

Evo DeConcini  
Oral History Project:  
Arizona Legal History

Interview with Thomas Chandler  
May 3, 1988  
AV 0399

Tucson: Arizona Historical Society



1988

## 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.



## Thomas Chandler Interview

### TABLE OF CONTENTS

Photograph, Thomas Chandler . . . . .	.1
Biography . . . . .	iv
Movement of family from place to place during childhood . .	.1-3
Arrival in Parker, Arizona, 1935. . . . .	.4-5
Work on construction of Parker Dam. . . . .	.5-6
Parker High School. . . . .	.7
Inter-mural sports in Parker. . . . .	.7-9
Educational backgrounds of parents. . . . .	10-11
Basketball at University of Arizona, 1942 . . . . .	.11-12
Part-time and summer work while attending University of Arizona. . . . .	.12-13
Professors of political science and speech at University of Arizona . . . . .	14
B.A. degree, University of Arizona, 1943. . . . .	15
Attempt to join the armed forces during World War II. . . .	16
Work on construction of Marana Air Base . . . . .	.16-18
Entry into University of Arizona Law School, 1943 . . . . .	18
Law school professors . . . . .	.18-20
Law school classmates . . . . .	.20-21
Bar exam, 1946. . . . .	.21-23
Work in Evo DeConcini law firm. . . . .	.22-24
Disagreement with Governor Osborn over John L. Sullivan case . . . . .	25
Evo DeConcini's appointment as Arizona Attorney General . .	26
Work for law firm of Darnell, Robertson and Holesapple, 1948 . . . . .	27



Prominent law firms in Tucson, ca. 1948 . . . . .	.28-29
Establishment of law firm of McCarthy and Chandler, 1952. . . . .	.29-33
First case for McCarthy and Chandler. . . . .	.33-34
Second case for McCarthy and Chandler . . . . .	.34-36
Addition of other lawyers to firm . . . . .	.36-37
Changes in the practice of law. . . . .	.37-38
Anecdote about Stanley Pillion case . . . . .	.38-42
Humorous experiences with juries. . . . .	.42-43
Anecdote about Roy Renteria case. . . . .	.44-45
Anecdote about Fred Tregasgas case. . . . .	.45-52
More humorous experiences with juries . . . . .	.52-53
Recollections of Tucson lawyers . . . . .	.54-55
Recollections of judges . . . . .	.55-57
Changes in the practice of law . . . . .	.58-60
Changes in administration of criminal justice . . . . .	.60-61
Alternate methods of conflict resolution. . . . .	.61-64
Use of computers in law firms . . . . .	.64-66
Results of admissions practices of colleges of law. . . . .	.66-69
Solutions to some problems of lawyering . . . . .	.69-71
Importance of human values, traditional values. . . . .	.71-73
Interface between law and politics. . . . .	.73-74
Thoughts on women in the law. . . . .	.75-76
Thoughts on minorities in the law . . . . .	.76-78
Index of names. . . . .	.79

### Thomas Chandler Interview

Thomas Chandler was born in Knowles, Oklahoma, November 11, 1920. Both his mother and father were school teachers. The family moved often from town to town, primarily in Oklahoma and Arkansas, and by the time Chandler was in high school he had lived in fourteen or fifteen places. At age fifteen he came to Parker, Arizona, where he graduated from high school in 1938.

Chandler worked at various times on the construction of the Parker Dam until he graduated from the University of Arizona in 1942 with a B.A.

Since Chandler was unable to join the armed forces during World War II, he worked on the construction of Marana Air Base in 1943, until he decided to return to the University and attend law school. He graduated from the University of Arizona Law School and was admitted to the Bar in 1948.

Chandler's first job as a lawyer was for Evo DeConcini's law firm. He was next hired by the firm of Darnell, Robertson and Holesapple. In 1952 he established his own firm in partnership with Charles Dennis McCarty. The firm of McCarty and Chandler has grown over the years to the nineteen-lawyer firm of Chandler, Tullar, Udall, and Redhair of today.

This interview focuses on Chandler's experiences as a trial lawyer for forty years in Arizona. He discusses changes in the practice of law and in criminal justice procedures. He often illustrates his points with anecdotes about law cases

with which he is familiar. He gives personal sketches of many prominent lawyers and judges he has known, including J. Mercer Johnson, Evo DeConcini, and Morris K. Udall.

In this interview Chandler shows his interest in education for the law; the ways in which law schools affect the practice of law; and how law schools influence the relationships of lawyers within the communities in which they live. He also conveys his particular concern for attitudes within the profession toward public service, pro bono work, and human values, in general.

The interview concludes with a discussion of women and minorities in the law.

## THOMAS CHANDLER INTERVIEW

Today is Tuesday, May 3, 1988, and I'm James McNulty. I am in the process of conducting another interview for the Evo DeConcini oral legal history project. And it is our pleasure today to be interviewing one of Southern Arizona's most widely-known and respected lawyers, Tom Chandler.

McNulty: Tom, good afternoon and welcome.

Chandler: Good afternoon.

McNulty: You were born in a place called Knowles, Oklahoma, is that right?

Chandler: That's right. [November 15, 1920]

McNulty: Have you got any memories of Knowles?

Chandler: I left at three weeks and my recollection of the town is rather fuzzy at this time.

McNulty: Did your affection for the town ever prompt you to return there?

Chandler: I returned there about three years ago. Went back, and it had grown. It was sixty-five when I was born and it had reached the population of sixty-seven upon my return. It's a little town in Beaver County, Oklahoma.

McNulty: You subsequently wound up getting a high school diploma from Parker, Arizona?

Chandler: Right.

McNulty: In between those two times, how many different places did you live?

Chandler: Fourteen or fifteen.

McNulty: Where were they?

Chandler: I went from Knowles, Oklahoma, to Texas. I went from Texas to Uncle Lou's place. I went from Uncle Lou's place to Cederdale. I went from Cederdale to the Brown place. I went from the Brown place to the Green place.

McNulty: Were these all in Texas?

Chandler: No. These were back in Oklahoma. I left from Texas back to Oklahoma. I went then to the Morgan place, which was west of Woodward, Oklahoma. Then to Mooreland, Oklahoma, a little town near Woodward. Then to Twenty-second Street to Fourteenth Street, to Eighth Street, to Third Street, to the hatchery. And now I'm in the sixth grade. And I'm out of the sixth grade and I go to Hot Springs, Arkansas.

McNulty: Did you stay there for a while?

Chandler: Four years.

McNulty: Go to school all that time?

Chandler: All that time.

McNulty: What was your dad doing while you were living in Hot Springs?

Chandler: Well, he was most of the time trying to find a job. It was right in the height of the Depression and there was virtually nothing for him to do. He worked a little bit. He could do almost anything, and he worked some. We lived on a little farm there

in Arkansas.

McNulty: How big was the family?

Chandler: Seven. Mother, father and the five children.

McNulty: After four years of schooling in Hot Springs, which was up to that time, the longest that you'd lived in any one place, wasn't it?

Chandler: Right. That was the longest stay in any one place.

McNulty: Where did you go then?

Chandler: We went to Stockton, California, up in the central valley. And there for a while, and then to a little town in, Tracy California, not far from Stockton in the central valleys.

McNulty: Was this part of the Great Depression migration from Arkansas and Oklahoma to Central Valley, California?

Chandler: Yes. And after a little while in Tracy, I learned that my line of work was not pea picking. Under conditions that were not too favorable, and for a gentleman who, I swore if I lived long enough, would sometime go back and find him and punch him right in the kisser. And thirty-some years later, I went back to the town and couldn't find him. He had died. But someone said, "If you want to talk to Mr. Gomez's son, he's standing over there in front of the police department. He is that officer." And Mr. Gomez had produced a son about six-four and two-thirty and not an ounce of fat on him, so I elected

not to discuss my beef with the father with the son.

But I was there until I left and came to Arizona.

McNulty: When you came to Arizona, did you come to Parker?

Chandler: No. I came to--I was really coming to, trying to get to Tucson. But I had a dispute with the railroad company and I got off of their train in Salome. And I stayed there for a summer. Then I went to Parker, that being the closest place to go to school.

McNulty: What was going on in Parker at the time?

Chandler: They were building the dam.

McNulty: Davis Dam?

Chandler: The Parker Dam.

McNulty: Parker Dam.

Chandler: Yes. They hadn't started the actual dam work. They were driving the diversion tunnels. The J.F. Shey Company drove two diversion tunnels. And they were doing that. And then there had started some work on the aqueduct. The metropolitan water district aqueduct that would take the water from Parker Dam into Southern California. And other than that, that's about the size of what was happening in Parker. It was a very small little place then and most of the people who worked on the dam and the aqueduct lived in California, across the river.

McNulty: Were you by yourself, now, or was your family

together?

Chandler: Well, it was sort of an off and on situation. They were there part of the time and not, part of the time. All the time I had my two brothers with me and then my sisters sort of came and went and my mother and father came and went.

McNulty: Did you ever work around the dam or any of the . . .

Chandler: Yes.

McNulty: . . . ancillary projects?

Chandler: Yes.

McNulty: What kind of work did you do?

Chandler: Well, I was a chuck tender for a while. That is a person who works with a miner who is drilling the holes in the tunnel. And I was not old enough to work and so I had difficulty. And what I'd do, I would make up shifts for people. If a person didn't want to go in I'd take his badge and his number and--they identified you with a number, timekeepers. And then on the aqueduct, that was a project that had to do with, not only building the ditch, but it was a public works project for the district. So to work there, on the aqueduct, you had to live in the district and you had to give what we would call a card. That would entitle you to work. You had to be certified to be a resident of the district. The only exception was if they needed skilled people



that, and they didn't have enough in the pool in the district then they would let outsiders come in.

Like a powder monkey or a special master mechanic or something, but pretty generally all the help came from the district. And you had to have what they called a picture card, with your picture on it. And the people would want to take a long weekend or take time off, why, I was available for that duty. And you'd just, people didn't care, the bosses didn't care. A lot of inspectors, and you had to be sure that the card was pretty muddy when the inspector showed up, or be careful. And so you had to watch that. I didn't consider it to be bootlegging. I guess it really was, but I worked there.

McNulty: Given the economic times, those were very good jobs at very good wages, were they not?

Chandler: Yes, comparatively speaking. They paid, they only paid \$0.50 an hour in the tunnel, G. F. Shay, and you worked six hours. So you made three bucks a shift. Later the rate got a little better. But even in 1939, when they built what we called the Headgate Rock Dam there at Parker, and that was, the rate for common labor was \$0.62 1/2 an hour. That's \$5.00 a shift. And for skilled--I was an ironworker then, and ironworkers made \$9.00 a shift, \$1.125 an hour. The scale was ten, \$1.25. But it wasn't all

that great.

McNulty: How long were you in Parker?

Chandler: I was there from 1935, when I first went there, in 1935, until I left in 1938 to go to the university. And I went back and worked there in the summertimes.

McNulty: Did you graduate from Parker High School?

Chandler: Parker High School.

McNulty: How big was the graduating class?

Chandler: I think thirteen of us. About thirteen. I'm not too sure they all graduated. We had, I think, thirteen seniors and some of our youngsters would disappear after the last baseball game.

McNulty: Were there Indian children in the high school?

Chandler: Yes. Yes, quite a number. As a matter of fact, on the basketball team my senior year and other years too, but particularly in the senior year, there were four Indians, Indian youngsters, and myself.

McNulty: These were Indians from the Colorado River Reservation?

Chandler: For the most part. We had one person from, who was a Pima Indian, the Gila River, and I think we had one who was a Chimihuevi. But the rest of them were Mojaves.

McNulty: Did Parker have a regular athletic program with all the sports?

Chandler: Off and on. Yes. It had a good, a relatively good

program. But football was out for a little bit because a youngster was killed the first year I was there. And it was put on the shelf. But those in high school who wanted to play played for the Indian team. And that was a team that was sponsored by the Presbyterian church, and the Bureau of Indian Affairs. They helped finance it.

McNulty: Did they play just other Indian teams?

Chandler: No. No, we played high schools and town teams. Then people had town teams. Needles had one, Yuma had one. We played some Indian teams. We played Sacaton. Played Phoenix Indian School. But played other high schools. In fact we played, one rather sad event was when they dedicated the bridge at Parker--sad in certain respects--they dedicated the bridge at Parker in 1937. Had a big to-do over it because until then there had been no bridge for people to, motor vehicles to cross the river. They had a railroad bridge but nothing else. And people went by ferries across, back and forth across the river. So at the dedication of the bridge they had all kinds of events and one event was a football game against the Phoenix Colored High School. Now that was the name of the school. That was the school's name. About the same time that that game was going on, Phoenix Union High School, which was

one of the largest in the United States, seven or eight thousand students, they were in Pullman cars on their way to play Cathedral High in San Francisco. And on this very hot September or morning, into Parker came that team, in a hand-me-down bus that someone had given them. The coach was the bus driver. They got the guarantee of the money they were going to get for coming to play. They went down to a grocery store, bought some bologna, bread and milk, and they sat in the shade of the high school and had their luncheon meal, pre-game meal. Consisting of bologna, bread and milk. And then played football, and went back. And it made you sort of take an inventory of values when you saw that.

McNulty: Were you a good student in high school?

Chandler: Not particularly.

McNulty: Where did you graduate in the class?

Chandler: Oh, I don't, can't tell you.

McNulty: Top thirteen?

Chandler: (laughs) Top thirteen. I didn't spend all my time in school. During that period of time, I had a couple of brothers that were not old enough to work, so I was pretty busy keeping them up and going.

McNulty: What made you think you wanted to go to the University of Arizona?

Chandler: Well, after I got to Arizona I made a determination that it was the better, or the best of the three institutions, and that's where I wanted to go. It was a university and neither institution, N.A.U. which was in Flagstaff, or Tempe, Arizona State which was in Tempe, were universities. They were colleges, teacher's colleges.

McNulty: Had anyone in your family ever gone to any higher education?

Chandler: My mother. My mother had gone to Canyon Normal School in Canyon, Texas, which is out of Amarillo-- which is now West Texas State. And she did what so many school teachers of her day did, and that was to go teach and then go and teach and go, as you could, until--and she went, I think probably, two years after she'd gone to school. But my father had not. He didn't finish high school. But he taught school.

McNulty: Did your mother ever teach school regularly?

Chandler: Well, yes, early on. I think two years. Two or three years in Texas. And then from time to time in Oklahoma, she taught. My father taught in Oklahoma at two or three different, three or four different schools. Country schools. You would take an examination and get a certificate, teacher's certificate. And if you'd graduated from the eighth grade, you could teach, if you'd learned it, you

could teach up to the eighth grade. That's how he taught.

McNulty: Did you have any particular goal in mind when you came to the University of Arizona?

Chandler: Yes.

McNulty: What?

Chandler: (laughs) To play basketball. That's what I really came for.

McNulty: Had you played at Parker?

Chandler: Oh, yes. Yes. I played.

McNulty: You arrived here, then, in September of 1938?

Chandler: September, 1938.

McNulty: Did you go out for the basketball team?

Chandler: Yes I did.

McNulty: Who was the coach?

Chandler: Fred Enke.

McNulty: Do you remember any basketball players of that era?

Chandler: Oh, sure. Sure.

McNulty: Who were some name that stand out?

Chandler: Well, Wilmer Harper, Denny Jordan, Johnny Black, Dapper Dan Clarke, Don Gatchell, Les Westfall. Carl Berra was a very, very fine player. Dave McMillan played a little bit. Then as time went by, they had others that came in. But the year, the first year that I was there, I think that Tom Greenfield played for a while. And then he and Fred had a falling out

and he left. But Gatchell and Clarke and Johnny Black--Stewart [L.] Udall was playing that year.

Yes, I remember most of them, over the years.

McNulty: How did you get the financial resources to go to the university?

Chandler: Well, I'd worked the summer before and there had been a misunderstanding between my employer and I of some substance. And so as a result I came pretty short. And that was the reason that I didn't play basketball, because I had to either work to stay in school or take the time off to play basketball. And I just had to--and I had a misunderstanding with the coach about working and playing basketball. He thought I wanted not to work. And I only wanted to work when I wasn't practicing. I couldn't do both at the same time, and we had some confusion over that issue. I just had to make a choice of whether I wanted to play basketball or go to school. And so I had no choice. I couldn't do both.

McNulty: What kind of jobs did you have?

Chandler: Well, I had the same job, or I worked for the same lady, for seven years.

McNulty: Who was that?

Chandler: Mary Adele Wood. One of the dear people who I've ever known in my life. She was a very sweet lady.

McNulty: What kind of work did you do for her?

Chandler: I was a dish washer, a glass dryer, a busboy, a Fountain--a soda jerk, counter person, a banquet waiter, a butler and a cashier. I graduated to the exalted title of cashier. And that was what I did most of the time.

McNulty: This was food services program at the university?

Chandler: Right. Commons, they called it.

McNulty: Did you work there in summers as well?

Chandler: No. Every summer I went back to Parker.

McNulty: Were you normally able to find work there?

Chandler: Worked every summer.

McNulty: And members of the family were there even then?

Chandler: No.

McNulty: No?

Chandler: No. My brother was there one summer, perhaps two summers. But no, that just was a place I knew I could work and--one summer they were building the Headgate Rock Dam so there was employment there. Next summer I worked for Frank [G.] Benham who had a commissary up at Parker Dam, and then they started the power plant at Parker Dam--that was a later addition. They didn't build that at first. And I worked with the Bureau of Reclamation on that job and for him, both. So I always went back there in the summertime.

McNulty: What was your major at the University of Arizona?



Chandler: Originally political science. And then I majored in speech. Hard to believe, but true.

McNulty: Who are some of the professors of those two subjects that you best remember?

Chandler: A Dr. [Howard A.] Hubbard, who was in the history department. A gentleman named [Wilfred] Webb who was a political scientist, and he taught public administration I think. But he was a good one. I remember Dr. Houghton, Neal [D.] Houghton, who was quite a scholar and quite a provocative teacher. Dr. [Oswald H.] Wedel in the history department. Dr. [Russell C.] Ewing in the history department. But in the speech department, Alethea [E.] Mattingly, who is still around. I saw her not too long ago. Mary [E.] Huyck who left teaching and went into a Catholic order of some sort. And Professor Cable, Dr. [W. Arthur] Cable who was head of the department, who was quite an interesting gentleman. He was a great driver. He drove all over every road and on both sides and sometimes even off the road. (laughs) He abandoned the road all together and gave the road to others. But they were some of the--Webb was a little fellow whose daddy was a schoolteacher in Friendship, Arkansas. And that isn't on the map any longer, but it's still around. I checked that out, and it was a little town south

of Hot Springs. He was a very bright, interesting fellow. But I remember most of them.

McNulty: You graduated in 1942?

Chandler: In 1942.

McNulty: Did you then begin contemplating a career in the law or did that occur to you later?

Chandler: Well, I'm sure that I'd thought--growing up you want to do things. You want to play professional baseball, or you want to do a lot of things. I never had any ambition to--I'd thought of coaching and thought that was something I'd really like to do. Teach and coach. I'd thought of--but probably because for some reason you have the idea that being a lawyer, that would give you an opportunity to do some things that you couldn't do otherwise. I was mistaken about that perception, but you believe that you can really jump in and change a lot of things, which you really can't do. But probably the--it's a little fuzzy in my mind. I know that in the high school prophecy I would become another Clarence Darrow or some such thing, but I really probably decided to go to law school after I graduated. Really made that decision.

McNulty: When did you enter law school?

Chandler: In 1943.

McNulty: In the fall?

Chandler: In the fall of 1943.

McNulty: You laid out a year?

Chandler: Stayed away a year. I was in the ROTC program and I couldn't pass the physical for advanced and which was--I was going to retake it. But come Pearl Harbor I really didn't care because I couldn't see myself on a horse somewhere. And they had the horses here then. I would have preferred to have been off of a horse when the fighting was going on. (laughs) I thought they were awfully good for the Civil War, but I didn't think much of them for World War II. And I--at Pearl Harbor, you remember as well as I do, that the great feeling, almost universal feeling, was "We've got to do something about this right now." And everyone scrambled around. Took physicals. Got into programs to get into the service. I planned to go into the service and I made an attempt, several attempts, unsuccessfully. A friend of mine who I'd worked for--well I'd worked for the Bureau of Reclamation when he was the project engineer at Parker Dam. I never worked very closely with him, but I'd worked for the Bureau. And I'd worked for the contractor when he was there, too. He was at Marana Air Base--he was then in the service--Joe Fraps, a graduate of the University of Arizona. Clara Lee Tanner's

brother, the great anthropologist. He was recruiting people to go out and work at the airbase. He assumed, because I had been up at Parker Dam working with all the other engineering students, that I was an engineering student. He asked me if I had graduated, and I said I had. He offered me a job, and I said, "No. I'm going into the service." He said, "Well, if anything changes, let me know." And it changed. I didn't get in. So I thought, "Well, it would probably be as close to it as you could get if you worked at building airports." And also, I thought I had a very good chance, after talking to him, of getting in, of taking another physical and getting in the Corps of Engineers. And so I went to work for them. After a year and three months, I wasn't going to get in, and I didn't find my colleagues as nearly enthused about doing the war work efficiently and economically for the good of the cause. I was working with contractors and I was burned out.

McNulty: When you speak of the airport, which airport are you talking about?

Chandler: Marana Air Base. I went out there and was there for a good period of time when they were really putting it up. Then I left there and went to D-M [Davis-Monthan Air Base] for a matter of a short period of

time. And then I went to what we called the modification center, which was Grand Central. It was Consolidated, the old Consolidated plant out near the airport. Went out there and worked, and got fed up, quit, and worked for a contractor for a couple of weeks and then went to law school. Started.

McNulty: Did you begin in September of 1943?

Chandler: Yes.

McNulty: How big was the law school student body?

Chandler: Less than fifty. Less than forty.

McNulty: Spread over three classes?

Chandler: Three classes. I think there were four seniors. Four or five. Herb [Herbert] Mallamo I think was a mid-termmer. McCarty was there. Palmer was there, I think. Gordon [G.] Aldrich was around. Not many second-year people. [Neil] Christensen, Ed [W. Edward] Morgan. Very few. And about eight or nine in the first-year class. Now we had some part-timers. We had a captain from D-M that came in; a chief of police, Harold [C.] Wheeler, would come in. Frances Roy, who became the dean of the College of Liberal Arts, and I think was a, I think he was a dean at that time. He might have been.

McNulty: Probably head of the French department.

Chandler: I think so. He was a French professor. But I think

we had about eight or ten people, regular ones.

McNulty: What professors particularly stand out in your mind?

Chandler: All of them. For one reason or another. We had, I think, a great mix. We had Feezer who taught an obscure course, taught torts and equity.

McNulty: Lester [W.] Feezer.

Chandler: Lester Feezer, and he taught some more specific courses, bills and notes. But he was a good teacher and a challenging teacher. He liked what he was doing. He liked people. He really did. Chester [H.] Smith was very good for first-year people, because he taught the property courses and the criminal law courses and the courses where you could be very positive about something. The rule is this. He was inclined to say, "This is it. You can put it down." And he got me in serious one day, telling us something and I asked, "What about this?" And it didn't help my cause. Dean [Samuel L.] Fegtly, who was a--he was older at the time and pressed back into service because of the war situation. Speight [William S.] Barnes taught in the physics department as well as the law school, because they needed people over there. J. [James] Byron McCormick was a wonderful teacher, and such a good person and such a good dean. He had all kinds of judgement and warmth and he respected everybody and everybody's position.

And it was a pretty much two-way street. And then we some people who--Claude [H.] Brown was there. Hardrock was his nickname, because his heart was like a rock, although he was a wonderful gentle soul. But he was, he believed in people learning something. And we had some visitors from time to time. We had Leland Stanford Forrest, who was a character from Iowa, came out and taught conflicts, constitutional law. And was quite a guy. He got into a tussle or two with some local people over overcharging him and he, I think he actually came to blows with one maitre d'. He was an interesting guy. Very nice fellow. Webster, Cal [Calvin] Webster, came along about that time. He taught corporations and that was most of them.

McNulty: You graduated in 1946?

Chandler: In 1946.

McNulty: With how many classmates?

Chandler: Well, I can't remember, because we had grown. Now the war is over and they're back. They're starting to come back and they came back at all levels. First year people were back. Stewart came back, Stewart Udall. And then the Watkinses came back, and the Kenny Rosengrens came back, and the Molloyes came back. Now [John F.] Molloy had already graduated at Kansas City University, but he was

eligible for a J.D. here, an earned J.D. It wasn't quite what you expect it to be, but it was at least partially earned, and he came back for that. So we had a pretty good-sized class when I graduated. But the going-in class was relatively small.

McNulty: Who were some of your particular pals in the graduating class?

Chandler: Well, I don't know if I had any. I reach that conclusion because I was a candidate for the presidency of the Student Bar Association and got no votes. So if that doesn't tell you something about who my pals were, why, nothing will. (laughs)

McNulty: You didn't go to the polls yourself?

Chandler: Yes, I went. I had better judgement than to vote for myself. (laughter)

McNulty: Was a bar review given in those days by Chester Smith?

Chandler: Yes, it was.

McNulty: Did you take it?

Chandler: Yes, I took it. I didn't go as diligently as I should, and I played games during it. It was, I wasn't very excited about it.

McNulty: Was this when he had the long-ago regimen of going at seven o'clock six mornings a week and at seven o'clock in the evening six more?

Chandler: Six more. I think so. And we called it the "Little



Bear School." It was at his home, and he went right to work. He didn't horse around. He got right with it. I couldn't, I wasn't very faithful in my attendance.

McNulty: You took the bar then?

Chandler: I took the bar.

McNulty: Passed it?

Chandler: Passed it.

McNulty: Did you know what you were going to do?

Chandler: No. Not then.

McNulty: So what did you do?

Chandler: I went to work for Evo DeConcini.

McNulty: Did he have a solo practice?

Chandler: Well, he was still on the bench, but he planned to get off the bench. And I think maybe Byron McCormick, who couldn't stand to see a person starve, probably told him, "You ought to pick up one of these young people, and we have some here that you might be interested in." But in any event, I heard that he was interested and I met him.

McNulty: Were you kind of a clerk, as we'd say today?

Chandler: For him?

McNulty: Yes.

Chandler: No. I didn't join him at the courthouse. I was admitted September 30 [1946], and he was still on the bench. He was superior court judge.

McNulty: But winding up a year?

Chandler: Yes. He was not going to run again. There were going to be two vacancies, because John [D.] Lyons intended to resign and go back to private practice. So there would be two spots open. Sidney Osborn, who was a very good friend of Evo's, and was the governor, asked Evo not to resign because it would force Sidney to appoint someone to replace Evo. And that would force him to make a choice between Lee Garrett, who had been a very strong political ally of his, and [J.] Mercer Johnson, who was very respected. And he thought it would give, and it would have given, someone an advantage in the primary [election], because you ran, everybody ran, and the first two won. And there was a Republican in the race. So Evo didn't resign until after the election. Then after the election, after it would have been determined who had won, why Osborn appointed Mercer to fill Evo's unexpired term. And Evo resigned. In the meantime I was over in his office, "practicing law alone." And that was a good description of what I was doing. (laughs)

McNulty: Where was the office?

Chandler: Valley Bank. Fourth floor of the Valley Bank.

McNulty: And the office consisted of, for the time being, only you?

Chandler: Well, I had company, because the Monterrey Water Company was in there--Evo's water company--and so we had the water company and me, and we had Romeo Cogliolo, a dear friend of mine and Evo's, who was the receptionist, and handled the phones, and-- 26409, that was the way we answered them--and Hassie Baker who was Evo's personal secretary, who'd worked for him for years and years. And so we had to keep the fort.

McNulty: But as soon as Evo DeConcini resigned did he move into the office?

Chandler: He moved in. Came into the office. And we were off and running.

McNulty: And functioned under the name of what? Law offices of Evo J. DeConcini?

Chandler: Right. I don't think it was J. Just Evo DeConcini.

McNulty: No, you're right. That's another Evo.

Chandler: Evo J. is his cousin, I think.

McNulty: So, now you and the judge together and what kinds of things do you do?

Chandler: Well, you name it, we did it. Anything that anyone wanted done, we did it. I tried a criminal case. He, being an ex-judge, and being someone who was well known, he had plenty to do. People started coming in with their problems. And, run of the mill. We didn't land any big bank or any big

utility or anything, but we had a general practice, tried cases.

McNulty: How long did that arrangement go on?

Chandler: Until 1948.

McNulty: What happened then?

Chandler: Well, in the course of events, the attorney general got indicted and convicted of a felony. That was John L. Sullivan. Which, pursuant to a statute, that was "unconstitutional", the governor attempted to remove him from his office, saying that he had to go. The statute says, "convicted of a felony, you're out." I ventured an opinion that you can't do that. I said, "If he's a constitutional officer and there's a means provided in the constitution for his removal [recall], that's the only way you can remove him." And I said, "All the cases say that." And the governor said, "Well, Mr. Chandler is a nice young man but he can't be suggesting that a felon can hold this office. I can't have this." And so they took it to the end of the street, the Supreme Court, and they said, "Of course we can't have this." And so out he went. And Evo became the attorney general. And he intended to run for the Supreme Court. That's something that Evo had wanted to do, and they were going to enlarge the court. So he intended to run.

McNulty: Who appointed Evo as attorney general?

Chandler: Sidney Osborn.

McNulty: He was still alive.

Chandler: He was still alive, and he appointed him. Then Evo was the attorney general and had all kinds of things dropped in his lap. All kinds of problems. But handled them well, as he would do. Then, when it was evident that he was going to go to the Supreme Court, I decided that I simply should not practice alone. He wanted me to keep the office open because he intended to return and he wanted to have a practice going. Not that he needed it, but just a sort of a practice going.

McNulty: Could you have gone to the attorney general's office with him?

Chandler: Oh, yes. Sure.

McNulty: Did he serve there for just a very brief period of time?

Chandler: Not too long. I can't remember the exact time. He would have been elected, I guess, in the fall of 1948. So I think he probably went in the spring of 1948. No, he went before that. He probably went in 1947 sometime. And then. . . .

McNulty: In the fall of 1948 did he run for attorney general or did he run for the Supreme Court?

Chandler: The Supreme Court.

McNulty: I see.

Chandler: And was elected.

McNulty: Yes.

Chandler: I'm sure it was then. It would have been then.

McNulty: So for a while you were back running the office again yourself in Tucson while he was in Phoenix.

Chandler: I was there alone. And then April 1, 1948, I went to work for the Darnell firm, Darnell, Robertson and Holesapple.

McNulty: Were they in the same Valley National Building?

Chandler: Right down the hall.

McNulty: Had you come to know some people in that firm while you were working in the DeConcini office?

Chandler: Yes.

McNulty: Who had you known particularly?

Chandler: All of them. But probably Larry [Lawrence V.] Robertson better than anyone else.

McNulty: Who invited you to join the firm?

Chandler: Larry Robertson.

McNulty: How many members of the firm were there at that time?

Chandler: Three.

McNulty: That would have been?

Chandler: Darnell, Robertson and Holesapple.

McNulty: And Judge Darnell, George [R.] Darnell had been a superior court judge in Pima County?

Chandler: For a short period of time. Yes. I think in 1928.  
Something like that. About that time.

McNulty: And the third member was A. V. Holesapple.

Chandler: A. V. Holesapple. Who's still around.

McNulty: What kind of a practice did the firm have?

Chandler: Oh, defense of insurance; casualty companies. They represented Tucson Gas. Represented Tucson Warehouse and Transfer. Represented Sundt Construction Company. They had a good general practice, substantial practice.

McNulty: One of the town's really prominent firms, was it not?

Chandler: Yes. Yes it was.

McNulty: Were there many other, what you would call "prominent" firms at that time?

Chandler: Well, the Bilby firm. And my recollection is that in 1945 [1946] the Bilby and Shoenhair, and they had [Ralph W.] Bilby, [T.K.] Shoenhair, and Harold [C.] Warnock, merged with Knapp, Boyle, Thompson, who had Arthur [S.] Henderson. And that was a huge firm. A huge firm. And they were the leading firm in town, in many ways. Numbers.

McNulty: They were also in the Valley Bank Building?

Chandler: They were in the high rent district. The firm of Conner and Jones was there, and they had Gerald Jones, Archie [R.] Conner, Charlie [Charles E.]

Conner, and Jimmie [James M.] Murphey. Later A.O. Johnson joined them and later other people, but that was that firm at the time. Now, Bill [William G.] Hall, who had left the bench, he had a firm, and it was Hall, Catlin, and Molloy, Ham [Hamilton R.] Catlin and John [F.] Molloy. And they were a three-person firm and active. They had a lot to do. Fred [W.] Fickett, Fickett and [William S.] Dunipace, they were. . . . But that was--and there were other firms. [Paul J.] Cella and [John W.] Ross. But those were the principal firms.

McNulty: What kind of work did you do with Darnell, Robertson, and Holesapple?

Chandler: Mainly tried cases.

McNulty: For the defense?

Chandler: Mainly. Not always, but mainly.

McNulty: And for how long did you do that?

Chandler: Four years to the day.

McNulty: What happened then?

Chandler: Well, I got fired before the four years was up, [laughs] but I stayed on little longer to finish up some of my work. And when that happened, why--as a matter of fact the firm grew. The Darnell firm grew. A year or so after I was there, I think in August a year later--it might have been the next August--but Charles McCarty, Charles Dennis McCarty,



who had been in the attorney general's office and was a local Tucsonian, wanted to come home. And he came back and joined the firm. And we got fired the same day.

McNulty: What reasons were advanced for terminating your services?

Tape 1, Side 2

Chandler: Well, it was, "It looks like that you boys want to, are thinking about leaving, or are not satisfied here, and we think you might as well just go ahead and leave."

McNulty: So, it was really kind of a close call as to whether it was a voluntary termination or an involuntary termination, wasn't it?

Chandler: Well, we had some points that we wanted them to consider. Some talking points, and they considered them and they didn't look with any great favor on our positions on these matters. And so they asked us to state our grievances. And I didn't have nerve enough to do it. I said, "Well, I think everybody knows what the problems are, and what. . . ." And I kind of beat around the bush and they kept insisting on a more definite statement and McCarty gave them one. And that was the end of that tune. (laughs)

McNulty: Did you and McCarty then go off and form your own firm?

Chandler: Yes. When they dismissed us, they said, "When do you want to leave?" And McCarty said, "Tomorrow morning." (laughs) That was a startling revelation. A lot to do, and a lot of cases. But he wanted to get started, and he said, "I won't leave anything undone, but I want to be on, I want to get started here. I have a client that would like to employ me and I'd like to get started." And then I said, "Well, I'll stay as long as I'm needed." And I stayed, that was February 1, and I stuck around February and March, two months. But after that I thought that I'd gotten most of my things taken care of, and agreed to try anything else they needed tried. There were some cases that should be tried. So we were off and running.

McNulty: Had the two of you tried cases on a fairly regular basis during that four-year period?

Chandler: Indeed. Very regular.

McNulty: Can you make an estimate of how frequently you went to court?

Chandler: Well, there were very few days that I wasn't there. Very few days during some of the time frames. Many, many cases in a year. And one right after another sometimes. Sometimes when one jury was out we'd be

picking another one. We worked Saturdays and we worked at night. Mercer Johnson would haul us back at night. I remember one case very vividly. New Year's Eve. The jury is out. Now it's not New Year, it's after midnight when they came back. They came back December 31st. We argued it on the thirtieth, finished arguing at about 11 o'clock at night, and sent the jury out. And they got a verdict real early in the morning on New Year's Eve. He worked you at night.

McNulty: Was this firm doing the vast majority of all the defense work in Pima County?

Chandler: Yes. Most of it. At that time.

McNulty: So when the two of you decided to fly by yourselves, first of all where did you go?

Chandler: Right down the hall. We went down to Evo DeConcini's office. (laughs) We stayed on the fourth floor here. We went down--Evo, in the meantime, had to have a place to light. And he had some space down there and he was thinking of coming back, now. He'd about had enough of judging. And so we talked him into letting us park in his quarters. And we went down there. Charlie went right then, and opened up.

McNulty: What did you call the firm?

Chandler: McCarty and Chandler.

McNulty: And how long did you stay in the DeConcini offices?

Chandler: Oh, a couple of years. Then Evo came back and he needed more room and we needed more room. So, we had to hire another lawyer, and so we left.

McNulty: To another place in the same building?

Chandler: No. We moved down on what we called then "starvation row." At 270 North Church. Down in that old building down there.

McNulty: Is the building still there?

Chandler: Still there.

McNulty: Were a number of other lawyers in that area then?

Chandler: Yes. Some. Paul [F.] Newell was there. Walter [M.] Stevenson was there. Farmers' Insurance Exchange was upstairs and we were downstairs in a building that had no windows, which is a very depressing thing.

McNulty: How did you and McCarty get a practice going?

Chandler: Well, the first day that Charlie opened a gentleman called him and said, "Mr. McCarty, I'm Louis [G.] Kohler and I'm a friend of your father's." "Oh, yes, Mr. Kohler," said McCarty. "I know you." "Well," he said, "I wonder if you could stop by my house and see me." And McCarty, being very businesslike, said, "Well, I don't make house calls, Mr. Kohler. My clients come to my office." He said, "Well I'd be glad to do that, but I have a

broken leg." Well, Charles said, "Of course. I'll be right out if you want to talk to me." So he went out, and it seems as though Mr. Kohler was standing on the corner in front of Mr. [Frank H.] Pitt's jewelry store--Donald Pitt's father had a jewelry store--and as he was waiting for the light to change, the traffic light, the Pitts' sign fell off and hit Mr. Kohler on his shoulder and broke his leg. (laughs) And so that was the way we got started.

And shortly thereafter, another gentleman, who I had befriended, called me and said, "I've got a friend who needs a lawyer. And I don't know if he's got much of a case, but I'd sure like you to talk to him." I said, "I'd be glad to. Have him come down." "Well, he can't. He has a broken neck." "Oh, well." So he'd gone into Steinfeld's Hardware to shop. People came in the back--that was where you parked, and came in the back, and it was picked up as wholesale shop. They had a freight elevator and when someone downstairs wanted the elevator they pulled a rope and it came down. But it made no indication it was going to do it. And the minute you pulled the rope, to protect people from falling in it, the gates dropped, without warning. So as my customer, with two buckets of paint is trudging

along, the next thing he knows he wakes up in St. Mary's Hospital with a broken neck and a knot on his head.

So we had some luck, but the common myth that we had left and took all of the insurance defense business was a myth. We had a rule, and the rule was that we would not represent any client that that firm had. Except in cases of conflicts, where they had to go somewhere else.

McNulty: But given the long history that the two of you had defending cases, why would people start bringing personal injury cases to you?

Chandler: Plaintiffs?

McNulty: Plaintiffs.

Chandler: Well, the two instances I speak of--we didn't have a lot of those cases by any means--but those are, that's how we paid the rent, to start with. A friend of Charles' father, and a friend of mine that I'd helped someone with something and his friend said, "I need a lawyer," and then a lot of it in town was by word of mouth. You asked your neighbor, "Hey, I need a lawyer." But we, our defense work, the big-volume clients were Farmers', State Farm, and they had not been represented by the Darnell firm at all. And then other firms, insurance companies that had not been represented. We

wouldn't take any of their insurance clients, or we wouldn't take any of their other clients that would come and say we'd like to move. We would not. Over the course of years where people move around, why some of them that we'd known there, that we did some work for, they'd left there for whatever reason and we did some work for them then.

McNulty: I calculate this to be about 1952?

Chandler: Yes, 1952.

McNulty: How did things go for McCarty and Chandler?

Chandler: Well, yes, very well.

McNulty: What happened?

Chandler: Well, we didn't make a lot of money, but we were very, very busy. And we were very lucky in what we were doing. And enjoyed some of the work and had all kinds of criminal and civil cases. Mostly insurance defense cases, but other kinds of cases. Then we need help and we get David Burr Udall. Hire him. And then we need more help and we get Bob [Robert S.] Tullar who'd resigned from the bench and joins us. And then Jack [I.] Redhair. And then Jim [James L.] Richmond. And we grew, reluctantly and slowly. We tried to keep from getting any bigger. But the inevitable caught up with us.

McNulty: How many lawyers in the firm today?

Chandler: Nineteen, I believe. Nineteen.

McNulty: Is that a substantially different kind of practice than what you remember back in the 1940's and early 1950's?

Chandler: Indeed it is!

McNulty: In what respects?

Chandler: A lot of wasted motion. A lot of paper, of paper blizzards. A lot of unnecessary discovery.

McNulty: Are these things that are current or back in the beginning of your practice?

Chandler: Current. Current. It's not really prudent to compare practices that, in that time frame, because things have changed, and lawyers do things, some of them, better, and they prepare better, perhaps. They prepare a hell of a lot more, I'll tell you that. Whether it's better or not is debatable. But I don't want to sound like, well, nothing's like the good old days. But we didn't take the deposition of everybody in town. We went out and talked to them and we took the key depositions, what we'd call the key ones that we'd have to have. We didn't take nearly as long to try a case. They wouldn't let you do it, and you got on to it and got it done.

If you wanted to have a good feeling for the difference, you ought to read the transcript in the Eva Dugan case [1927], a very famous murder case that you're familiar with, where Eva is alleged to



have murdered an old fellow and buried him out near Wetmore Road. And they got right with that case. A prosecutor by the [name of] Louis [R.] Kempf, county attorney, and he didn't ask the sheriff how many children he had and where he was born. He got right into, got to brass tacks, "You're the sheriff"--which everybody knew of course, without having to ask him, "and where were you on April the 15th, and what did you do and what did you see and what's Exhibit One." He said, "That's Mr. Mathis or Mathias' skull." And they got right down to it. (laughs) To cases. So there have been a lot of changes in the practice.

McNulty: What are some cases that particularly stand out in your mind, and with which you were associated in one degree or another?

Chandler: The Pillion case. Stanley Pillion. I told you when I was with DeConcini, the Darnells were on the same floor, right down the hall and they would favor me with cases from time to time. Which is--and they weren't all bad cases by any means, but you know what happens when the Phoenix lawyer calls you and says, "Tom, or Jim, I've got this real good client who needs a lawyer in Tucson (laughter) and I wonder if you can help him?" Your first question is, "Well how did he lose his money?" Because you know if he

hadn't lost his money, you'd never hear from him.

"Well, he has been having a little trouble lately."

A lady came into my office, very distraught, because she'd been referred there by Lawrence Robertson. Her husband worked for Sundt Construction Company, a very good man for Sundt. And John Sundt, who was quite a guy and quite a humane kind of a man, a very tender guy although he was tough, had wanted to help, and he said, "You go see my lawyer, Larry Robertson." Well, Larry Robertson wasn't going to throw her out in the street, but he wasn't going to take the case, so he said, "I've got a young friend down here, that's just the kind of case he needs."

She came in with a friend of hers. She'd gone and they'd prepared the \_\_\_\_\_, got her husband's insurance policy to find out what the cash surrender value, and she was prepared to surrender the policy. And that was, would be what she would use as a retainer. Her son along with another youngster had been charged with what they called the, they were the Cat Burglars, I think they called them, nighttime people, who had committed, oh, a dozen or so burglaries, including a business place and had stolen a machine gun that the government had loaned to the business for some kind of a display. So they

were in trouble with the Feds and with the state. This youngster had been a very good student and there hadn't been any trouble and she was not only very shocked at what had happened, but very, very distraught. I told her, "I can't do it. I don't have the time. I can't do it. We just simply are up to our ears and we can't do it." She said, "Well, do you think Mr. DeConcini. . . ?" I said, "He wouldn't even consider it. He's worse off than I am. He's got more to do than I have."

She got up to leave and she had to walk--we had one entrance--and she had to walk through, near his office to get out. He came out of his office, Evo did, and he had some hair then, not a lot, but I remember his hair kind of disheveled and, or not combed, and he had a bunch of papers that he was going to Hassie with to tell her what to do. When Mrs. Pillion started to leave, she started to cry. He saw her crying, and he said, "Oh, my goodness." He said, "What's the matter?" She said, "Are you Mr. DeConcini?" He said, "Yes. I am." She said, "Could I talk to you?" He said, "Of course." He gave Hassie these papers and he took her into his office. They were in there for a long, long time. And when she came out she had hired a lawyer. To wit: Evo DeConcini.

Absolutely, they had confessed. And it was cold. There was nothing to, except face the music. So we pled him to two counts, I think, of burglary. At that time it was virtually an ironclad rule, even though you were young and even though it was your first offense, if it was a burglary, or more than one, you went to prison. I never heard a more eloquent plea for probation than Evo DeConcini made that day. It was the most--stands out in my mind more than anything that I remember a lawyer doing. I've seen some awfully great performances over the years, but that was one of the best. And Mercer [Johnson] said, "No." And to Florence he went.

Charged--virtually nothing Evo charged for the case. And then told her, "Now, Mr. Chandler I've got"--he's [Evo's] gone now, he's Attorney General--"and Mr. Chandler will work with you about trying to see about parole possibilities and the like." And this poor lady was in my office daily. Almost. I at one time said I'd as soon do the time as have to suffer.

But to shorten the story, he did his time. He got out. He went in the service. And Evo helped get him in the service. He served twenty years. He was a warrant officer. Couldn't get a commission because of this felony, but he was a warrant

officer. A Christmas didn't go by that he didn't write the judge and give him a little report on what he was doing. For many years. I lost track of what happened in later years. I got some letters from him. He went to L.A. [Los Angeles, California] and he was in the juvenile probation department over there, probation officer. And I think he became the chief. But it was a real great success story for someone, and what Evo had tried to do for him was one of the things that--that was one that I remember about as well as any.

The cases involving money and particularly those with people who can afford to pay and are in the business of litigating. Insurance companies, that's part of their business is trying cases. It's money, and they don't like to lose it and I didn't like to lose it for them, but I never saw any of them leave the courtroom in tears or anything like that.

McNulty: Have you had some humorous experiences at the hands of juries over the years?

Chandler: Quite a number. Quite a number. An argument once, going full bore and one juror who was hanging on every word, hollered, "Oh, bullshit!" (laughs) And then he realized what he had done and he was very embarrassed and he backed up and I backed up and I

said, "Well now, at first blush it might appear to be something that. . . . But if you'll think about it. . . ." And we revisited that, and he apologized several times. And, yes, one time Dick [Richard F.] Harless who was quite a spellbinder, he was making quite a great plea to the jury, and a juror says, "Just a minute. Just a minute. I've got to go to the bathroom." And he said, "Now, I'm sorry to have to leave here, but just wait. I'll be right back." (laughs) And he runs off and comes back. Poor Harless, after that he. . . .

One series of events. We tried a case in the American Legion Building once [in the mid-1950's]. We didn't have enough courtrooms. We tried them in the Federal Court and someone raised the federal enclave argument, "Well, you can't--you have no jurisdiction. You can't sentence us here." We tried them anywhere you could find. Almost out under a tree. So we had to go in the American Legion to try cases. We tried them in the dining room, or the auditorium really, and people were eating and drinking and having--and the slots machines were whirring downstairs and people were coming up and visiting with people who were on the jury. Trying to keep some order and decorum, you know, and they were listening to the case and asking

questions. This one particular case where we had Raul Castro and myself, W. Edward Morgan, John Aboud and Bill Lynch. [Early- to mid-1950's] That was the cast of characters trying a case involving a guy named Kranz who had shot Roy Renteria at the El Rio--not the El Rio--ballroom. I'll think of the name in a minute. But--Del Rio Ballroom. He was a special deputy. So everybody sued. And if that wasn't a circus. Ed Morgan was interviewing other clients during the case and they'd have to call him, "Ed. Ed. Come. Come quick. Your turn." One time in the course of that trial he was back in the back room interviewing clients. And the witness stated his name and, "Where are you employed?" "Pima County Hospital." So he assumes it's the doctor. Well, it isn't a doctor at all. It's the bookkeeper, the business manager. (laughs) So the time comes for him to cross examine, he comes rushing back. "Now," he said, "what was Mr. Renteria's temperature on August the 1st?" He said, "I don't have any idea." "You don't have any idea!" Now he's got him, see. "What was his blood pressure? What was this, what was this?" And finally after ten minutes of all this, "Now doctor." "I'm not a doctor." "You're not?" No. I'm the business manager." "Oh, no more questions."

(laughs) And the same case, John Aboud, they asked--Dr. Swartzman was on the stand and it was a question about Renteria's current physical condition. The condition of his knee, where he'd been shot. John Aboud says, "Your Honor, perhaps I will object. I'm considering objecting. I think I will. I do object. I do object." Farley, he's had enough of this, Judge [Gordon] Farley, "On what basis, Mr. Aboud." "It is the function of an orthopedic surgeon to see that broken limbs are mended and that patients are cured and not to sally around offering opinions." And Farley gave him a scathing look. "Overruled. Read the question. Read the question." The doctor says, "I don't have any idea. I haven't seen this man in eight months." (laughs) Now, Farley is so disgusted, he said, "Doctor, how long would it take you to examine Mr. Renteria so you could tell us something about his condition?" "Oh, about ten minutes." "Would you do it right now?" "I will." "We'll take a recess." So we take a recess. But the trouble was, the jury stood there and watched him conduct it. He put him up on (laughing) the table, you know, and examined him right there in the courtroom.

But of all the, the greatest one, the prize one. It takes a little time, but I'll make it as



short as I can. Fred Tregasgas, he had a mortgage on a school. And a lot of the children there were spastic, or they had trouble getting about. And it was out near the freeway, the school. In any event, he was always out there fiddling around, simply because he had the mortgage. And he saw something wrong with the vent and he put a ladder up against the wall in dining room to fix this vent, and down he came. And was very seriously injured. And he hired counsel and they were threatening to sue. And the adjustor came to see me about it, and I said, "We don't owe him anything." I said, "If he files a suit, bring it in the minute you get it. Have the insured give it to us right away. And bring it in and we'll answer it and take a deposition right quick and get him nailed down on what happened, because there is just no way we're liable." Well, they sued. And I got the case on Tuesday, and I noticed the deposition on Thursday. Thinking, of course--I answered it that day--thinking, of course that there would be a call, "We need more time," and I'd have to give it to them. of course. But, no, they showed up. His two counsel showed up with their client. And they'd had time to caution the client about contributory negligence. Now remember, he was well equipped to--well maybe I'm being cruel-

-but anyway, he knew a great deal about it. He'd apparently done some independent research and knew a great deal about contributory negligence.

McNulty: And in those days, contributory negligence would have been a complete bar.

Chandler: Complete bar. Right. And it was before Layton Roca, and you were told, "You shall, if you find," and not, "you may." It wasn't optional. I don't think it made any difference, but it still was a complete bar. I pinned him down on the condition of the floor. "Didn't you look at it?" "No." "Didn't you feel it?" "No." "Didn't you notice it?" "No." Oh no. Didn't know anything about the floor. "After you fell, didn't you?" "No." Unconscious. Unconscious. Off to the hospital. Hospital six weeks. After the hospital, on his way home, he went back to the school, in the ambulance, and went in to see, look where he had fallen.

So I had him pinned down, so he, we could have no unusually slick floor, no foreign matter or anything on it. I had him. Go to trial. He tells the same story at the trial, that he had told before, that he didn't notice the floor. I hadn't cross examined him now, at trial yet. But he told the story in anticipation of what was going to happen. Then they had him in the hospital and how

bad he hurt and all of his suffering back. "And you went out there?" "Yes." "And did you conduct an examination?" Now this was six weeks later. "Yes, I did." "And what was the examination and what did it reveal?" "Object. Too remote. Immaterial." "Well, the Wright case, Wright vs. Montgomery Ward." "No. That doesn't apply, your Honor." "What's the citation?" "It's, here it is." It's five o'clock now. He said, "I'll read the case and come in a little early in the morning and I'll rule on it."

Okay, so we go home. Come in, we started then at ten, because he had, the judge had a lot of things to do, motions and other things to do. We go in a little early, and the judge said, "I've read the case. And it doesn't, it's not in point at all." He said, "I don't see how you're going to get this case to the jury." Well, the lawyers, there were two of them, one of them said, "Well, we've thought about that, your Honor, and our client is prepared to change his testimony. Mercer was the trial judge, and his face never was too friendly looking, and it was particularly unfriendly at that time. He scowled at them. And he said, "Well, Mr. Chandler's client changed his testimony." Their view of changing testimony would be if you said to a

witness, "How fast were you going?" "Twenty-five miles an hour, give or take five miles either way." Next trial, "How fast were you going?" "Between twenty and thirty." "Well now. In your deposition you said twenty-five. Which statement is true?" The witness, "I think it's the same, isn't it? Twenty-five, give or take five miles either way. Twenty to thirty, isn't it the same? Which would you want?"

Well, that had been the cross-examination of my guy. He hadn't changed his story, but Johnson was put out with the suggestion that there would be a little of that going on. So he said, "No. Let's go." "Could we have an extra moment, your Honor, to consult with our client?" "Yes, you could. And tell Mr. Fulcrod let's be as prompt as we can." Now the bailiff, Phil Fulcrod, the old bailiff, a very efficient bailiff. Everything ran right.

When we came out to come to court, the jury was in the box, Mr. Tregasgas is back on the witness stand, and they are ready to go. So, they say to Phil, "The judge has given us a minute or two." He says, "All right." They motion to Tregasgas, and he comes off. And they go and they open the big door there in Division One, but they stand right where the jury can see them. Now the jury can't hear

them, but they can see them. And it's like two ball players talking to an umpire. One in one ear and one in the other. And they're buzzing, buzzing, buzzing, and nodding yes, yes, yes. He understands, yes, yes, yes. So back on the stand. Now, he says, "Mr. Tregasgas, after you fell, and before you went to the hospital, did you reach out and feel the floor?" "Yes, I did." "And what did you feel?" "Johnson's wax."

Whereupon the lawyer, with a triumphant smile, turned around and smiled at me, and I said, "Why you son of a bitch." Loud enough to be heard, somewhere. I said, "Mr. Tregasgas, when did you have the revelation about feeling the floor?" "What do you mean, Mr. Chandler?" "Well you testified yesterday to this and this, didn't you?" "Yes. Yes, I did." "Remember when I took your deposition?" "Yes." "Did I ask you these questions, and did you give me the answers?" And I went through it where he had been asked a half a dozen times what happened. So I had him nailed.

"Well," he said, "Mr. McDermott testified yesterday"--and they'd called one of my officers for cross examination--"and he said he came to me. And after I heard that testimony then I remembered." I said, "Guess again. He testified before you did,

Mr. Tregasgas." "You're right. Thank you, Mr. Chandler, for reminding me. It was last night. I was laying at home in bed thinking about it and thinking about it and it came back to me just like that." I said, "Oh, come, come. The fact is that your lawyers took you right out there in the hallway before we started and told you what to say. And told you if you didn't say it, you were going to lose the lawsuit. Isn't that the way it is?" The lawyer jumped up. "I object, your Honor. Mr. Chandler has been eavesdropping." (laughter)

The jury almost fell out of the box. Almost fell out of the box. Then he thought that that might be inappropriate, and he said, "And I object on the further grounds that it is confidential communication." "Overruled. You may answer the question." "We want the record to show we didn't say it, we didn't do it." "Answer the question. Read the question." The question is read. Reread three or four times with him thinking very carefully about it. As if to see if I had just misspoke one little word. And finally he said, "No." And I said, "That's it. That's all."

They, the judge reasoned he hadn't put the wax anywhere near, he hadn't been specific enough of where that might have been, and he fell here and the

wax is over here, what does that have to do with what happened over there. So he said, and the motions were made. And so he was going to direct a verdict. Now that was one thing that I shall never forget. And I had the reporter make a transcript of that. I have it somewhere. "Your Honor, Mr. Chandler has been eavesdropping."

McNulty: Talk a little bit to see. (Aside to sound technician.) Tom, you've often heard the expression that nobody ever knows what a jury is going to do. That hasn't been my experience. It seems to me far more often than not juries do what common reason and common sense would suggest that they do. But it is true that they do some peculiar and even funny things from time to time. Have you had any experiences like that?

Chandler: Well, quite a number. One that really comes to mind, an almost dead case of liability. I represented a sweet old gentleman who lived down at St. David, a botanist that had been at the university. Going home, he had to pull across the, from one lane of the freeway to another, and he pulled right out in front of a pickup. A lady who was a passenger in the pickup was injured and brought an action, and we couldn't get together on the price. We just had enough to keep from getting

a directed verdict on liability, and had an argument she should have hollered to the driver and warned, but it was a weak case. They loved my old gentleman; she overreached considerably and in a very short period of time they returned a verdict for the defendant. I explained it in my own mind on the ground that he was such a sweet old fellow and reminded someone of their grandfather. But the next day I'm down at Kinsley's Ranch at a rodeo, and the foreman of the jury sidles up to me and says, "You know, is it all right if we talk about that case now?" I said, "Yes. It's over." "You know," he said, "I don't know how dumb they think we are. Everybody knows that no one can ever recover unless they prove that the driver of the car had a driver's license, and they didn't even prove that. And so we, the other jurors didn't know that was a law, but I pointed that out to them and we got this case settled in a hell of a hurry." (laughter) What do you say to the poor man, you don't hit him or, or. . . . The only thing that makes it not rather tragic is that on another point the Supreme Court reversed the case and I finally gave the lady some money. So she wasn't completely out.

McNulty: So Sunday School justice was ultimately done.

Chandler: Finally. Ultimately done.



McNulty: You've met a lot of people in your practice of the law and related things that you've done. Who are some the people that particularly stand out in your mind? Particularly as lawyers.

Chandler: Well, I'll confine it to Tucson, if I might. I'm not going to talk about them in order of importance or competence or anything like that, but just as they come to mind.

George Darnell was an unusual guy. Wrote beautifully and was a bright, bright person. And an awfully good lawyer. He had a conservative philosophy that kept him from getting with the time he lived in and that was hard for him.

Evo DeConcini was about as good inside and as pure inside as any lawyer I ever knew, and a very competent lawyer.

Tim [E.T.] Cusick was one of the most honorable human beings that ever drew a breath of life. Good lawyer, could do a lot and was a good jury lawyer. He was of the old school, but he could make an oration that would get you up and going. People would come over and listen to him when he was going to argue a case. I had a number of cases with Tim where he knew that he was skating on thin ice, on liability, and all he had to do was whisper one little word of advice to the client and the case got

to the jury. That would never happen. Never happen. He was as honest and honorable and square as anyone that ever walked down the pike.

Mark [B.] Wilmer, I'll go to Phoenix for a moment and then come back. Mark Wilmer could do it all. Elias [M.] Romley could do it all. Joe [Joseph S.] Jenckes was about as talented as any lawyer anywhere. I mean he could go from a complicated security transaction to a will contest to a fist fight just--and good at every phase of the law.

Morris K. Udall. About as good in the courtroom as anyone I've ever seen. He was good. He had such a flair for it. He loved it. He was the center of attention. He was usually the prosecutor or the plaintiff. He staged the show and you played, you danced to his tune. Very, very hard to hang onto. He was gone if you batted an eye, he was off and you never caught him. He was--and also a very good lawyer, not just in the courtroom with a simple case where it's all jury work or appealing to emotions. He was a first-rate lawyer.

[J.] Mercer Johnson, one of the best trial judges I ever worked for.

McNulty: Let's talk about judges a little bit here.

Chandler: All right.

McNulty: You've been talking about lawyers. You practiced in front of Mercer Johnson?

Chandler: I tried many, many, many cases in front of Mercer Johnson. Many. And you never--the Tim Cusick that I spoke of. Two cases in a row, Mercer bounced him out on his ear. Directed verdicts. Two in a row. I was a young lawyer then, just getting going. About the same time, sandwiched in between those two, I had two cases with another lawyer, that Mercer did not like and never had liked. And here Tim was one of his closest friends. They played golf together, they played cards together and they were real good friends. I didn't know for years that he liked Cusick and didn't like the other lawyer until after he quit judging and we talked about people. He treated everybody precisely the same.

McNulty: Did Mercer Johnson have a formal law training?

Chandler: Yes. He was a graduate of the University of Arizona.

McNulty: Was he?

Chandler: Yes. Yes. He was. And there are artists and there are mechanics. And he was a rare combination of both. Usually a mechanic is too mechanical and the artist is too artistic judging, but he was a good combination.

Bill [W.C.] Truman, to try a jury case to, was a joy. He ruled promptly; generally right, and had good command. He wasn't too prompt in deciding non-jury things, but he was good.

Walsh, was, of course, great. I mean there was never anyone, James A. Walsh, who tried harder to do what was exactly right and what was legal than James A. Walsh. He was, is a wonderful person and was a great judge.

And of course I've seen a lot of them. Your friend Frank [E.] Thomas, I thought, dispensed justice in a pretty fine way. Thought he was awfully good.

Dudley Wines was a great judge. He was mean and cantankerous and. . . . But he was good. And [Henry C.] Kelly, the old judge from Yuma, he was a fine judge.

I loved Warren McCarthy. I thought he was a good judge, tried hard, worked hard at it and did good.

And [Arthur T.] La Prade, very smart, a very bright guy. Irascible but bright.

Levi [S.] Udall. Didn't practice much before him because when Burr came on board he wouldn't hear any of our cases, but when he was hearing them he was a hard-working, thoughtful guy.

Jesse [A.] Udall was a sweet, sweet man. I mean just a delightful person and kind and, not quite as deep a thinker as Levi, but good.

Tape 2, Side 1

McNulty: The degree to which the practice of law has changed over forty years, how great is it and what are some of the outstanding indications of the change?

Chandler: Well, the change is great. And I can't honestly tell you that it's all for the better. In some fields it is, and I'll deal with the civil law first and then get back to the criminal law. Cases are over-lawyered and over-tried and over-prepared. That's one of my complaints today. It costs more now to take a deposition in a case than it used to cost to try a case from beginning to end and do all the discovery. Sometimes you have three and four lawyers in the courtroom. Two lawyers in the courtroom when you really don't need them. It takes a big boat to haul the lawyers and the para-legals around that are going to work on that case.

I think that perhaps it's inevitable because things are more complicated and issues are more complicated and you have more valuable scientific evidence that purportedly helps jurors reach better

conclusions. But the cost of litigation is completely outrageous. If two people have a honest dispute that they have to go to court and settle, they can't afford it. There is no way that ordinary human beings can afford to try cases. And that is regrettable. It makes you wonder if the profession shouldn't really start looking for alternate methods to resolve disputes that's within the means of people. Because one of the great tragedies of the direction we're going is we're making, we're closing the courthouse doors, the halls of justice to a lot of people who deserve to have access to it.

I think we--at one time it was easier to get someone to take your case for nothing. You'd wander around a little bit and you'd find a guy that felt like it that day, felt it was his obligation. And everybody had pro bono work and it came in. And it was--a neighbor told you about it, or your barber said I've got a friend who's got a problem. And the, [Harold C.] Warnock, one of your guys who, incidentally, is one of the better lawyers of my time that could do anything and do it well, he always had some barber who needed some help or some grass cutter somewhere, or somebody who found him some way and he went to work for them.

We need to have, pay more attention to that.

And it's too bad we can't do it more on a volunteer basis if we, if there's a way to do it that way, rather than having to make them go to some agency and go through the interview process and be humiliated to a certain extent. Even though the people are trying their best not to, they feel humiliated to have to get that kind of charity. And we ought to, the profession ought to go out and look, not solicit, but if someone says, "I've got a problem, or my daughter's got a problem," or something, rather than waste time trying to refer or trying to do something, perhaps you can resolve it for her, a lawyer can. So that's the. . . .

The greatest changes have been in the administration of criminal justice. Now, years ago, when, forty years ago, it was not uncommon for a person to be arraigned, enter a plea and be sentenced the same day. The same day. He went from the Pima County jail to state prison on that very same day. And if that result is inevitable, if that's what's going to happen to that person, then, okay, if that is going to be it. But it isn't always going to be it and you can't afford to take those kind of chances that you're right on it. And while we might spend too long getting these things resolved, certainly there's no more of that. And

certainly you don't appoint someone who doesn't know the first thing about criminal law now. And we all saw people, in capital cases indeed, and some from your county.

I can remember one in particular, and that was the person that, the train case, on the Pullman train, that someone murdered an older lady. And the psychiatric problems in that case, the other kind of problems in that case required to give the person a chance of very able representation and very able help, medical help. And that person was executed in pretty short order. It was a pretty fast kind of an operation.

That's changed and the public, the advent of the public defender's office, those people do a job, a remarkable job. I mean, so many losing cases, big case loads, and they go over there day in and day out and they fight. They stand in there and. . . . So that's been a change.

McNulty: Are jury trials apt to go the way of the dinosaurs because of the expense?

Chandler: Well, I hope not. I hope that that doesn't happen. I think that there are a lot of cases that shouldn't be tried by a jury. Should not. Involving very difficult--like the bond default case, the municipal bond default of great, a lot of complicated complex



issues: load forecasting, and cost accounting and estimating and those things that ought, probably ought to be tried by a court. But I don't think the expense will do that. We should be very careful about things like that. It's like the oral argument in appellate courts, there's not one appellate judge in ten that think that they should be burdened with an oral argument. And about nine out of ten of them need to listen to oral argument very carefully, very carefully. Because they don't know it all.

McNulty: Do you think that cases are settled, particularly involving personal injuries, settled because the expense of defending them is so great that it's easier to settle than do that?

Chandler: Some. That's a consideration that is always there, how expensive it is to defend. They make a pretty calculated, cold business judgement on that, the insurance companies. They're in that business. So it's a, they look at it on averages. The verdict will be fifty but you're going to win it half the time and you try it and you win one and lose one and so you offer twenty-five because that's what the results overall are going to be. It's good for the guy that was going to lose it and it's bad for the guy that was going to win it.

McNulty: It interested me that you talked about other ways of

securing conflict resolution, because that has been one area than we've investigated in every interview. Are there any, practically speaking, other forums in which we can resolve conflicts cheaper or quicker or better?

Chandler: Yes. Arbitration is one. Mediation is one. We don't like new things. We don't like new things. And we've got to, as lawyers got to adjust to it. I went to a "settlement conference" yesterday, and we accomplished nothing. And we accomplished nothing because I'm irritable and my person who was there, speaking for my adversary who was there, came in and gave me a lecture, like you'd lecture a child that just came in off the street, about this is the law and this is what the judge is going to do, and this is what, this and that. My response was, "I don't need any lectures, least of all from you, young man." And we got off, we had a great, great beginning and great ending.

So, mediation, if you go knowing and--a lot of times, cases ought to be settled, but your client, if you press too hard, your client says, "Well, you're abandoning me. You're not for me. You're not fighting for me." Both clients say that. If there is someone there that says, "Look, this is what's going to happen. And you guys are going to

spend all this money and this time and this. . . .  
You're not going to, you're not going to get what  
you think you're going to get, and you're not going  
to walk out of it with nothing, partner. You better  
start thinking." And that, that can be--but it  
takes someone that's skillful.

Now a skillful mediator would not have let this  
speech go on very long. He'd stop it right then and  
say, "Well just a minute, let's not make any  
speeches here. We'll save that for the Fourth of  
July. Let's talk about this and what are you willing  
to do. Don't tell us why you are, we'll get to that  
later." And then I think that maybe in complex  
litigation that if you'd have a settlement master  
more often, a discovery master more often that would  
take control of this and say, "You're not going to  
take five thousand depositions about nothing. We're  
going to get to it." It would help even though  
those people that are involved in those kind of  
cases, they can afford it. But you know where the  
cost ultimately goes. It goes on the consumer  
that's going to have their service or buy their  
products, so it's--generally speaking it is. So.

McNulty: The current practice in law firms the size of your  
firm or larger to rely heavily on computers and to  
do a substantial amount of statistic gathering, with

particular emphasis placed on the number of hours that lawyers perform their chores, is this a wholesome development in the law?

Chandler: No. I think that the use of computers and the-- managing time, knowing what you're doing, is very useful. You'd be amazed at how many times you talked on the phone and you can't charge anyone, or how much time you can't charge for. But the idea that you've got to show up at the end of a day with "X" number of dollars billed to a client or you're on your way to Bisbee or to Naco or someplace is a bunch of nonsense. That causes abuses and it causes licks and promises. It causes all kinds of things.

There's more to the running of a law firm than sitting there clicking the numbers for the clients' bills. There's community work that has to be done. There's pro bono work that has to be done. There's Bar work that has to be done. There's all kinds of work that simply has to be done. And if one person is doing a great deal of that work, and then at the end of the month or the semester when you evaluate the guy, well what is poor old Joe doing? We'd better get rid of him. Heave him out and get a worker in here. I don't like the direction that--I prefer smaller firms. I prefer firms where you know people better, you know what they're doing, better

exchange of professional ideas. We used to, our little group used to go to football games together, we're all football fans. We'd charter a little airplane that would hold twelve or fourteen people and off to a football game the firm went. Did a lot of things together and we're all very, very close. And you can't expect that in a larger firm. There are just too many diverse people and different interests and you can't always recruit on the basis of do you like to fly to football games.

McNulty: Is this development that you deplore, is that a function of the colleges of law where these folks are being prepared?

Chandler: No, I don't think so. I think that's the obligation of the profession. Of course, what's happening in the profession is reflected in what they're doing in law school. They know, for example, what people are making. In New York, some of the firm, don't want to pay more than a federal judge makes for fear of embarrassing--for a starting lawyer, who hasn't even passed the bar yet. They'd like to--you know, they start them in the seventies somewhere, and that's nonsense. Absolute, sheer nonsense. And the prices, I think--I sure hope I'm using the right number--a thousand a week. I think so. Or maybe a thousand a week they're paying law clerks in

Phoenix? Maybe it was two thousand. Some astronomical sum. And they're not going to work. They're going to get to know the firm, and go to the Grand Canyon, and do some things, and work about. . . . You know, someone pays for that. The client pays for that. And I, for some reason, what is it? More paper, more computers, more manpower thrown into things. Judges don't read the record anymore. They assign it to some clerk to read. "Read the record and tell me what it says." That's wrong. They're . . .

(tape goes off momentarily)

McNulty: . . . assigning blame or trying to determine if there's any source of some of these practices that don't seem to be as wholesome and reflect as much credit on the law as you remember in earlier days. I wonder, has the change in admission practices to the colleges of law contributed, perhaps even obliquely, to this situation?

Chandler: I think so. I think so. I think that when you, your admission standards are so high, you are going to exclude a lot of people who want to be lawyers for the sake of being lawyers. Who think it's an honorable profession, or know it is, and want to

lawyer. And that would be willing to go to Ajo, Arizona, and be a lawyer. Or to Parker, Arizona, and be a lawyer. And to really give some people some help and good service and at a price that they could afford. And wouldn't have to drive a forty-thousand-dollar car, or two forty-thousand-dollar cars and all that kind of stuff. They'd be perfectly happy to get around in their pickup and let their wife use the Plymouth. And by quote, "Getting the cream of the crop," who have high expectations as to earning capacity and the like--now, I don't want to indict all of them, paint them all with that brush--but I think that has contributed to it.

And, of course, we are inclined, as a society, to go with the crowd. And that's where the crowd is. That's where working people, two workers in the family and, of course you can't let the accountant next door have a better house or a car than you, the lawyer, have got. That means more money, and that means either more hours, which is not the only solution, more money one way, by charging more. So, we're not unique. The legal profession isn't unique, and all you have to do is look at other professions, real true professions.

But hopefully we can dream, and our dream can

be that we blend an awareness of all of the technical things that have happened, Lexis and West Law, and word processors and computers. We take that and use that to help us do what we should be doing, and that is to render service to people, legal service to people at an affordable price, and act like a profession and not like a business. On that, I think the great drift of the profession has been away from a profession to a business. If you want to get rich you ought to open a, go into business. It doesn't matter, if you do it ethically and honorably it doesn't matter how much money you make in business. If you do it honorably. It does make a difference how much money you make as a lawyer or a doctor or a teacher or a clergyman, because you can price yourself out of the market. And you can make it too expensive for people to have you.

McNulty: Wouldn't folks simply find somebody else if they thought the services were too expensive?

Chandler: Well, but where do you find them?

McNulty: Because everyone else is on the same level?

Chandler: Same. Same treadmill. You pay, there are rates, suggested minimum rates, and people charge them whether they know anything or not. And here's a hundred-dollar-an-hour lawyer, and he's being paid a



hundred dollars an hour, and over here is a competent guy that knows what the hell he's doing, he's getting the same rate. This guy does it in five hours and it's a good product, this guy fools with it for eighteen hours and it's nothing. And you. . . .

McNulty: There was a debate in the Arizona Legislature about twenty years ago. The claim was being made that by vastly increasing the number of students at the University of Arizona College of Medicine, and thereby graduating a lot more doctors, that there would be a lot more competition introduced and there would be a lot more medical services supplied, especially in the remote parts of the state. The antithesis, expressed by the then Dean of the College of Medicine, was that it wouldn't change anything, wouldn't cut any rates, wouldn't cause much different geographic distribution of the physicians, and, in his words, "They would simply play more golf." I'm not sure whether that's true or not. (laughs)

Chandler: I don't believe it. And I argued that with those people. It's true that a doctor, a young doctor, has to find a wife who's willing to go where he wants to go. That's a very important thing if he's married or planning to be married. Some of them

might not think that Ajo was the place to settle down. And that is one of the key factors, but I have to believe that if you're not doing very well in Tucson, Arizona, that you would take a pass at some other place. You might not go to Gila Bend, but you might be willing to go to Yuma. I think that you would get--and of course I had a solution to that problem.

McNulty: And the solution was?

Chandler: If you want in our school, you will agree to . . .

McNulty: A period of time in some rural . . .

Chandler: You bet.

McNulty: . . . location.

Chandler: You bet. Wherever you get assigned and you might have a choice of two or three, but you'll take an assignment if you go to our college and graduate. You'll go there. When I lived in Parker, Arizona, there was one physician in town, and he didn't have to take cases. He worked for the government and didn't take cases. He was a Bureau of Indian Affairs. Not another physician. A chiropractor moved in. It didn't take the medical profession to get an injunction against him. He went across the river into another county. It didn't take long for San Bernadino County to learn by the grapevine--the grapevine being the Arizona Medical Association--

that he was there. And they put him out of business. And he was a pretty good doctor, chiropractor. He had gone to school in Missouri somewhere and stayed over two weeks and specialized and he was pretty damned good.

McNulty: Given your long years and special familiarity with rural America, do you think the nation genuinely cares about preserving a decent standard of life in rural America, and is generally concerned with keeping the populations of these communities at least stable?

Chandler: Well, probably philosophically, yes. I think probably, if it's put to them, if you can get their attention. But how do you do that? How do you, with the humdrum of everybody rushing to keep up with everybody else, and rushing here and rushing there, not reflecting, not taking inventories of human values, how do you wake them up to that fact? I don't know. You don't mind being old sometimes, when you look around and see, for example, the thirty-to-thirty vote in Phoenix on the quote, "abortion bill", and thumbs down on seat belts. You start really wondering about values. And it isn't the abortion bill, per se, it's the other things that went along with it: the injunctions against people and those kinds of things. So you're hoping

that--and was it different years ago? Well, I don't know.

We were talking today with some--I was talking to a couple of younger guys, and I told them about the mood in the country when Roosevelt was elected. It doesn't make any difference whether you are for him or against him or whatever--there are a lot of people for him, because the election proved that--but from a nation of, a substantial part of the nation being in utter despair, not knowing where they were going or what was going to happen, to have someone say, "We can do it. We're going to do it. Going to solve these problems." It just was, people actually had a spring in their step they and got up and got out of the house and said, "We can do something."

And we're good. This is a good strong country. We get neglectful. We get careless about values, and we've been so lucky. Luck is such a big part of a person's life or a nation's destiny. You luck out. You're smart and brilliant and you're so imaginative and can solve all problems if you're a lucky nation. We're good, but we ought to take an inventory of a lot of things. And what happens to rural America is one of them.

McNulty: The political interface with the law is something

that we haven't discussed. But of course, it is common for people trained in the law to participate in political life. Is that a wholesome state of affairs?

Chandler: Very.

McNulty: Why so?

Chandler: (laughs) Well, don't make me argue that lawyers are brighter than non-lawyers, which isn't true, of course. I think their training and their experience with people in real-life, live situations, and a lot of situations, where they have seen people with their problems and they have a view of administration of criminal justice; they have a view of poverty; they have a view of so many things, that probably makes them a little more aware of what our needs are, what peoples' needs are. They are inclined, hopefully, to be a little, be organized.

I wouldn't want a legislature of all lawyers, by any means. Or not necessarily dominated by lawyers. But I feel comfortable when good lawyers who have good perspectives and who are willing to listen to everybody before they decide and are willing to see that everybody gets their say. Whether anyone is going to act on it favorably or not, at least they are heard. I just am comforted by that fact.

McNulty: If you were asked to counsel a young person about a career in the law today--I know you have a daughter who is a member of the State Bar--would you tell them to consider such a thing seriously?

Chandler: Yes. Yes. I think it's an honorable profession and I don't think it has gone to hell yet, by any means. (laughs) I think there's a lot of room out there for a lot of good people and people who can do a lot of worthwhile things.

(tape off briefly, then turned back on)

McNulty: Certainly one change you've seen since you were admitted to the Bar forty-two years ago is one woman, or many women now, admitted to the State Bar. That's really a relatively recent development in the law. What are your reactions to that?

Chandler: Well, of course, I applaud the fact that they are interested and that they are going--this year I think the class is about fifty-fifty at the College of Law. And one of our dark spots in our history has been the way we've treated women in connection with the professions. When I started to law school, the women in law school were unusual people, because the person who was quote, "normal", if that's the right term, knew what the profession held for them,

or what it didn't hold for them, and they said, "I'd better be a school teacher or something where I can go get a job and do something, because I can't, nobody's going to hire a woman lawyer." That was pretty much the fact. And they didn't get good jobs. They had to go to agencies, state employment. They were--in firms, they were put in the back room if they were hired at all. And they just didn't have an equal opportunity to practice, and there is no way in the world, no reason in the world, why they can't do everything a man can do. The only problem that they have at all, and that now has been pretty well solved, is the volume of their voice. They simply don't have, many of them, a voice that is strong enough and carries enough, but now that voices are amplified that's--and should have been solved long since. So, they're good. If I wanted to rate Superior Court judges in Pima County, a lady judge would be in the top echelon of that. And perhaps more than one, but they'd be right up there. And the same with lawyers. I've met some, many, many very good competent lawyers and that is a welcome change in the profession and I'm glad to see it.

McNulty: You have also been known for your very constant and powerful support of efforts of minority students at

the College of Law. How did you come to have that disposition on that subject?

Chandler: Well, it's a long story, and I don't want to sound too sanctimonious about it. But when I moved from Oklahoma to Arkansas, in Oklahoma we had two Blacks in our town. They were porters at the two little hotels, and they shined shoes and they were porters. I knew nothing about Blacks, and we had no Hispanics. We had one in school, and his father worked on the section for Santa Fe Railroad. Move to Arkansas and you see the segregation. You can't play baseball with them although they're better. You can't talk to them, minorities and Blacks.

That was at a time when things are starting to gel in your mind and you're thinking of things. And the plight of those people was very, very--it was something that was very hurtful to me, very--disturbed me. The idea, and as you get out in the profession, the idea that a Black person and a Hispanic person and a woman could not get a job and just be a lawyer like everybody else. It was like pulling teeth. They could go to the county attorney's office and they wouldn't try any cases, they would be in charge of nothing. Or the Attorney General would hire them, or an agency would hire them. They'd work in public employment somewhere,



or they would then go to the ghetto, some of them, and practice, not law, but practice social work. And they couldn't be good lawyers, because they didn't have time--a lick and a promise to everything. They had clients that--and their problem was keeping them in the house and not letting them snatch the car and those things.

And that is so--I mean, the lack of equal opportunity for every human being is something that is so deplorable that. . . . And so I didn't have any illusions that I would or did make any contribution or a substantial contribution, but I wanted to at least stand up and be counted for the concept that they are all entitled to the same kind of chance. And there has been some progress made. Good progress. They are no longer hiring tokens, they're hiring people who can get the job done. And when they are given the opportunity, they'll do it. They'll do it.

McNulty: Thank you, Tom.

End of interview.

### Index of Names

Aboud, John, p. 44-45  
Baker, Hassie, p. 24, 40  
Barnes, William S. "Speight", p. 19  
Benham, Frank G., p. 13  
Bilby, Ralph W., p. 28  
Brown, Claude H., p. 20  
Cable, Dr. W. Arthur, p. 14  
Castro, Raul, p. 44  
Cogliolo, Romeo, p. 24  
Cusick, E.T. "Tim", p. 54, 56  
Darnell, George R., p. 28, 54  
DeConcini, Evo, p. 22-27, 32-33, 40-41, 54  
Dugan, Eva, p. 38  
Farley, Gordon, p. 45  
Feezer, Lester W., p. 19  
Fegtly, Samuel M., p. 19  
Forrest, Leland Stanford, p. 20  
Fraps, Joe, p. 16-17  
Garrett, Lee, p. 23  
Harless, Richard F., p. 43  
Holesapple, A.V., p. 28  
Houghton, Neal D., p. 14  
Huyck, Mary E., p. 14  
Jenckes, Joseph S., p. 55

Johnson, J. Mercer, p. 23, 32, 41, 48, 55, 56  
Kelly, Henry C., P. 57  
Kempf, Louis R., p. 38  
Kohler, Louis G., p. 33-34  
Kranz, p. 44-45  
La Prade, Arthur T., p. 57  
Lynch, Bill, p. 44  
Lyons, John D., p. 23  
McCarthy, Warren, p. 57  
McCarty, Charles Dennis, p. 18, 30-34, 36  
McCormick, James Byron, p. 19-20, 22  
Molloy, John F., p. 20, 29  
Morgan, W. Edward, p. 18, 44-45  
Osborn, Sidney, p. 23, 26  
Pillion, Stanley, p. 38-42  
Pitt, Frank H., p. 33  
Redhair, Jack I., p. 36  
Renteria, Roy, p. 44-45  
Richmond, James L., p. 36  
Robertson, Lawrence V., p. 27, 39  
Romley, Elias M., p. 55  
Roy, Frances, p. 18-19  
Smith, Chester H., p. 19  
Sullivan, John L., p. 25  
Sundt, John, p. 39  
Swartzman, Dr., p. 45

Thomas, Frank E., p. 57  
Trugasgas, Fred, p. 46-51  
Truman, W.C. "Bill", p. 56  
Tullar, Robert S., p. 36  
Udall, David Burr, p. 36, 57  
Udall, Jesse A., p. 57  
Udall, Levi S., p. 57  
Udall, Morris K., p. 55  
Udall, Stewart L., p. 12,20  
Walsh, James A., p. 57  
Warnock, Harold C., p. 28, 59  
Warnock, Harold C., p. 28, 59  
Webb, Wilfred, p. 14-15  
Webster, Calvin, p. 20  
Wheeler, Harold C., p. 18  
Wilmer, Mark B., p. 55  
Wines, Dudley, p. 57  
Wood, Mary Adele, p. 12-13