the inside of a courtroom looked like.

McNulty: Did you go to school steadily, or did you stay out of school in the summers? Between the first and second, and the second and third years?

Ares: No. I had to work in the summers.

McNulty: Where did you work?

Ares: Well, I worked mainly as a construction laborer for Sundt Construction Company. My brother worked in the office at Sundt and he had a good friend who was a superintendent and he would give me a job every summer. So I would go out and make good money. I got married in my first year of law school, so I really needed to make money. And we had a, our first daughter was born at the end of my first year.

McNulty: You would have graduated, then, in June of 1952.

Ares: That's right.

McNulty: You did so?

Ares: Yes.

McNulty: You graduated with some academic distinction?

Ares: Yes. I graduated second in the class. People have always--it's funny, Ernest [L.] Heimann and I were neck and neck all the way through school. Sort of at the top of the class. And going into the final semester I was number one. In my final semester I was distracted because by then I had gotten the appointment to be a law clerk to William O. Douglas.

McNulty: You already had that?

Ares: I had--that selection was made in the late fall. But there were deficiencies in my background because this school didn't offer a very rich curriculum, particularly in federal stuff. So I was having to read a lot of stuff in preparation for the clerkship, on federal jurisdiction and more on constitutional law, although I'd read an awful lot of that just because of my natural interest in it. But I must say, I didn't keep up, I wasn't able to keep up on the studies as well as I might. And I remember that when the grades came in at the end of the second semester--or it may have been the end of the first. No, it was the end of the second semester. J. [James] Byron McCormick was the acting dean at that point because John [D.] Lyons [Jr.] was, I guess he

was at the Wage Stabilization Board in San Francisco--on a leave--and Dr. McCormick was the dean. And he called me in, and he really felt terrible to have to tell me. And he was really very, very apologetic and sad about it. And I thought, "Gee, some terrible tragedy has happened." And he had to tell me that Ernest Hyman had passed me and was going to graduate number one and I was going to graduate number two. And I was so relieved I didn't know what to do, but I had to commiserate with the dean and say, "Well, I wasn't really surprised, because I hadn't worked as hard as Ernie had on the law school stuff. I had been working on other things."

McNulty: What triggered your interest in becoming a clerk for a United States Supreme Court Justice?

Ares: Well, I guess, I guess I found out in the law school that Justice Douglas had a practice of selecting his clerk, he only took one at that time, from the law schools in the ninth circuit, here in the west. And I guess I'd heard that and--probably from Dr. McCormick or John Lyons, I suppose. Because the law school made a recommendation of somebody and they asked me if I would be interested. And my bent was in that direction, in constitutional law, and I fancied myself a civil libertarian and here was this great civil libertarian figure in our history. And I

remember he was on the campus to make a speech of some kind, over in the Student Union, and I remember that Neil Houghton, who wasn't an idol worshipper of anybody, was not terribly complimentary about Douglas, had not been. And when I--but we were at this speech and I said, "I think there's a chance I might be able to at least interview with him about the clerkship." And Neil shoved me out of the chair and said, "Go talk to him now." (laughs) It was obvious that although he didn't think Douglas was a, was a, any idol to be worshipped, he obviously thought it would be a great thing if I were able to at least talk to him about the clerkship.

McNulty: Wasn't Douglas in these years a frequent visitor to Tucson in the wintertime?

Ares: Yes.

McNulty: And didn't he use the upstairs in the law school

Ares: He did.

McNulty: . . . for research from time to time?

Ares: He did. Yes. He, actually he had gotten acquainted with Dick Jenkins, who with his sister had La Osa Ranch. And actually it was at the ranch that Douglas did a lot of his recuperating after the horse rolled on him up in Oregon or Washington and almost killed him. And he spent a lot of time at La Osa and he

would come down to the law school. And he had an office upstairs that he used. Yes, he was at the university a great deal.

McNulty: So did you take the bar examination before you went back east?

Ares: No. No. I had to go back early because his clerk who I was replacing had, was going into the army, in the JAG [Judge Advocate General's Office] and he had to report early. So I didn't have time to take the bar that summer. So we, as soon as school was out, we loaded up our, I don't know it was about a 1942 Ford, with my wife and a small daughter and we travelled to Washington for the clerkship.

McNulty: Where did you live while you were there?

Ares: Well, first we lived in East Riverdale, Maryland, which is northeast of Washington. We used to come in through the, by the Bladensburg Peace Cross--I remember that--and into the city. But it proved to be unsatisfactory because I worked very long hours and that was a long way out. And so we very quickly started looking for a place in the city. And we rented a house, we rented the top floor of a two-floor, two-story house on North Carolina Avenue, North. . . .

McNulty: East.

Ares: East. Northeast. And we lived there. Which was

close, and I guess I took the, normally took the trolley to work.

McNulty: How long did you keep that job?

Ares: One year. A little over a year. I was there during that fifty, so-called 1952 term, and then I overlapped, because my successor wasn't coming until later in the summer. So I came back to Arizona to take the bar examination.

McNulty: This would have been 1953? A little over a year . . .

Ares: It was 1953.

McNulty: . . . after you graduated.

Ares: Yes. And then, and the family had come back by the time--by that time we had another daughter. And then I went back to Washington and spent the rest of the summer there until September.

McNulty: What would a typical day have been during this year you were clerking for Justice Douglas?

Ares: That's a long time ago. I guess, I worked long hours. Get into the office, I suppose, around eight o'clock in the morning. A lot of the time was taken up reviewing so-called certiorari petitions: writing memos for the Justice on summarizing the case, the issues, the proceedings below and then, what all law clerks for Douglas had always regarded as the least useful part of the memorandum, a recommendation of

what should be done with the case. At that time, I don't know if there were twenty-five or thirty of those to be done each week. I remember the first summer when I--Marshall Small was my predecessor--and we overlapped a couple of weeks and he was going to teach me the ropes and he gave me my first petition for certiorari to do something with and after about two days struggling with this thing, he finally took pity on me, and he said, "You know, I think you're going to have to do this a little faster than this because there are going to be twenty-five of these a week." But you learned very fast to--you had no secretary, you did your own typing--you learned very fast to digest those things and then begin to spot the cases in which there was any serious question that they might be reviewed by the court. And about eighty-five percent of the cases at the time were denials. And . . .

McNulty: Was it an exciting time for you?

Ares: An incredibly exciting time. Yes. Some of the other work that I would do, the Justice--one of the things about Douglas is he wrote very fast and one of the things the clerks had to do was to try to get stuff to him or try to get hold of his opinions before he circulated a draft to the rest of the court. Because he was so impatient they would go out before you'd

get your hands on them. Not that that made any difference except that there were sometimes things you could do to clean them up a little bit in terms of citations and syntax and things like that. And really one of the most exciting times and sort of terrorizing experiences was when he would have an opinion which had been circulated and it was getting ready to be put in final form to be announced-- typically the Monday of the following week--when he would, you would have an appointment to go in with him with my copy of the draft of his opinion with my recommendations and my suggestions as to changes or improvements or anything like that and sit down across the desk from him and go over the opinion word by word. An incredibly exciting time but also one that just scared the pants off of you because we were all told by our predecessors that you have about twenty seconds to get your point across. If you can't do it in twenty seconds, you're going to lose him. And so you have to have, be really prepared and you have to have it all honed and then get right to the point and tell him what you want to tell him.

McNulty: Justice Douglas has seemed to many to be austere, perhaps even a little cranky. Was that your recollection of him?

Ares: Sure. I don't know about austere. Not austere in

the sense of a Boston Brahmin like Holmes or somebody like that, but sort of withdrawn frequently, not always outgoing. Cranky, yes. Rough, mean, arbitrary, all those things. Yes. He was a tough person to work for. He was very demanding. Of course he was--I've never met anybody with a brain as powerful as his. He worked incredibly fast and simply trying to keep up with him intellectually was an awful job. And he was very impatient with you.

McNulty: You've mentioned starting at eight in the morning. Typically when would a day end?

Ares: Oh, if you were lucky you got out by seven o'clock at night. If you were lucky.

McNulty: What kind of hours did Justice Douglas put in?

Ares: Well, he wasn't normally in quite that early. He didn't have to spend that much time. And he would go home six o'clock or five o'clock, something like that. Many nights I would have to go back and work at night. Many nights. It was more nights than I didn't.

McNulty: Did you have any occasion or opportunity to be in the company of other justices or to watch interaction between the justices, other than on the bench itself?

Ares: Oh, some. Not a lot. For one thing, Douglas had only one clerk. The other justices had at least two and the chief had three. So you didn't have much

time to socialize, but I usually had lunch with the law clerks. We had our own dining room. We'd go through the line in the cafeteria and then go to a dining room. And we had a practice of inviting the justices to have lunch with us. By the time I got there they were doing it individually. They had done it in twos, and that didn't work at all, because they're the wrong kind of egos to put together in a thing like that. So during my time we had them singly. And so we'd have lunch with Justice Hugo Black, and then Felix Frankfurter and Robert Jackson and on down the line. Those were great times, but you didn't get very many of those. Once in a while I'd have some personal contact with the other justices. Frankfurter was quite gregarious, but not easy to talk to. Tom Clark was very easy to talk to and I was good friends with two of the clerks in his office. Hugo Black, not very accessible at that point. His wife had died the year before, his first wife, and he was not in very good shape. He was having shingles at that time too, and. . . . But I was very friendly with both the clerks in his office. And so I would see them a lot and I'd see the justice now and then, but not very much.

McNulty: Did the clerk sit in the courtroom when the court was in session?

Ares: Sometimes, but not very often. You know, you can't generalize, or I couldn't generalize from my own experience because Douglas didn't like to see his clerks in the courtroom. In his view that meant the clerk didn't have enough to do and he should be back doing his work. So on the occasions when we did really want to hear an argument, as for example in the school segregation case, Brown versus the Board [of Education of Topeka] we got seats behind the pillar so he couldn't see us. And we would sit and listen to the arguments. But if he sensed that you were there, it wouldn't be very long until a note would come in the hands of a messenger, and the justice would be asking you to do something, look up something for him. You'd have to go back to the office or go to the library.

McNulty: Which would require your immediate departure.

Ares: (laughs) That's right.

McNulty: Do you remember what you were paid?

Ares: Yes. It was--I don't remember exactly--but it was a little over five thousand dollars a year.

McNulty: Are there any experiences you had in the court that are memorable for unhappy reasons?

Ares: Unhappy reasons?

McNulty: Yes.

Ares: Well, I think that the whole--there was one unhappy

feature of the whole experience and that was that during the year that I was there Justice Douglas and Justice Black were a small minority. And typically, and dissented in--I think Douglas wrote thirty-seven dissenting opinions that term. So that, and just looking at what the court was doing--this was the [Frederick Moore] Vinson court--and watching what the court was doing, it was not a very happy sight for someone of Douglas' viewpoint, or my persuasion. So that was not terribly happy. The school segregation cases were argued for the first time that year. That was not an unhappy experience. I mean that was really quite a remarkable experience to watch Thurgood Marshall and John W. Davis argue that case. Just an incredible experience.

McNulty: Were you interviewed by Justice Douglas before you went to work for him?

Ares: No. He had, he has always had, or had always had someone else select his law clerks. I was interviewed by a former clerk who practiced in Oakland, California, Stanley Spearill. He made the selection.

McNulty: Were there any inquiries of political dispositions?

Ares: No. No. I'm sure Douglas never made any such inquiry as that, and Stan never did either. He did want to know what your views of things were. What

did you think was important? What kinds of issues were you interested in, were you really excited about? And I'm sure he selected people who at least were in the same ballpark as William O. Douglas. In later years, Douglas, after a while he would, when he would have a bad experience with a clerk, and he did once in a while, he then always blamed the person who selected the clerk, for having done a bad job.

(laughs) And after a while, I don't think he stopped having Stan do it for that reason, but Stan had done had done it for a number of years and he was replaced by, actually I guess by the guy who succeeded me.

Tom Klitgard became the--he was the one who selected the clerks. Then Douglas got unhappy with him and he asked three of us, Jerry Falk who practices in San Francisco--a very interesting, very important lawyer in San Francisco--and Bill Cohen at Stanford, and me to serve as a committee to select his law clerks. So for a few years at the end of his career we selected his law clerks.

McNulty: Do you ever remember Justice Douglas letting his hair down, having laughs, good humored . . .

Ares: Oh, yes.

McNulty: . . . moments?

Ares: Sure. He was a very engaging person when he put his mind to it. When he wanted to be. He had great

charm.

McNulty: Did he have interests other than the law?

Ares: Oh! Oh, yes!. If people have criticisms of him, it was that he wasn't, he didn't spend enough time being concerned about the law. And he prided himself on not being what he called--what a lot of judges became--"dry husks" of human beings.

McNulty: He was a great outdoorsman . . .

Ares: He was a great outdoorsman. He was interested in nature. He was interested in wildlife. He was interested in developing countries and many of his travels around the world were aimed at developing nations, the developing peoples. His interests in those things got him into a lot trouble, publicly, because he wrote books about them. And he tended to be sympathetic with aspiring peoples, revolutionary peoples. And his positions frequently got him into difficulty. He didn't limit himself, by any means, to his work on the court. My estimate of the amount of time that the court's work occupied him was no more than three days a week. I mean, he could get all the work done. He was an incredibly productive person. And he'd get all of his work done in three days.

McNulty: Were there any members of the Supreme Court with whom he had lasting, profound, and perhaps occasionally

disagreeable differences?

Ares: Oh, yes. Lasting and profound and disagreeable differences with Felix Frankfurter. And Robert H. Jackson. If you've read any of Frankfurter's stuff, he detested Douglas. Thought he was a charlatan. Thought he was politically ambitious and unprincipled, all those things. There was an odd relationship, because I remember the justice asking me to send things to Justice Frankfurter during the summer when Frankfurter was away at the Cape--or Martha's Vineyard, I suspect--things he thought that Frankfurter would be interested in. They were always legal things, not extra-legal things. But there was that funny relationship. Obviously Frankfurter had no use for Douglas and Douglas--it wasn't that he had no use for Frankfurter, I think he admired him and recognized him for his abilities, but I don't think he liked him very well.

McNulty: So, 1953 then, brings the taking of the bar examination . . .

Ares: Yes.

McNulty: . . . passing it successfully, and a return to Tucson, Arizona.

Ares: Right.

McNulty: Before we get out of this period, as you look back at the members of the law college faculty with whom you

had experiences during your years there, and measured in part in the light of your year's experience with Justice Douglas, who are some of the professors that stand out in your mind and for what reasons do they do so?

Ares: Well, John Lyons of course, I think would lead the list. He was the dean when I was in school, although he was gone part of the time, because he seemed, he epitomized to me the civil, the civility in law. I mean, John was obviously intelligent, he was very careful, he was professional in everything he did, he had compassion, and he was a gentle person. And I just thought he was--and his integrity was unquestioned--and I just thought he was sort of the model of what a good lawyer should be. And he taught very well. He taught contracts and that sort of thing and I just thought he was a very good teacher, very methodical, not an exciting teacher, but a very methodical, good, good tough teacher. Claude [H.] Brown was one who had a great deal of influence on me because of the rigor of his mind. I mean, he taught the procedural courses. I now know that I would never have taught the courses the way he did, but for me the exercise in logic, the exercise in logical thinking and close analysis was good for me. It was not something I had been exposed to very much, if at

all. And I just thought he was a fine teacher in the sense that he, the rigor of his analysis and the demands he made on you were, I thought, very good for me.

McNulty: A fully disciplined mind.

Ares: A very disciplined mind. Yes. I thought he was a great teacher in that respect. Speight [William S.] Barnes, who taught constitutional law and a couple of other courses, taxation, a couple of other courses like that. I just loved Speight. I thought he was one of the world's great human beings. He was a generous person, thoughtful, and I thought his values were beyond reproach. I thought he was very good. He was not the great constitutional scholar that some other people I've met might have been, but if you wanted somebody who was honest and whose values were of the best you could imagine, that was Speight Barnes.

McNulty: A man of unending good will.

Ares: Oh, yes. Oh, yes.

McNulty: Well, when you came back to Tucson in 1953 did you know where you were going and what you were going to do?

Ares: No, I didn't know for sure. Harry Ackerman and I had--we were classmates--and we had always talked about practicing law together and so we did that. We

formed a little law firm. At that time you could also be a deputy county attorney and practice part time. So we decided--Harry was in the county attorney's office under Morris Udall at that time--we decided that we should probably do that, because we didn't have much in the way of business. So we decided also that, since Harry had had the experience in prosecuting and I hadn't, then also because he had more connections that might have ripened into client relationships that it would be better if he practiced and I went into the county attorney's office. And Morris Udall was willing, so we did that.

McNulty: You actually just kind of traded slots?

Ares: Yes. Pretty much.

McNulty: But you still remained in private practice . . .

Ares: Yes.

McNulty: . . . and in partnership with Harry.

Ares: Right. We did some private practice and . . .

McNulty: How long did that situation last?

Tape 1, Side 2

Ares: Well, that lasted until the end of Mo's term, which I guess would have been 1954. He went into--he and Stewart [L. Udall] were in partnership at that time. And so, Morris then made an abortive run for Superior

Court and lost and they moved their offices to Court Street where he had purchased a building and we, Harry and I rented space from the Udall firm and continued to practice there for a while.

McNulty: Was the Udall firm, then . . .

Ares: Just the two.

McNulty: . . . consisting of . . .

Ares: Stewart and Morris.

McNulty: . . . Stewart and Morris?

Ares: Yes.

McNulty: And you were two in your firm.

Ares: Yes. And there were two in our firm. And very shortly Stewart, of course, ran for congress and was elected. So it was pretty much Morris. And then I, our firm did not go well. We didn't build up any clientele. Harry was in the legislature and that turned out not to produce any kind of business that you could really call business. If you didn't want to be a lobbyist it didn't do you very much good, and so I joined Mo and Stu in their firm and became a partner in that firm.

McNulty: And that lasted, the three of you, until Stewart was elected to Congress in the fall of 1952 was it, or was it 1954?

Ares: It must have been 1954. It must have been 1954 when he went to the Congress. So he wasn't around to

practice very much. Mostly it was Morris and me and then Paul Rees, who had clerked for Levi [S.] Udall on the [Arizona] Supreme Court, joined the firm-- that would have been, what? 1956 or something like that. Or 1957. And then we practiced from then on until 1961.

McNulty: When Morris sought to succeed his brother, who'd been elected the previous fall to Congress again, but had given it up to become Secretary of Interior.

Ares: Secretary of Interior, and Morris was then going to run for, for Stewart's seat. I have maintained all along that I decided to go into teaching before that, before all that happened. As a matter of fact, I had interviewed and actually I had decided by that time that I wanted to go into teaching. I was pushed in that direction by Douglas, also, because he always had the feeling that he wanted his former clerks to go into teaching.

McNulty: Did you maintain some contact with Justice Douglas after you left?

Ares: Yes. Partly because of his coming to Arizona during the mid-winter recess. The court stands in recess and we called it the February recess at that time. And he would come out here during the winter, because it was nice out here. And I would see him here then, at that time. And, yes, we maintained a kind of

friendly relationship. It's odd, I didn't have the-- well, in some ways our backgrounds were similar. He's come from a relatively poor family in the Pacific Northwest, but he had gone to Columbia Law School and he'd been on the SEC [Securities and Exchange Commission] and he was interested in corporate finance and corporate reorganization and that sort of thing, something that's wholly foreign to my experience. Somehow, it was odd--I've never figured it out--why he seemed to have a feeling for me and a few others of his law clerks, when he didn't have it for all his former law clerks. I came away with a sort of sense of awed affection for him. I have always seen Douglas' warts. There were things about him that I didn't really approve of, but there are about everybody and, at the same time, he was this incredible intellect. His values, the things he believed in, he believed in passionately and they were the right things. And they were the things I believed in. And I gloried, sort of, in the incisiveness of his mind.

McNulty: So you took all of this then, to interview where? For a position as a member of a law faculty?

Ares: Well, I had been teaching part time at the law school here. I think the first time I did it John Lyons came to me and said that Claude Brown had gotten ill

and--in the middle of the term, it was at Easter time--and could I come in and finish up his course? And I did. It was what we used to call "code pleading" at that time, and Claude had had some kind of an allergic problem that he had become increasingly vague in class. And the students were sort of hysterical. When I got there, well, we waded our way--I was as frightened as they were--but we waded our way through the course and I think that's probably the class that Marvin Cohen and Stanley Feldman were in.

McNulty: Do you know what year that would have been?

Ares: I can't tell, I can't remember for sure. It was in the fifties.

McNulty: But ultimately you joined the faculty of the University of Arizona College of Law.

Ares: Yes. Douglas knew that I was teaching part time and he asked me if I liked it, and I said yes, I did. And the next thing I knew I got some inquiries from deans in the East Coast. And I interviewed at two, Rutgers Newark and N.Y.U. [New York University]. And N.Y.U. obviously was the more attractive place. And they made me an offer to come there. I wasn't ready to do that. I hadn't been in practice long enough. I had a pretty large family and I had not made a fortune by any means, but it seemed the right time

and the right place and so, I packed the whole family up, left the law practice here, and travelled to New York City.

McNulty: What year was that?

Ares: It was 1961. In January.

McNulty: Was the N.Y.U. College of Law down at . . .

Ares: WASHINGTON Square.

McNulty: . . . Washington Square.

Ares: Yes.

McNulty: What course did you teach there?

Ares: Well, I taught civil procedure. And I ultimately taught remedies, which is a kind of a combination of, you know, damages and equity and all the rest of them. I taught criminal law, and I taught historical introduction to legal institutions. And I began a course on law and poverty, which at that time was just beginning to be a matter of concern in the legal profession, in some segments of the legal profession.

McNulty: Did you hear from Justice Douglas after you went to N.Y.U. Law College?

Ares: Oh, yes.

McNulty: Was he approving of that. . . .

Ares: Oh, sure. And we visited with him, and he lectured at N.Y.U. a couple of times. And so we saw something of him there.

McNulty: How long were you at N.Y.U.?

Ares: Until 1966, when I came back here.

McNulty: Which would have been five years?

Ares: Yes.

McNulty: Were you not also associated with a . . .

Ares: The Vera Foundation.

McNulty: . . . project?

Ares: Yes. And this again shows you how much influence Douglas has had on my life. A very wealthy man by the name of Schweitzer, who owned I guess the controlling interest in Kimberly-Clark Paper Mills, was very concerned about, particularly about juvenile justice, but very concerned about the effect of criminal justice on poor people. And had the idea of starting a program to somehow create a replacement for bailbondsmen. But to do it in such a way that poor people could be given their freedom pending trial, since they hadn't been convicted. And he had kind of a simple view of things. He just seemed, that seemed to him wrong. That people who were presumed innocent could be kept in jail for months pending their trials. So he created the Vera Foundation, then he talked to Douglas and [William] Brennan and probably [Earl] Warren, but I'm not sure about that, about starting the bail project, and asked for suggestions of people who he might, in the New York area, that might be interested in working on

it. And Douglas gave him my name. And he had a young man by the name of Herbert Sturz, S-T-U-R-Z, who was not a lawyer, but who was going to be the director of the program, an immensely talented guy with a sociology background I guess. And the was the beginning of the Vera Bail Project, the Manhattan Bail Project we called it.

McNulty: What role did you play in that project?

Ares: Well, I was sort of a, I was the lawyer in the staff. We also started the work of the project interviewing prisoners to find out, to determine who would be qualified for release on recognizance. Mainly looking for people who had ties to the community, a job, a doctor that they needed to be near, family in the area. Things like that that would indicate that they were not likely to run. Operating on the premise that poor people are less mobile than almost anybody else because they--especially poor people in New York City who are frightened to death of being outside of New York City. That's a kind of cocoon where they know what to expect there. They don't know what to expect elsewhere. So they generally are pretty good risks about showing up, if you have a system that keeps track of them and keeps in touch with them.

McNulty: What were some of the sweeping conclusions that the

Vera Foundation reached?

Ares: Well, the sweeping conclusion that the system of using bailbondsmen, where you put up money, was a vicious and unnecessary system. That you could release a vastly greater number of people without any financial requirement at all, on their own recognizance, and, if you had a system of interviewing them--and we used students in the part-time division at N.Y.U. to this. They were paid. But if you did this, and you developed this system, you could identify these people and you could release a lot more of them. And they would do better in terms of the criminal process. They'd be more reliable, and if they were ultimately convicted they had a much better chance of being given probation because they had a record of staying in the community and obeying the rules.

McNulty: What kind of a reception did the Vera Foundation report receive, as you remember?

Ares: Well, it was a kind of resistance from, well in the first place we got a lot of resistance from bailbondsmen who saw the whole notion as a threat to their livelihood. Judges were the next line of resistance, I think, because it was something new. They hadn't experienced it. It meant taking chances. You release somebody charged with a serious crime,

you're running the risk that if they do something bad you're going to catch it in the newspaper. So we had those kinds of problems. The young prosecutors in New York were very helpful, because they could see the injustices of the system. They didn't like bailbondsmen either. And gradually that began to work. But court systems around the country were very hard to convince. I remember going to Maryland to talk to their judicial conference one time about bail. And of course Maryland was at that time was caught up very heavily in being met with large numbers of black defendants, out of the big cities, out of Baltimore. And talking to them about taking a chance on these people was, you were talking to white southern judges and lawyers, and that was hard work. I mean they really didn't want to hear anything about this kind of thing. So that was hard. But it was caught up by the war on poverty. It was coincident with that. And one of the things that happened was that Bobby Kennedy was the Attorney General and he got interested in the idea, and the whole Department of Justice did. And that led to a major push--and I remember Mr. Schweitzer funded big national conferences on bail and criminal justice, and everybody in the country was invited and the whole thing was laid on very heavy. And the Department of

Justice, with the attorney general leading the charge, and Burt Marshall and others involved in it pushing very hard. And it led to the adoption of the Bail Reform Act of 1966, federal bail reform act reforming bail in the federal system.

McNulty: In the fall of 1966, now, you're on your way from New York back to Tucson?

Ares: In the summer of 1966 I was, yes. John Lyons had been there for seventeen years, had decided to return to the faculty. Not a terribly happy place at that point. There was unrest about salaries, the faculty was not large enough. What had really brought it to a head was the creation of a new law school at Arizona State. And they were faced with that kind of prospect. One of the reactions that they had, which I think turned out to be a mistake, was to increase the enrollment at Arizona, at the University, in order to demonstrate that we didn't need a second law school. Well I think on the merits, we didn't need a second law school at that time. It was coming sooner or later and we obviously need it now, but at that point it was a little premature. But that wasn't the question. The question was really a political question to which the enrollment in the college had nothing to say. But what they did was to admit a very large class. It was over 200 in the first-year

class, the first year I got here. It was already admitted [the class], with a faculty that was about effectively, if you count full-time equivalence, was about twelve on the faculty. It was an incredibly small faculty for that many students, and the building was not--the new-old law school over near the Park Student Center was completely inadequate for that number of people.

McNulty: How had you heard that the position of dean was going to be open?

Ares: I can't tell you for sure. Some member of the faculty, or some members of the faculty had talked to me about it. I think maybe Jack [G.] Marks, who is now on the superior court, had talked to me about it--or he was a commissioner. I guess he was on the superior court at that time.

McNulty: You were interested though, and you did apply.

Ares: Well, it was a difficult question for me. We had four children. We were, at that time, living in New York City on Washington Square. Loved it. Having a lot of fun. I was successful at N.Y.U. as a teacher. I liked the students. We got along fine. We'd had the bail project success and we were doing other things sort of associated with that. But the expense of living in New York City with children who were then, our oldest was high school age, you know, was

impossible. The public high school that she would have gone to was just terrible and violence ridden, so we had her in a private high school, and we couldn't afford it. And so--and also, coming back here as dean of my alma mater was an attractive idea. So I let it be known that I would be interested in talking about it.

McNulty: Were you interviewed?

Ares: Yes, I was interviewed. I don't think--the selection process was nothing like as systematic as it is now. I don't know who else was interviewed. I think they interviewed two or three other people, perhaps. I know Steve Duke who was at Yale was interviewed, but he rejected it. He didn't even want to start. As he told me later, "There are too many things that need to be done that would hurt people who are my friends. And I don't want to do that." So he didn't do it.

McNulty: So in the summer, in the fall of 1966, here you are dean of the College of Law. Were there members of the faculty who were professors when you were a student there?

Ares: Oh, sure. Yes. John Lyons was still on the faculty. Yes, many of them were. Speight Barnes was still there. Claude Brown was still there. Jim [James J.] Lenoir had become a member of the faculty after I was in practice. So he had not been one of my teachers.

McNulty: Did you find it at all awkward to be the dean of folks whom you used to call sir?

Ares: Well, they made it very easy for me. I suppose I felt a little bit awkward, but it was very. . . . It worked out fine. There was not really any strain from that point of view. I think, perhaps, because I had gone. Well, I'd had the clerkship in Washington, which was an experience that none of them had had, and they sort of were impressed by that. And I'd also been at N.Y.U., a different law school, and, you know, I had the reputation of being able to hold my own in the big city. So I guess they, they didn't look at me as one of their former students alone. It was one of their former students who knew something about legal education. And so we got along fine, and they were good to me.

McNulty: In your recollection now it was really a warm and agreeable time, at least in so far as these relationships, intrafaculty, were concerned?

Ares: For a while. For a while. We had tough times later, but . . .

McNulty: What were they caused by?

Ares: Well, it was obvious from just looking at the law school that lots of things needed to be done. The school, the building was bad. I think one of the first memos I wrote to President Harvill was

outlining why we had to have a new building. And that was eleven years before they ever got around to doing it. But the building was bad. But that's not the important thing. The faculty was too small. The faculty was underpaid. The library, although they had begun to inject some money into the library it still was too small. The curriculum, given the large number of students and the small faculty, was bare-bones curriculum. I mean, at the time I came here, only Jim Lenoir had ever taught a seminar in this school, and that was in estate planning. They had no, the curriculum was not rich at all. The student body was not highly qualified because they had had no admission requirements at all. We instituted admission requirements when I got here.

McNulty: They were still under the old system of . . .

Ares: Basically, if you had a degree--they had increased the requirements. You had to have a degree. But if you had a degree you got in. You had to take the LSAT but it was not a condition of your admission, it was as John Lyons put it, "for counselling purposes only." So it was not a part of the qualifications to get in. So a lot of things had to be done. And some of the things were uncomfortable for some of the faculty who'd been here for a while. We had to recruit faculty, so we recruited a lot of young

people, and you throw--I think we recruited, as I recall it, six people the first year. They had some open slots that had not been filled, fortunately for me because we really additional faculty. And as the dean I'd just as soon have them my selections rather than somebody else's. So we brought in a lot of new young people with different ideas of law school, of what law school should be like. Changed the curriculum.

McNulty: Do you remember some folks you recruited who you were pleased with even at this date, much after afterwards?

Ares: Sure. David [B.] Wexler, who had been a student of mine at N.Y.U. and was then in the Department of Justice. Winton [D.] Woods who went to Indiana and was clerking for Cheryl Halburt in California, a federal judge in California, that Bill Koppel, who is a federal judge, put me on to. Bill Boyd, who had been at Wayne State and Harvard Law School, we recruited him. We recruited Dan [Daniel H.] O'Connell who was, he had been to Berkeley and was a graduate student at N.Y.U. in tax. We recruited him. Not one of the young guys, but Junius Hoffman had been a partner at Jones-Day, Yale Law School, and that sort of thing and with some family connections here in Tucson. And we recruited him. Arthur

Andrews who had been a student at N.Y.U., although I think not in my class, but I had had contact with him. He was an editor of the American. . . . It was a publication. I can't remember now the exact title of it, but he was the editor of it. Extremely good. He was, by that time had finished a graduate year in tax at N.Y.U., but had gone back to Iowa and had been a prosecutor and in private practice in Iowa.

McNulty: In the meantime, up at Tempe, Arizona, the Arizona State University College of Law, under the direction of Dean Bill Pedric . . .

Ares: Yes.

McNulty: . . . is showing, as the people in the horse business would say, early foot.

Ares: Yes. Very much so. They, Ped did one very smart thing, he made them build him a new building. He wouldn't take over and remodel an old building. So they were, it was a year after--he and I came to Arizona at the same time, he to A.S.U. and me down here. Ped did a magnificent job in organizing a very good law school. They built a very attractive law school building, and he recruited a spectacularly good faculty. He got some older people who were ready to move on. He got Ed Cleary from Illinois. He got Havighurst from Northwestern. He got Dick Effland from Wisconsin. And he got a number of young

people, including one guy that I was after and when I finally got hold of him I found out he had already been signed up by A.S.U., and that was Bill Canby. And it was a very good faculty. And he and I, Ped and I, worked on admissions standards, because it was clear we ought to keep within hailing distance of each other, so we developed a set of admission standards which would apply, which we both applied in our own way. Then, and he did an excellent job of starting that law school. It was a good law school. It was a real challenge to us down here.

McNulty: To add to the scope of the job, we are almost to the point now, chronologically, where campuses are in a state of unrest . . .

Ares: Yes.

McNulty: . . . to put it mildly. Has that begun to manifest itself? By 1966 or 1967?

Ares: Well, it was beginning. It was a little later than that. But not much later, because the Vietnam thing was beginning to be a focus of unrest and campuses were waking up and law schools were becoming different kinds of institutions. One of the things I think I ought to say about the law school here, before we go any further, and that is the image that people here had, quite naturally, of what a law school looked like, should look like and should be

doing was very much the image of pre-World War II in the Western States. And this school had not changed very much from that, in their view of what a law school should be. And this is no criticism of anybody, this is just the way it was. It had not changed, while other places had moved ahead. And so it was obvious that one of the things that had to be done at this law school was to change that orientation and bringing in these young people with new ideas about curriculum, about teaching, about seminars, about writing, about the Law Review and things like that, was a part of that. And that created a good deal of, I guess, of unrest within the faculty. And some resistance to those kinds of changes.

McNulty: What are these changes? How would you describe them?

Ares: Well, for one thing, a change in the curriculum. Reorganizing the curriculum. Emphasizing a great deal more writing than was true in the earlier days. The law school in the early days, before the Second World War, was essentially like the first year repeated twice. I mean it was case analysis from beginning to end, first year, second year, third year. Not much writing, not much in the way of enrichment, not much in the way of, nothing in the way of jurisprudential courses. History, things like

that didn't play any part in the curriculum. And reaching out into things like psychiatry or psychology or economics, you didn't see much of that. You didn't see any of that in the old schools. Those were all things that had happened. A lot more in the way of seminars. A lot more in the creation of writing opportunities and writing requirements and that sort of thing.

McNulty: We've heard the expression of "social increment". Some people have thought that the emphasis in these years of change, and I may say occasionally even turmoil, that too much emphasis was being placed on social circumstances and not enough on black-letter law. Did you ever run into that criticism?

Ares: Oh, sure. Yes. That's a good deal of the criticism that was made of the changes that was made of the changes that were taking place in the law school. And it's an interesting phenomenon because it reflects a kind of difference in perspective on what it is that the law school is supposed to be doing. If you look at the law school as a trade school then the emphasis would be on black-letter law, and you ought to spend three years getting them prepared to pass the bar and be ready to practice the minute they get out. They've never been that way, but a lot more emphasis on that. If you see the law school as

something more of a graduate department in the university--after all it's a university college, it's related to a university. If you see it having a role not only of preparing people to become lawyers, practicing lawyers, as the vast majority of our students actually do, but also to play some role in the examination of law as a critic of the system to some extent, of proposing changes in the system, of measuring how the system in fact operates, to raise the troublesome questions that busy practicing lawyers sometimes are not able to address themselves to. The role of--and in the 1960's and 1970's, it was the impact of law on poor people, which was very much of concern to the society generally, and in my view, was something the law school should be paying attention to. And that was a controversial issue, particularly in this part of the country. So there was a good deal of criticism of what was happening in the law school on the ground that there was too much of the social increment, as you put it.

McNulty: Did you have any regrets about the direction in which you took the school?

Ares: No. No, not at all. Not at all. It was inevitable. If I hadn't done it somebody else was going to do it. It was inevitable. As this community has changed and has grown, law plays a somewhat different role.

There was always a tension between these two views of what the law school should be doing, and it would be wrong to go baying off in the direction of social reform and forget the fact that what we're really doing is educating lawyers. But it would also be wrong to go off baying in the direction of being just a pure trade school. So I don't regret that. And I don't take all that much credit for having pushed us in that direction, because that's inevitable. If we had stayed the way we were before, there would have been every reason for this law school to be shut down, because it would have really served not much purpose.

McNulty: In terms of support from the administration of the school during the years that you were involved in these efforts, did you get an adequate amount support?

Ares: Yes. I think it was adequate. We could have got, you can always use more. But I have to say--President Harvill and I didn't always see eye to eye on things, but in the main he was a man who valued quality in most things. I had some criticisms about some of the things in the university, but if you went to him with a proposal for improving the educational system, you got a sympathetic ear. And he put money into the law school. He had already started doing that before I

got here, and he supported me as we went along with this thing. Sometimes he had some complaints because the things we did caused him trouble, because he would hear from outside some criticisms of the law school. But we would talk those out and generally speaking he would support me. There came a time when there were real divisions in the faculty and some members of the faculty were very unhappy with me and for a while I thought, and I think it was quite true, that Dick Harvill was not as supportive as he could have been. But we weathered that. Speight Barnes and John Lyons were very supportive of me and they had a lot of influence on President Harvill, because he trusted them. They were his contemporaries, his colleagues.

McNulty: For how many years did you remain as dean?

Ares: Seven.

McNulty: Which would have carried you through 1973?

Ares: Through 1973.

McNulty: So the Vietnam business had burst forth . . .

Ares: Yes.

McNulty: . . . in all its . . .

Ares: Yes. We had tough times, but I learned in that. . . . We didn't have nearly as tough times as other schools had. I mean, Michigan had people bursting into the classrooms and disrupting classes

and dancing on the desks, and Harvard had sit-ins and all sorts of threats. We never had any difficulty like that in the law school. The law school was really a kind of an island of rationality on this campus even. And the upset--there were some upsets here. But I learned from that, so far as law students are concerned, they are somewhat more conservative, more thoughtful, I think, than a lot of graduate students. And I learned that if you made it clear that you had your own opinions about things, but that you were fair and even handed about things, that they would trust you. And I remember one incident when the Cambodian, so-called incursion, took place and there was a huge outburst everywhere, and a group of students came to demand that we cancel classes on a particular moratorium day or something like that, and right behind them was standing another group of equally agitated students demanding that we not cancel classes. And my resolution to that was--as a matter of fact I had planned a trip to Washington, D.C., I guess--and I said I was going to cancel the trip because I wouldn't go while this upset was going on. But my conclusion was that this is a state university. The day that they were going to hold this moratorium was not a school holiday by the Board of Regents rules or by the university

rules, and so we had no real justification in cancelling classes. So we were not going to cancel classes. We would continue to hold classes as scheduled. We would schedule in the afternoon, during a period when there were no classes, a convocation on the Vietnam War, on the Cambodian incursion, and that I would be one of the speakers at that. And that I would express myself about my disapproval of the policy of the U.S. government. When I said that's what we were going to do, that we were not going to cancel classes, that if people wanted to stay away from classes the faculty would not be authorized to take any unusual punitive actions against them. And the whole thing went off just as smooth as could be. So smoothly that I wrote out a speech and then left on my trip to Washington and I had somebody read it to the convocation. And the whole thing, I thought, was a real exercise in civility, in protest, passionate protest and passionate arguments, by people who disagreed with the protest, but all in a kind of a rational way. Nobody shouted anybody else down. Nobody interfered with anybody else's right to speak. Everybody had a chance to speak their piece, and business went on.

McNulty: Why did you decide to lay down the burdens of the deanship?

Ares: Well, I'm not by nature a career administrator, that's one thing. Law schools had become very volatile institutions to administer, so that being an administrator in a law school is a very wearing job. And five years of it is about as much time as one ought spend in that unless you want to be a career administrator. My theory had always been after five years you've had all the new ideas you're going to have. If you, by any stroke of chance you had another new idea you probably wouldn't have the energy left, or the political capital left to implement the idea. So you're much better off letting somebody else come in and clean up the messes you'd made, tie up the loose ends that you inevitably leave and go on to something else. And so I was-- actually I would have quit at the end of five years, but it was, that was in a period when there was a good deal of faculty unrest and I didn't feel like abandoning the place at that time so I stuck it out for two more years.

McNulty: Did you know where you were going to go when you decided to give up the deanship?

Ares: No. My assumption was I would stay on the faculty.

McNulty: Did you want to do that?

Ares: Sure. This is my home town. I like living in Southern Arizona and I like the law school. And I

like teaching. So this is the best place I could think of to. . . .

McNulty: And so in fact you did do that.

Ares: So I did do that, yes.

McNulty: And you are currently a member of the faculty, are you not?

Ares: Right. I've been a member of the faculty ever since. Yes.

McNulty: You've also had opportunities to try some other experiences the law has to offer, including your current term as a judge?

Ares: Yes. That's right.

McNulty: How did you arrange for that?

Ares: Well, I got talked into it by my good friend Joe Livermore, who was my successor in the dean's office. He was billed as the great white conservative hope to come in and succeed the radical dean. It turned out that Joe and I are very close friends. There's only one other person on the faculty who's any closer or as close to me as Joe is. I just admire him tremendously. And he had, he had only stayed in the office three years. He didn't like deaning. And he took a sabbatical and spent his sabbatical as a superior court judge in Pima County. And he talked me into doing the same thing, so that's what I've done. I'm on sabbatical leave for one semester and

serving as a superior court judge. The state gets a free judge, at least free to the judicial system. I draw my university salary on sabbatical. And that's my sabbatical project.

McNulty: Will you resume teaching this fall at the university?

Ares: Yes. Oh, yes.

McNulty: Have you any ambitions to do anything else in the law?

Ares: No. Not at this point. I'm a teacher. I enjoy teaching. I relish the classroom. I relish the chance to sort of ponder things.

McNulty: You've had a chance both at the Supreme Court and more recently in the Pima County Superior Court, and I assume at times in between those two events, to see lawyers in action. Do any particularly stand out in your mind for their skills, and if so, what skills?

Ares: The great lawyers? Well, yes. A number of them stand out for me, I suppose. As practicing lawyers I think my former partner, Morris Udall, stands out as about as great an advocate, while at the same time retaining his independence, his individuality, his particular humanness. He never let himself become petty or mean or vicious no matter what the fight he might be involved in. Great sense of humor throughout. Tom [Thomas] Chandler, much the same way. The ability to turn out huge amounts of work

with apparent ease. (laughs) I'm sure he paid a price for it, but he's a tremendous lawyer. Elias [M.] Romley, another great lawyer in Arizona that has always impressed me. I think that J. Mercer Johnson as a superior court judge--he was on the bench when I first started practicing--but a tremendous superior court judge.

McNulty: I wanted to talk about that too. Because you did practice some so you had a chance to see some judges. He stands out in your mind for . . .

Ares: He stands out in my mind.

Ares: . . . for what qualities?

Ares: He was very decisive. He was smart. He was not an intellectual judge, but very smart. Knew how to run cases, knew how to run courtrooms. Knew his own mind. Something I really admire now, sitting where I do, the decisiveness of Mercer Johnson. I suppose the person who I regard as the, as the greatest judge, because I never knew him as a lawyer, and the most powerful influence on me as an individual in this state was Jim Walsh, Judge [James A.] Walsh.

McNulty: Did you have occasion to practice before him?

Ares: I practiced before him a fair amount, yes. And I marveled at the--I remember one summer when Stewart was back from Congress and we had a case in Judge Walsh's court, it was Stewart's case and we were

going to go try it. And we had to go to a pre-trial and Stewart--I remember it was early. I hadn't had any experience with Judge Walsh before. And I remember Stewart saying to me, "Now don't be embarrassed when we get over there if you find out that he knows more about our case than we do, because he always does. It's just the way he works." And it was true. Incredibly prepared. Always on top of things. But ran his courtroom with a quiet, but very firm, gentleness. I remember really thinking toward the end of my career as a practicing lawyer that I might be getting to the point where I was not serving my client well, because I realized that I spent most of my time when I was in his courtroom worrying that I was doing things that pleased him. I didn't want to displease him. Because I, you know, he just seemed to me to be the epitome of the judge.

McNulty: He was a very reserved man, though.

Ares: Very!.

McNulty: He would not often single lawyers out for any kind of criticism, would he?

Ares: No. I never heard him do that. I never heard him do that. I think it was, I don't know. I didn't fear him, in that respect. I feared not receiving his approval, just by a glance, or something like that. I don't know what it was. Probably it was an

overreaction on my part. Because he is a very humble person and sees good in almost everybody. And what I--he just seemed to me to be such an ideal judge. And an ideal human being. I remember he appointed me--he called me one day. He had a little twelve-year-old Apache Indian girl who was charged with murdering her mother. And it was a terrible situation and he needed somebody to represent her. So he asked me if I would do it and of course I would. And I--she didn't speak English--so every time I went to see her in the jail I'd have to bring an interpreter down from the White River Apache Indian Reservation so I could talk to this little girl.

Tape 2, Side 1

Ares: The whole point was, she needed representation. The judge knew what needed to be done with her. He couldn't get her back on the reservation, because if she went her family would shun her and she would be put out to die. So that was no solution. There wasn't any solution in the state that we could find. And it's a terrible story, I suppose, in a way. And I remember Jack [Podret]--I can't remember his name now. He was the U.S. Attorney, but he just was along

for the ride, and he didn't worry about it at all. He knew the judge was trying to work out the best thing for this young girl. And that's what I was trying to do. And we had psychiatrists and anthropologists and everybody else trying to come up with the best solution for this girl. Finally, what we finally did, she pleaded guilty to second-degree murder and she was sentenced to Alderson, West Virginia. The women's prison in Alderson, West Virginia, because the judge knew there was an Apache woman at Alderson to whom this little girl could speak and who would help her learn things. And so she was sentenced there and I learned later that she went there. She learned how to be a domestic servant and she ultimately was paroled from Alderson, West Virginia. And the judge got her a job with a woman here in Tucson, and she lived with this woman for the--I suppose she's still alive.

McNulty: Enduring responsibility.

Ares: Yes.

McNulty: Chuck, you have certainly seen an extraordinary change in the composition of the folk in the entering classes of law colleges. I think of the large numbers of women and I think also of the minorities of whom we see a great deal more.

Ares: Right.

McNulty: What's brought about that change?

Ares: Well, with respect to women, demographics and social change more than anything else. The changes in attitudes toward women and the professions, women and careers, has changed that. There's never been any need, at least there's not been any need in my lifetime, at least, or in my lifetime in legal education for affirmative action to bring women into the law schools. They're certainly by credentials as qualified as men. And the only thing was the social inhibitions that kept the same numbers of women coming into law schools as of men, previously. But the whole atmosphere in the community has changed with respect to that, and so we're seeing this influx of women. Now the first-year class in September, I wasn't here, but I was told it was fifty percent women. Almost exactly fifty percent women. And the good thing about this, in our time as law students, and in the memory of people our age, the women who went to law school had to be very, very good and very, very strong. Very, very tough. Because they were one out of 108 or one out of 75 and they were the Mary Anne Reimanns and the Nancy Fulbright Jones' and the other women--Bebe Harris--who went to law schools. And they had to be very, very strong people. So they almost always were remarkable

students. Among the better students. We're now getting to the point where they're not any less qualified but they run the range, just the way the men do. And some of the people at the top are women and some of the people in the middle of the class are women, and some of the people at the lower end of the class are women. I'm not sure that that may not, there may not still be a disparity at the lower end. I think women who are not quite as academically prepared are less likely to go to law school than some men who are not quite academically prepared.

McNulty: What about the business, here in Arizona particularly, of recruiting black and Hispanic students?

Ares: It's a very difficult thing to do. And I must say, we've worked very hard at it in the law school. We started working at it when I came here. But the success has been very small. We're now getting a reasonable--not a reasonable number. We're getting an increasing number of Hispanic students. We have almost no success getting black students. In the first place, there isn't a very large black population in Southern Arizona. And the demands now, or the opportunities for young black people who graduate from college, are very great in other areas, like business. And you really have to recruit hard

to get them to give up three more years of their lives and three years of high earning capacity to go to law school. When they know they're going to be in a fairly small group of blacks in the law school. So it's very difficult with respect to both. You need financial aid for both, because they both tend to come from a segment of the population that isn't as affluent as the white Anglo-Saxons.

McNulty: On another subject. You are in a position to make some comparisons between the practice of law as you knew it thirty to thirty-five years ago and as it is practiced today. Even if you're only getting it second hand, acting as a superior court judge.

Ares: Yes.

McNulty: What kind of comparison would you make?

Ares: Well, it's really quite different, I think, in many respects. The size of the law firms is vastly greater. The magnitude of the litigation is larger. The amount of time spent in pre-trial procedure is much greater. I think young lawyers have less independence than we had when we were starting out. There are a lot more people to deal with. The court system is much more cumbersome, much bigger. It's a bureaucracy and a bureaucratic system of very large proportions. So that practicing law now is more like corporate enterprise than it was in our day.

McNulty: More of a business than a profession?

Ares: I don't know. I'm not sure about that. There are some aspects of it that are, that look frankly more like business, and you're thinking undoubtedly about advertising and things like that. But that's, I think, superficial.

McNulty: No, I was thinking more of the automation, the statistics gathering . . .

Ares: Sure.

McNulty: . . . by large firms. The hours requirements and the like.

Ares: Right. That's a reflection, I suspect, of the affluence of the society. The society that can support high-priced legal operations gets high-priced legal operations.

McNulty: Are we living in a more litigious society?

Ares: I don't really think so. I know there's a lot of controversy about that, and the former Chief Justice made a big thing of the litigious society. I think if you look at some of the studies, you find that we don't litigate at very much of a higher rate now, per capita, than we ever did. It looks like a lot more because there are a lot more of us. Litigation is more complex. More is spent, I think, on litigation now than formerly. I don't think, as a nation or as a people, we're more litigious than we used to be.

Interestingly, some of the studies suggest that we don't litigate at any higher rate than other industrial nations. I'm a little dubious about that particular statistic, because I think we do, somewhat more. But it's the frontier mentality that's always been a part of our culture, I think.

McNulty: Ultimately, are civil laws, as a method of resolving conflict, has it reached the point where we are going to be looking for alternate methods of . . .

Ares: Oh, we are. I think we do now. We do now for a lot of different reasons. Some good, some bad, I think. As our court system becomes more cumbersome and more expensive to operate, litigants with small claims or smaller cases are really shut out unless we find some alternatives for them. But those alternatives show up. I mean, it's always been true that most cases are settled. They are not tried. That's always been true. There are things like arbitration, although I think that's never been quite the alternative that a lot of people that a lot of people thought it was going to be. We hear a lot of things now about mediation and so-called alternative dispute resolution. I guess I'm of an age where I'm skeptical of those things. But I must say, looking at what it takes to go through the court system now, I don't see how the middle class can afford to

litigate much of anything except a personal injury case.

McNulty: As a final thought, and area, a young person, male or female, comes to you now and asks for your opinion as to whether he or she might contemplate favorably a career in the law. What would your advice be?

Ares: Oh, my advice would be, depending on your personality, do it. I think it's an exciting--it's as exciting to me now as it was when I was in college looking toward law school. I think a lot of young people in the 1960's and 1970's went into law school with the idea that they were going to change the world through law. Well I don't think that happens. But you can accomplish lots of changes through law. And there are lots of things you can do as a lawyer that you can't do otherwise. And I think, the thing that, the reason I say to young people, "If you think that this is something that would satisfy you, to study law, to become a lawyer. The thing about a legal education is that it opens so many doors to you. You can go so many different directions. You don't have to go out and practice law in the way that Jim McNulty practices law or I practiced law when I was practicing law. You can do lots of things. Your legal education enables you to get into things because of the, I guess the skill that you develop in

learning how to think about problems."

McNulty: Chuck Ares, we are most grateful to you for your time and an illuminating interview. We are happy to have you join the ranks of your predecessors.

Ares: Thank you very much.

End of interview

Index of Names

Andrews, Arthur, p. 47-48
Ares, Albert Frederick, p. 1-4
Ares, Paul, p. 13-14
Barnes, William S. "Speight", p. 30, 43, 53
Black, Hugo, p. 23-25
Boyd, Bill, p. 46
Brennan, William, p. 37
Brown, Claude H., p. 29, 34-35, 43
Chandler, Thomas, p. 58-59
Clark, Tom, p. 23
Cohen, Bill, p. 26
Davis, John W., p. 25
Douglas, William O., p. 15, 16-18, 19-29, 33-34, 35, 36, 37-38
Duke, Steve, p. 43
Falk, Jerry, p. 26
Frankfurter, p. 23-24, 28
Fulbright, Nancy Lee, p. 10-11, 63
Grizzle, Louis, p. 5-6
Grizzle, Mamie, p. 6
Halburt, Cheryl, p. 46
Harris, Bebe, p. 63
Harvill, Richard A., p. 8-9, 44, 52-53
Heimann, Ernest L., p. 15-16
Hoffman, Junius, p. 46

Jackson, Robert H., p. 23, 28
Jenkins, Dick, p. 18
Johnson, J. Mercer, p. 59
Kennedy, Robert, p. 40
Klitgard, Tom, p. 26
Koppel, Bill, p. 46
Lenoir, James J., p. 43, 45
Livermore, Joe, p. 57
Lyons, John D., Jr., p. 15-16, 29, 34, 41, 43, 45, 53
Marks, Jack G., p. 42
Marshall, Burt, p. 41
Marshall, Thurgood, p. 25
McCormick, James Byron, p. 15-16
O'Connell, Daniel H., p. 46
Pedric, Bill, p. 47
Podret, Jack, p. 61-62
Rees, Paul, p. 33
Reimann, Mary Anne, p. 11, 63
Romley, Elias, p. 59
Schweitzer, p. 37, 40
Small, Marshall, p. 20
Spearill, Stanley, p. 25-26
Udall, Morris K., p. 10, 31-33, 58
Udall, Stewart, p. 31-33
Vinson, Frederick Moore, p. 25
Walsh, James A., p. 59-60

Wexler, David B., p. 46

Woods, Winton D., p. 46