

Arizona Bar Foundation  
Oral History Project:  
Arizona Legal History

Interview with Philip E. von Ammon  
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ARIZONA BAR FOUNDATION  
ORAL HISTORY PROJECT:  
ARIZONA LEGAL HISTORY

HISTORICAL NOTE

Although Arizona was frequently referred to as "the Baby State," due to its Twentieth-century entry into the Union, the history of the legal profession in the state is rich and colorful. In the earlier days, lawyers were mostly self-educated men, who practiced alone, or with one partner at the most, and spent much of their professional time alternately defending or prosecuting some of the most colorful outlaws of the Old West, and trying to collect on bills from people who had come West to escape their creditors.

Through the first half of this century, some of the nation's finest lawyers took up practice in Arizona. As the state's population grew, a law school was added to the University of Arizona and lawyers formed an integrated state bar in 1933. After World War II, the state exploded in development with the rest of the Sun Belt, and the law profession kept up with this growth, experiencing many changes in the process.

Today, there are law firms in Phoenix and Tucson which employ upwards of 150 attorneys, who may specialize in fairly narrow areas of practice. Half of the students in the state's two law schools are now women. Over the years, Arizona's influence on legal matters at the national level has been

great. Several landmark cases have originated in Arizona, such as In re: Gault and Miranda. Arizona can claim the first woman to sit on a state Supreme Court: Lorna Lockwood. Two members of the State Bar now sit on the U.S. Supreme Court, one as the Chief Justice and the other as the first woman to be appointed to the Supreme Court.

However, because Arizona is a young state, there are still attorneys living who knew and remember Arizona's earliest legal practitioners. Many of these senior members of the Bar practiced or sat on the Bench before the profession, and indeed society itself, experienced the changes of the last forty years. In an effort to preserve their memories, the Archives Department of the Arizona Historical Society/Tucson developed the Evo DeConcini Legal History Project, an oral history project. From 1986-1988, twenty-one oral history interviews were conducted, focusing on the reminiscences of lawyers and judges in the Southern Arizona area.

In 1987, the Board of Directors of the Arizona Bar Foundation expressed an interest in continuing to document the history of the legal profession in Arizona on a state-wide basis. In particular, the Board felt that the collection of oral history interviews with senior members of the State Bar would stimulate scholarship and publication on various topics relating to legal history, such as water rights, land use and development, and civil rights, as well as on the history of individual firms and the State Bar, itself. The Bar Foundation and the Arizona Historical Society/Tucson agreed to

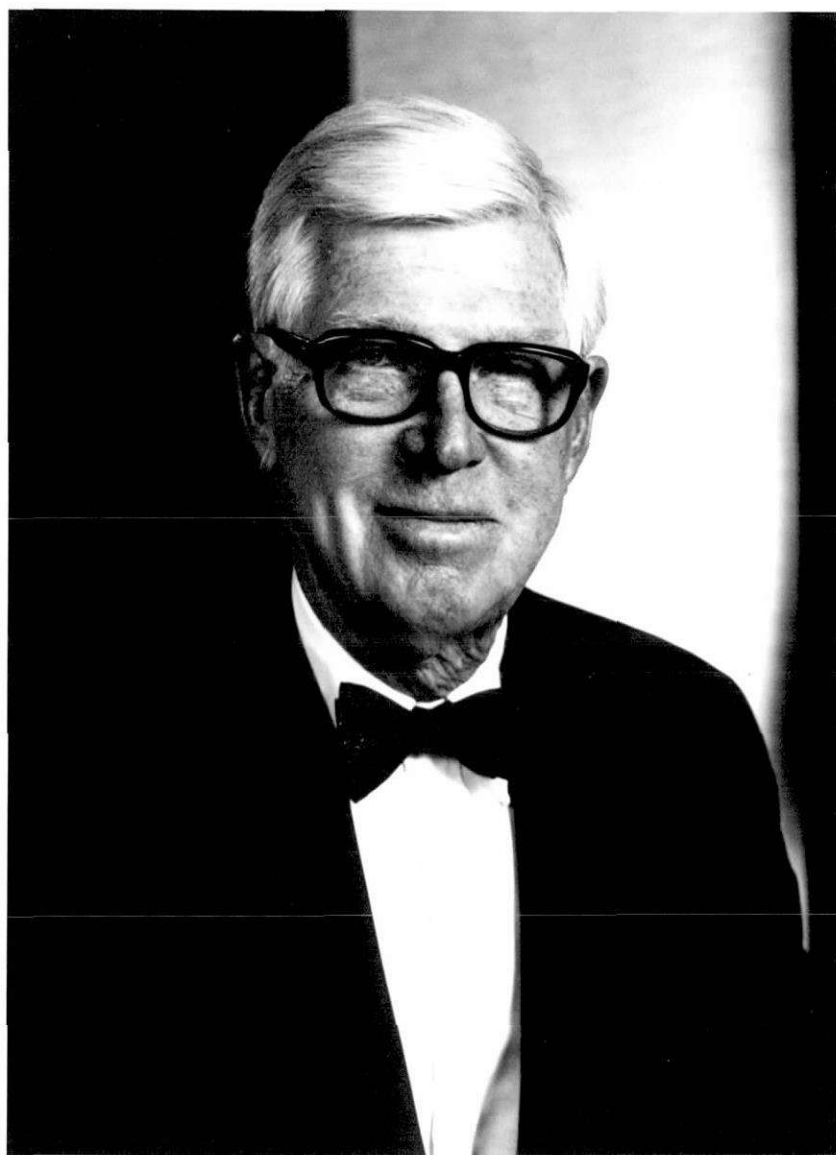
work together to expand the DeConcini Project statewide, calling it The Arizona Bar Foundation Oral History Project: Arizona Legal History.

Raising funds for two interviews initially, the Bar Foundation designated that the first two recipients of the Walter E. Craig Distinguished Service Award, Mark Wilmer of Snell and Wilmer (1987), and Philip E. von Ammon of Fennemore Craig (1988) be interviewed in October, 1988. Both interviews were conducted by James F. McNulty, Jr., who conducted most of the interviews for the DeConcini Project. Subsequently, funds were set aside to interview six or seven other senior members of the State Bar. The Honorable Morris K. Udall will be interviewed in March, 1989, by Mr. McNulty, and the Honorable William Copple will be interviewed shortly thereafter. The Legal History Committee of the Bar Foundation, chaired by James M. Sakrison, is developing a list of prospective interviewees in consultation with Adelaide B. Elm, Archivist, Arizona Historical Society, coordinator of the project.

Because it is open-ended, it is not possible to describe the scope and content of the Arizona Bar Foundation Legal History Project. However, in order to achieve the greatest depth and balance in the project, and to insure that many viewpoints are represented, every effort will be made to include both rural and urban practitioners, male and female, of varying racial and ethnic perspectives. Interviews will be conducted as funds are made available. Transcripts of the interviews will be available to researchers at the Arizona

Historical Society in Tucson, the libraries of the Colleges of Law at the University of Arizona and Arizona State University, and at the Bar Center, in Phoenix.

The Arizona Bar Foundation Legal History Project is important not only because it is documenting the history of the profession in Arizona but because legal history encompasses every aspect of society's development. To study legal history means to study land development, environmental issues, social and educational issues, political history, civil rights, economic history--in short, the history of our society. All of these topics are, and will be developed in these oral history interviews. They may be seen as a valuable and unique supplement to the written record, as scholars begin to write the history of the legal profession in Arizona.



Philip E. von Ammon Interview

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### Philip E. von Ammon Interview

Philip E. von Ammon was born in Winnetka, Illinois, in 1915. He attended Northwestern University for both undergraduate school and law school, receiving his law degree in 1938. Upon graduation von Ammon joined the Chicago law firm of Sidley, McPherson, Austin and Burgess. In 1942 von Ammon joined the navy, leaving the service with the rank of Lieutenant Commander in 1946. Von Ammon worked for the next five years as a trial lawyer for the Santa Fe Railroad in Chicago.

In 1951 Walter E. Craig asked von Ammon to join the firm of Fennemore Craig in Phoenix. He has been with this firm since that time. During this time von Ammon has been a member of the local school board, the Paradise Valley town council and the Maricopa county zoning commission. Von Ammon is also a member of numerous professional organizations such as the Arizona Bar Foundation, the American Judicature Society and the State Bar of Arizona, and has held offices in many of them.

In this interview von Ammon reflects on his work as a young lawyer with the Sidley firm and the Santa Fe Railroad. A major portion of the interview consists of his recollections of some of the lawyers and judges he has known during his thirty-seven years in Arizona. Prominent among these are Jubal Early Craig, Jesse A. Udall, William R. Rehnquist, and Sandra Day O'Connor, the first woman to be appointed to the United States Supreme Court bench.

Von Ammon reflects on changes in the practice of law and the use of arbitrators in resolving conflicts. He discusses women in the law and reflects on relationships between lawyers today.

Von Ammon has had a continuing interest in politics and the political process and the interview ends with his reflections on lawyers and politics.

PHILIP E. von AMMON INTERVIEW

Today is Tuesday, October 25, 1988. We are in the beautiful new offices of the Fennemore, Craig, von Ammon, Udall and Powers law firm in Renaissance Plaza. Do I name this beautiful building correctly? [Tim McIntire, sound technician, is also present.]

von Ammon: You do name it correctly, Jim. But I have to point out to you that sometime in the last year we curtailed the name of the law firm. And dropped most of the distinguished names that you have just recited, and it's called "Fennemore Craig", without punctuation or anything else, "comma, A Professional Corporation." So that's it.

McNulty: The other voice that you've just heard is my friend, Philip von Ammon who is a senior partner of this firm. And this is part of the Evo DeConcini legal historical project. It's a great pleasure to be with you this morning, Phil, and welcome to the distinguished list of lawyers who've preceded you in this effort.

von Ammon: That's very flattering. Thank you.

McNulty: You were born in Evanston, Illinois, which is either a bedroom for the city of Chicago or the site of one of the nation's great schools, Northwestern. I'm not sure which you think of it as.

von Ammon: Well, it's actually something else besides either one of the two. It's a viable, thriving community with a lot of important residential areas and a considerable amount of commercial and industrial activity as well.

McNulty: But the town is very proud of this great school in its midst, is it not?

von Ammon: Oh, I think so.

McNulty: You went there?

von Ammon: I did.

McNulty: And you graduated in 1935. In what subject did you major at Northwestern?

von Ammon: At Northwestern?

McNulty: Yes.

von Ammon: I majored in English. And I'm not sure I know what that means, but that's what I think that that degree was called.

McNulty: For your preparation for Northwestern, did you go to the public schools in Evanston?

von Ammon: No. I went to the public schools in Winnetka, Illinois. W-I-N-N-E-T-K-A. And that is also a suburb of Chicago and it isn't very far from Evanston.

McNulty: Had your family, your parents, been in Northern Illinois for a long time?

von Ammon: Well, yes they had. My mother and father were both

born in Chicago. And their parents had come to Chicago from Germany. And when they were young marrieds they moved to Winnetka and bought a house there and established their residency there. And I was born there and my older brother was also born there, although the precise event of my birth occurred in Evanston, but that was because there was a hospital there and my mother, I suppose, was hospitalized for that occasion.

McNulty: What line of work did your father follow?

von Ammon: He was a very interesting guy. He was an interior decorator by profession. He was a member of the Bar of the State of Illinois. And studied law because his father, who was born in Germany and was something of a kind of a--tyrant I guess is probably an overstatement--but a pretty demanding guy, insisted that his two sons study law just because this was a kind of an intellectual discipline that was very important to a young man in the community. So my father studied law, studied law at the Union College of Law, which became Northwestern University Law School. And graduated there, and took the bar examination, but he never waited long enough to find out whether he was successful or not because he had absolutely no interest in the law at all. And he got on a ship

and went to Italy and studied interior decorating and fine art and became an interior decorator and that was his profession during his entire lifetime.

McNulty: Did he practice it from the Winnetka-Evanston area?

von Ammon: He had an office in Chicago. In the North side of Chicago.

McNulty: You were in college, a college that has a demanding academic requirement, from approximately 1931 to 1935, which we would regard as being the worst of the Depression Era. Have you any memories of the Depression affecting your efforts to get an undergraduate degree?

von Ammon: No I don't. And it's kind of interesting. I hasten to say that my parents and my family were not what you would call affluent people. And I think they had to make a lot of sacrifices and do a lot of scrimping and saving in order to be able to finance my education. But looking back at it now from these many years, I have to say that I really am totally unaware or totally insensitive to the idea that I ever was from an environment where there were any limitations on what you could do and what you could afford and the sort of things that appeal to you.

McNulty: Did you know as soon as you got your baccalaureate degree from Northwestern that you would like to go

to law school?

von Ammon: You know, Jim, as I look back on it now, it's kind of hard to reconstruct but I really do believe that it just came to pass in a way that I really didn't have any long-range plans. I didn't anticipate studying any profession at all. There are lots of people that will say in a joking way that I probably went to law school because it was a postponement of the trauma of having to go out and get a job. And I daresay that there may be some truth in that. (laughter)

McNulty: The grandfather born in Germany, though, that felt your father just simply had to have the legal education, if not the certificate to practice subsequently, was he alive and around you as a child growing up and did he have some of the same feelings with respect to your education?

von Ammon: He was alive and around when I was a little boy and growing up. And I have a sort of a recollection of him as being a large man who had a very heavy beard and I think that he was generally believed to be something of an autocrat. He didn't hear very well and he absolutely insisted that every word that was ever spoken in his presence would have to be repeated loud enough so that he could understand exactly what was said. He was never content to let

people say things that just passed him by.

Everything had to be repeated so that he could have it clearly understood. But strangely enough, when he came to the United States and went to Chicago and established himself in Chicago, he became a liquor dealer. And his basic source of revenue was trading in alcoholic beverages.

McNulty: He would have been shut down during the time the Volstead Act was in place, so-called Prohibition, would he not?

von Ammon: Yes. But I think he was so well along in years that it probably was not really material.

McNulty: Did your grandfather live to see you get a law degree from Northwestern?

von Ammon: No, he didn't.

McNulty: Your father did?

von Ammon: You bet.

McNulty: Had you considered going to law school anywhere other than Northwestern?

von Ammon: I don't think so. I think it--remember, I graduated from law school in 1938 and in 1938 you couldn't find much of an opportunity for a job for a new law graduate in a law office. And people, as I recall, pretty much studied law in whatever community they lived in at the time. They didn't go, get on a train and, you know, ride for three



days to a law school off in some remote part of the United States. They went to school right down in the same community and in the same general vicinity where they lived. So it was kind of assumed that I'd study law in Chicago. I don't know if you have much recollection of this, but in those days, in the thirties, the University of Chicago, which had a law school, was regarded as being kind of pinko and people with the general sort of socio-political background that I had were not very excited about the idea of going into a law school that was regarded as pinko.

McNulty: Not to mention deep reservations about Chancellor Robert Hutchins.

von Ammon: (laughs) Well, I have no recollection of that.

McNulty: You were employed very quickly after you left law school.

von Ammon: Yes. I graduated from law school on a Saturday and started working on the following Monday.

McNulty: For Sidley, Austin?

von Ammon: Yes. It was called Sidley, McPherson, Austin and Burgess.

McNulty: A very large firm even in those days?

von Ammon: It had thirty-five lawyers, maybe, in it, and I think in those days a law firm of thirty-five lawyers was considered to be a pretty good-sized

law firm.

McNulty: And the firm had some very significant clients, did it not?

von Ammon: Yes. But I hope you won't press me for a recollection of who they were.

McNulty: Well, did they not represent railroads or a railroad?

von Ammon: (pause) I don't know, Jim.

McNulty: Okay. Do you remember whether they . . .

von Ammon: I have a feeling that there was a railroad connection. Yes. I do.

McNulty: I was speaking to a senior member of the firm within the past week, curiously enough, in connection with problems that we're having in the firm in Tucson with our profit-sharing plan.

von Ammon: Yes.

McNulty: And I was given the name of a man who I can't recall now in Sidley, whom I telephoned. Among other things he mentioned that the company does a lot of work for American Telephone and Telegraph.

von Ammon: That's correct.

McNulty: Do you remember whether they represented that firm when you were there?

von Ammon: And they were also general counsel for the Illinois Bell Telephone Company which was and still is the Bell-associated telephone company that serves the

entire state of Illinois.

McNulty: Were you employed by Sidley to do any particular thing? Were you placed in some section or given some specialty?

von Ammon: I started out in the Sidley office in the role that was known as "docket clerk." (laughter) And the docket clerk had an office, a little cubby-hole office with a very impressive bank of slide files that had the names of all of the cases that the law firm was engaged in on the plaintiff or defense side, or even those they were just following as a matter of interest. And the docket clerk's, I suppose, principal job was just to keep track of every one of those cases and to make appearances in the local courts in Chicago on behalf of the clients at any time when an appearance by a lawyer was required, but there wasn't any constructive effort that had to be performed in the way of defending, prosecuting or otherwise representing. It was mostly to see to it that cases didn't get defaulted and to ask for continuances if that was appropriate to do so. And just generally kind of manage, administratively manage the litigation that was pending in which the firm was representing someone.

McNulty: It strikes me this is a great way to acquaint a

newcomer with the full range of the business of the firm.

von Ammon: Oh, it was. It was an incomparable experience as far as I was concerned, because I really got to know the law business of the law firm and I got to know virtually every court in Cook County, Illinois, and all the judges, and they knew me and knew my name. And I got to know a lot of other lawyers who were involved in representing clients.

McNulty: You got to know the lawyers in the firm in a very special and a close kind of way, did you not?

von Ammon: Oh, that is very true. Very true.

McNulty: How long did you do that?

von Ammon: I expect I did that for about a year and I think I did it basically until they took on another young, what you now call associates. In those days they were called clerks. But I had that job until they got another clerk that was younger than me, or inexperienced or just graduated from law school, and put him in my place in the docket clerk's room.

McNulty: And then to what position did you succeed?

von Ammon: Then I got to be a clerk, a law clerk. I had a little--and I was first in an office about the size of the one that we're in right now, or maybe even smaller, that had two separate lawyer's desks in it, and I shared the office with another attorney.

McNulty: Did that ultimately lead into your litigating cases yourself?

von Ammon: Yes. That was--I don't have any idea, I guess I'm really not privy to the administrative operations that were carried out at the time, but I just kind of think that maybe the partners in the firm, the litigating partners and other partners in the firm, decided that von Ammon was somebody that probably was as well off in the trial end as in any other part of the law practice and so I kind of gravitated in that direction.

McNulty: Had you thought that you might like to be a trial lawyer?

von Ammon: Oh, I think from the very beginning I always had a feeling that that's what I wanted to do.

McNulty: So, when you began trying cases did you have any specialty or clients that you represented on some regular basis?

von Ammon: Well, I think that during the time I was with that Sidley firm I was always apprenticed to an older trial lawyer. You've got to remember that in those days lawyers were a dime a dozen and you could hardly visualize the idea of ever sending anybody over to the courthouse unless there were at least two people, one of whom probably had the job of carrying the paperwork and the briefcases.

McNulty: How long did you stay with Sidley?

von Ammon: I stayed there until late January of 1942.

McNulty: Which is to say shortly after Pearl Harbor, which was in . . .

von Ammon: Almost immediately after Pearl Harbor, and I just trudged right off to the navy.

McNulty: Had you been in an ROTC program?

von Ammon: No, I had not.

McNulty: You simply volunteered for service in 1942?

von Ammon: Oh, I did. And, I hate to tell you, but the first thing I had to learn was how one goes about saluting. (laughter) I didn't know how to do that.

McNulty: Were you taken into service at the Great Lakes Training Base?

von Ammon: No. I actually reported to an officer in the city of Chicago to be sworn in as a naval officer.

McNulty: My notes indicate that you did some four years in the navy in World War II. Is that approximately the length of your hitch?

von Ammon: I think it was almost, to the day, exactly four years. I'm quite sure.

McNulty: What parts of the world did that . . .

von Ammon: Let me say, that I went into the navy in, I believe, late January of 1942. And I was retired to, or I was ordered to inactive duty close to

Christmas of 1945, but I had accumulated leave which I was entitled to be paid for, to continue on active duty I guess you'd call it, until January or February of 1946.

McNulty: When you left the navy did you return to Illinois?

von Ammon: I did.

McNulty: Was it your intention to resume practice at the Sidley firm or some other firm in Chicago?

von Ammon: It was my intention to resume the practice of law. And I went back to the Sidley firm in early 1946 and to this day I can recall being terribly restless in the office and ducking out practically every moment for a cup of coffee or something like that just to overcome this restlessness.

McNulty: Ultimately you overcame it simply by relocating, did you not?

von Ammon: Well, it wasn't long after I got back that I heard that the Santa Fe Railroad was looking for a trial lawyer. And they had basically lost all of their attorneys because they all were swept off by military service of one kind or another. And they wanted to recreate a trial department at the Santa Fe Railroad. And they had a lot of cases, just piles of cases, that had accumulated during the war, that they couldn't get rid of. They wanted some people to try them, and so I grabbed on that

opportunity and went over there and inquired about the possibility of a job. And it was a very exciting experience because I was being paid \$3500 a year at the Sidley firm and the Santa Fe was prepared to start me at \$6000 salary per year and I thought that that sounded like an inexhaustible fortune.

McNulty: More money than you could spend.

von Ammon: And it was.

McNulty: (laughs) So did that start you on a career of almost constant defending of the Santa Fe in jury trials?

von Ammon: That's what I did. I tried lawsuits for really basically until I came to Arizona.

McNulty: How long was that?

von Ammon: Well, I think I came to Arizona in 1951, I believe. Is that what your notes indicate? And so I think it was about, well it was about five solid years.

McNulty: Were those years of great learning and growth on your part, do you think?

von Ammon: Oh, it had to be. It had to be, Jim. Because at the Santa Fe, unlike, I think, at least in those days in the general practice of law, you didn't have much in the way of support from anybody. They just shoved a bunch files on your desk.

(telephone rings; tape stopped for a moment)



von Ammon: Let's go ahead.

McNulty: Go back maybe?

Tim: Yes. If he can just start the sentence again.

McNulty: When I point at you, start telling me about how they gave you a whole bunch of files and left you to your own devices.

von Ammon: Well, I think what I was going to say was that, unlike in the general practice of law, in those days--it has probably changed now--at the railway company they just stacked a bunch of cases on your table and you were just about on your own. And I think one of the great luxuries of that experience as an inexperienced trial lawyer was that the boss didn't really care very much about what cases you won, what cases you lost, how many cases you won, how many cases you lost. The boss was interested only in the overall performance and that could be evaluated on an annual basis or on a three-year basis or whatever. It was a long, long-range kind of an idea.

McNulty: Over that approximately five years, have you any idea, even remotely, how many cases in that period of time you might have tried?

von Ammon: Oh, if I'm just to make a wild guess I'd say on the upward side of a hundred.

McNulty: That would be approximately twenty a year?

von Ammon: Something like that.

McNulty: Would any of the cases have lasted over a couple of weeks?

von Ammon: No. I would say not. I think that they were all disposed of in a relatively short period of time. I would say three to five days.

McNulty: Were these cases principally tried in the state of Illinois?

von Ammon: Well, I tried some--I remember trying a case in Kansas City. As I became more experienced I started working a little bit out of the pure death and personal injury type cases and into condemnation of properties for railway right-of-way and things of that character.

McNulty: What stimulated you to think that you might like to relocate to Arizona after this five years of intensive trial practice?

von Ammon: (pause) Well, I think that until I was first asked to come to Arizona I didn't even know where Arizona was. I mean, I could have told you in a very broad way where it was, but I didn't have any specific idea about whether it was the center of a possible viable economy or anything else. But I had a telephone call from Wally [Walter E.] Craig, I'm quite sure. I tell the story and I'm certain there's no truth in it at all but I've told it so

many times that I'm now convinced it's true.

(laughter) That I received a phone call and talked about it and I went home to my house in Winnetka, Illinois, and I told my wife, Barbara, that I had been given an offer to move to Arizona. And her immediate response was, "Do we leave now or in the morning?" And there was one difference and that was that she had been in Arizona as a young girl on a sort of a guest ranch or camp ranch that belonged to a woman by the name of Emily Mitchner. Do you know who that is?

McNulty: Is she related to James Mitchner?

von Ammon: No.

McNulty: No. I don't know her. No.

von Ammon: Emily ran a girl's camp ranch up in the general vicinity of Holbrook, in that area up in there in the mountains. And so Barbara had been there. She was there once as a girl camper and then was there, I think, the following year as a sort of a junior counselor. And she was crazy about that part of the world. I'm not even sure she'd ever been down here in the valley.

McNulty: Do you know how Wally Craig got your name? Had you ever met him before?

von Ammon: I know I had, Jim. And it had to have been through my being employed by the Santa Fe Railroad because

this law firm, this Fennemore Craig organization, had been counsel for the Santa Fe for, I don't know, seventy-five, eighty, ninety years.

Something like that. For many, many, many years.

McNulty: Well in any event, you made an agreement. You arrived in Phoenix, and you joined this firm with some very great names in the history of the Arizona Bar. And I'm speaking, of course, of, initially, of Fennemores and Craigs. Do you remember all of them?

von Ammon: I think I remember everybody who was in the law firm. It wasn't a very big law firm. It was pretty simple. And I think that there were some people in the firm that were really pretty capable lawyers, given the environment and the nature of the challenges that were being presented to them at that time. It was pretty simple; I think and practice was simple.

McNulty: Let's talk about some of them. I'd like to begin with a favorite of mine, Jubal Early Craig. Was he here when you arrived?

von Ammon: Jubal Early was here when I arrived and I was in the law firm as a partner in the law firm when he died. And I thought I knew him pretty well and I thought we were really quite good friends. You know, for a very long period of time he was a

widower and he used to get lonely, and I suppose his principal way of overcoming this loneliness was to seek out friends and try to be with other people and he sort of took a shine to me and so we were fairly close. And I can recall from the time that we came here, even up until the present time, we've always lived out in Paradise Valley and originally we were in a house out in the desert so far away from any other living human being that you would wonder why anybody would go out there. Except that I used to say that having come from the Chicago area I bought the house out there so I would be close to the office. (laughs) That was really the truth. But he would show up, typically on a Sunday in his old Packard car, alone. No advance warning that he was going to be coming. The nature of our life was such that he knew that we would be home, you know. And he'd just drive into the driveway and he'd march into the house and sit down and have some coffee and we'd talk for a while. And then he suddenly, without any lead-in or advance warning, he'd just suddenly just jump up, shake hands with everybody and walk out the door. (laughter) And he did that over and over again. Repeatedly.

McNulty: He did remarry, though, near the end of his life, did he not?

von Ammon: He did. Yes.

McNulty: What do remember about him with respect to his skill at practicing law? Did you ever, for example, do anything with him in court together, or did you work with him on cases?

von Ammon: I don't really have any particular recollection of working with him on any particular bits of litigation or for any extended periods of time. But that doesn't mean that I didn't, and I strongly suspect that I probably did. I have to believe that I did.

McNulty: Was his . . .

Tape 1, side 2

von Ammon: Could I hear the last bit?

McNulty: Well, we were on Jubal Early, but I want to go to, I want to ask about Wally too. Wally was here then wasn't he?

von Ammon: Well, I don't know. Did we finish--are you running?

Tim: Yes, you finished your answer.

McNulty: Yes. Are we ready?

Tim: Yes, go ahead.

McNulty: Jubal Early's son, Walter Craig, who later became a

federal district judge was here at the same time,  
was he not?

von Ammon: Yes, he was.

McNulty: Did you know him well?

von Ammon: Yes. I think I knew him very well, with one  
caveat, Jim, and that is I think there's a  
possibility that nobody ever knew him very well.  
And I don't really know whether you know what I'm  
talking about.

McNulty: I do indeed.

von Ammon: But he was a little inscrutable.

McNulty: There was always a part of him reserved forever  
from other eyes, I've always thought.

von Ammon: That was my feeling.

McNulty: Although he could be a very gracious and pleasant  
person to be with.

von Ammon: Yes.

McNulty: What kind of a lawyer was he?

von Ammon: Walter? (laughs) We're not going to go off this  
record?

McNulty: No. But--no we're not and your answer should be  
couched knowing that.

von Ammon: Jim, my response is that he represented a great  
many clients very well and there were many people  
that held him in the highest esteem. Either by  
chance or by design he and I did not work together

intimately on much of any kind of representation of anybody. And I would not consider myself really to be qualified to form a judgement about his professional skills. I don't mean to say that I am detracting, but I certainly have no basis on which I would be justified in touting his skills or praising him to the heavens.

McNulty: I asked that question because I never saw Walter Craig in court but I had the unforgettable experience of being a swamper to Jubal Early Craig in the defense of a wrongful death case in Cochise County in the early 1950's. And so I have a very clear recollection of Jubal Early Craig, his presence in the courtroom, his manner of addressing the jury and I thought at the time that this is almost out of a motion picture script, he was so courtly and yet pleasant and agreeable and this Virginia aristocrat was able to relate in a very down-to-earth way with members of the jury, which of course would have included miners and ranchers, primarily, in Cochise County in those days.

von Ammon: I guess I would just have to say that I thought that Jubal Early Craig had a lot of class.

McNulty: Yes.

von Ammon: And I think you've said the same thing.

McNulty: I have indeed. The Fennemore family is--I don't



know. I'm not even sure there are Fennemores in Arizona to this day. Do you know whether there are?

von Ammon: I think that the man that I would refer to as "young Harry Fennemore" because his grandfather was also Harry, I believe is still alive and I think that he lives here. And assuming that he is alive my judgement is that he probably is of a reasonable age from my perspective or yours.

McNulty: Did he practice law?

von Ammon: No.

McNulty: The people who did practice law from the Fennemore family were who?

von Ammon: John [M. Fennemore] and Dick [Richard M. Fennemore].

McNulty: These were brothers?

von Ammon: They were.

McNulty: And both practiced in this firm?

von Ammon: They did.

McNulty: And were they both here when you arrived in 1951?

von Ammon: They were both here when I started working for the law firm.

McNulty: What are your recollections of them?

von Ammon: Well, let me say first of all that John Fennemore was a rotund, jolly, personable man who always, as far as I can remember, maintained a very warm and

cordial relationship with just about everybody that he had anything to do with. His brother, older brother Richard was as nice a man as a fellow could ever want to know, but he was, strangely enough, kind of shy. And in my judgement he had a powerful intellect. He was a very smart guy. And provided, I think, outstanding legal services for his clients. We had--this is kind of tales out of school--that in the early days there was a certain kind of uncomfortable feeling about whether Calvin Udall and I would progress at the expense of John Fennemore, because it seemed relatively obvious that both Cal and I had more professional skills and perhaps more intellect than John displayed. And we were terribly concerned about the possibility of having a lot of very badly hurt feelings about John. Nevertheless Cal and I just made it pretty clear in a general sort of way that if we were going to have to be held back or prejudiced in any way in our advance in the office because of a concern about passing John up, so to speak, that we would probably find it more comfortable if we simply relocated and established our own practice or chose another profession rather than to stay in the office and always have that invisible barrier to our advancement. It turns out

that we sort of had a little kind of minor show-down over the whole thing and the net result of it was that we got pretty much universal agreement on the part of everybody in the office except John, including John's brother Richard, that Cal and I were destined to kind of advance beyond John ultimately. And that that was going to happen and it did happen, and that was the end of that. And then, as you know, to my deep regret, John had a fatal coronary when he was about fifty years old and that was the end of John.

McNulty: Do you feel particularly close to Cal Udall?

von Ammon: Calvin?

McNulty: Yes, sir.

von Ammon: Oh, yes. We've been pretty good buddies for a long, long time.

McNulty: Would you express some of your opinions about him?

von Ammon: Well, I'll tell you about Calvin. He has a good mind and he is a hard worker. And this is particularly true when he becomes involved in some kind of legal representation that demands real output. He has had what I think is courage but it may have been pure bravado over the years that you probably know about. (laughter) That has been evidenced by his willingness to pursue what you and I would have described as almost desperation

causes. And he just begins to fight when the war is over and generally wins, you know. And he's a very resourceful man.

McNulty: Who others in this firm over the years, or today, have been fairly close to you?

von Ammon: Well, I suppose for starters, I felt really quite close to Henry [W.] Allen, who died quite a while ago. Henry was--do you know anything about Henry Allen?

McNulty: I'm embarrassed that I didn't think of his name, because of course his, either his brother or his nephew lived in Bisbee. George Allen. And of course his son Bob [Robert H.] Allen, very prominent in the Democratic Party in years gone by and a practicing lawyer here. And I think there's a niece that married a miner down in Bisbee and I'm just--my mind is saying to me now, Fennemore, Craig, Allen and Bledsoe was it not?

von Ammon: Yes.

McNulty: And I'm remiss in not having mentioned Henry Allen and . . .

von Ammon: Henry Allen did not go to law school as far as I know.

McNulty: I didn't know that.

von Ammon: That's true. He started out in Phoenix as a male secretary to one of the early Arizona governors. I

can't remember which one. And he studied law, for all I know, maybe by mail order or whatever. It was informal. And he took the bar examination and was successful and passed and got a job in a law firm and became a partner in the law firm. And was a resourceful man and I thought intelligent. And he had a quality of kindness and personal intellectual generosity that I have rarely seen in anybody. I can remember so well having a problem as a young lawyer and wanting to get somebody to counsel me about it and I'd go and I'd knock on his door and walk in and no matter what he was doing, no matter how occupied he was in whatever was on his desk at the moment, he'd fold it up, put it aside and say, "What can I do to help you?" And you could, you could preempt his whole day if you wanted to. There was no limit as to the amount of time that Henry would devote to your problem as long as he knew that you needed help and that you weren't fooling him and that you were seriously engaged in trying to seek a solution. He was so generous with his thought and his counsel and his time that anybody--I've known people that knew Henry that didn't know that quality in him, that would never tell you the story. But he was the most extraordinary man in that respect. And he

used good judgement. Really good judgement. Very sound.

McNulty: In your thirty-seven years in Arizona, you've seen lawyers, not simply in this firm, whom you have respected and admired, I'm sure. Just trying to reflect a moment, can you tell me the names of a few who seem from this vantage point to have been particularly outstanding for one reason or another?

von Ammon: Well, I think Denny [Denison] Kitchel had a fine mind and was a very impressive kind of a guy. Joe [Joseph S.] Jenckes, who was with Evans, Kitchel and Jenckes as you know, and I became very close. His offices were within a short walk from our offices when we were up on North Central Avenue. And as frequently as not if I had a problem and I thought I needed counsel about it and maybe it was something that somebody outside the office could be more helpful to me about, I'd call Joe up and say, "What are you doing, Joe?" And he'd say, "Well, nothing that I can't hide, you know, if I have to . . .

McNulty: Oh course he was fun. He was funny. And he was good company, wasn't he?

von Ammon: Oh yes. But he was dead flat serious about lots of things, and he had a good mind and a lot of judgement. And Joe and I really hit it off

remarkably well. We had a number of cases together in which we represented parties on the same side, and that was obviously an excuse to work with him, but I could have cases in which he really had no interest at all and I could go and pick his brain about all kinds of things. He was a swell guy.

McNulty: He was. Was your practice mainly litigation, trials, here?

von Ammon: In the early days I did just about everything that you could expect somebody to do, except defend murderers. Just kind of did everything that there was to do. It didn't involve litigation. It involved--I used to go out and lobby or I used to be fairly well-known in the legislature. I think there was a time when I could call just about every senator and representative in the state legislature by their first name. And I enjoyed that. That was a lot of fun. I kind of felt like a hypocrite half the time. But it was interesting and, you know, we weren't . . .

McNulty: There must have been some lawyers that you came up against, on the other side of cases from time to time, that stand out in your mind. Can you think of some of those?

von Ammon: Oh, there are, oh, I suppose a number of them that I could resurrect if I really worked hard at it.

And not because I admired them all nor because I succeeded against them in any respect. I think of somebody that was an anathema to me, was Sam [Samuel] Langerman. A terrible man. I wouldn't have gone across the street to say hello to him. But whatever he had--and I can't tell you today what it was that he had, other than I think assiduous preparation--it seemed to work. But he certainly was not loveable. And I had a bad, really bad time with him.

McNulty: Did you have any interface to speak of with Tucson attorneys?

von Ammon: (pause) I'd have to dig for that.

McNulty: Yes.

von Ammon: Right now they don't jump out of the page to me. Although I'm inclined to believe that I did.

McNulty: Let's talk about judges. You've known a lot of them. Superior court judges, and appellate and Supreme Court, federal. Perhaps Federal Court of Appeals. And most certainly the United States Supreme Court. You surely know two of the current occupants of that court and rather well. I'm speaking of course of Justice [William R.] Rehnquist and Justice [Sandra Day] O'Connor. Can you tell us some of your recollections about each of those?



von Ammon: Well, starting from the top, which is I guess where you're supposed to start. (laughter) Justice O'Connor is married to a lawyer whose name is John O'Connor and John and I were law partners in this law firm for a number of years. And I've known Sandra for a long, long time. And as you know she recently had a bout with carcinoma of some kind and I just dropped her a note three or four days ago in which basically I said, told her that I was pleased that there had been a time when she and I had been about as close as you could be as human beings as well as professionals over the years, and I was sorry that that whole thing had kind of faded away because of her change in career roles and everything else.

McNulty: Of what period were you speaking?

von Ammon: World War II was over in 1936?

McNulty: In 1946, yes.

von Ammon: In 1946, I mean.

McNulty: Yes.

von Ammon: And it was shortly after that she and John came out here. And then John came into this law firm, and shortly after that time we started being friends and close friends and we used to see a great deal of each other. And until they moved to Washington our lives were more or less intertwined, I would

say. Of course John was my law partner and I used to see a good deal of Sandra.

McNulty: What would you rate as her outstanding qualities?

von Ammon: Well, I think for the job she has--this doesn't probably sound like really a critical view of her performance, but in my judgement her most important quality is industry. Because that Supreme Court job is just a terrible damned hard job. It's just awfully hard. And I have visited the O'Connors in Washington a couple of times and stayed at their apartment and by the time it was time for me to go and scramble my eggs in the kitchen she was long gone. Seven o'clock. And I don't know whether this current physical problem is going to be a major interruption in that routine, but at least up until now I think that she has been consistent with that, right down the line, from A to Z. During the time that she has been on the court they both have been in Arizona for holidays and various other kinds of activities and we've, I think, gone to see them at one time or another and my feeling is that the relationship is good, but it's so infrequent now that it has sort of perished.

McNulty: Has her work on the court generally met with your approval? Her decisions, the methods by which she reads them?

von Ammon: I think that the results that she has arrived at net of--I mean affirmed, reversed, or whatever intermediate disposition has occurred--meet with my approval, but I don't know if I could say that that was an intellectual judgement or whether that was a social judgement or what it was. I have read opinions by Sandra that didn't absolutely overwhelm me with their scholarship but I think she arrived at the correct conclusion and I don't know whether that's sociological or whether that's an intellectual conviction or what.

McNulty: Justice Rehnquist, you must have been around when the possibility that he'd wind up on the Supreme Court was first being floated. Have you any recollection of that, the time leading up . . .

von Ammon: You know that I was a member of the elected town council of the town of Paradise Valley, Arizona, at a time when Rehnquist was town counsel, and I was one of those that voted in favor of employing him as such. And so I used to see a good deal of him and he and I, oh I suppose along with several hundreds of other people, were what I would call pretty good friends. We had a cordial relationship, and we have sat in his office or my office--when he was practicing law--and talked about all kinds of personal things as well as

community problems and legal problems and everything else. And even since he's been on the Court I've seen him from time to time and the relationship has always been very informal and extremely cordial. Very nice person.

McNulty: What would you rate Justice Rehnquist's outstanding qualities as a member of the Supreme Court?

von Ammon: Well, Jim, he's of course the Chief Justice. I have the impression, and this is probably just an impression, that that job has to involve a significant amount of organizational ability and leadership. And it doesn't necessarily mean leadership in the way they decide cases or as to who wins and who loses. It may be organizational, and it may be directing traffic. Whatever.

McNulty: Possibly you're presiding over nine rather strong egos.

von Ammon: Oh, Eight. (laughter) Excluding yourself.

McNulty: Yes.

von Ammon: But, you know, from our point of view that that would have to be a terrible, hard job to perform. Very difficult. And I have the impression that whatever the job is that he seems to be discharging it properly. I don't know. I certainly haven't--I keep my one ear tuned to the nation's capital at all times just to find out what's going on, and I

think I would hear an explosion if one really happened. So I can't tell you whether it's really as smooth as it might appear to be, but I think it's all right.

McNulty: I think he's generally given very high marks for the endless administration and decision making. Sometimes of things that you wouldn't think are especially important, but given the cast of characters they are the kinds of decisions you'd better approach with a great deal of reserve. Let's talk about other judges back here in Arizona. You've practiced in front of an enormous number of them over these years. Who are some that stand out in your mind and for what reasons do they stand out?

von Ammon: Well, I guess in the first place that I would have to tell you and I'll remind you that my memory is really absolutely just about shredded, and it's so hard for me to call back personalities and names and the way they have performed. I really can't--I guess really I can't tell you an awful lot, Jim.

McNulty: Well, thinking back perhaps thirty, thirty-five years ago to the Arizona Supreme Court, which I think in 1951 only had three members, they being Arthur [T.] La Prade, Levi [S.] Udall, and perhaps Judge Paterson. Did you ever practice in front of

any of those three, or argue a case at an appellate level.

von Ammon: I don't recall Judge Paterson.

McNulty: You're right. I meant to say--he was a Yavapai County judge and his name was [Marlin T.] Phelps. Judge Paterson was also a Yavapai County Superior Court judge who succeeded Judge Phelps.

von Ammon: I appeared before all three of those.

McNulty: Judges?

von Ammon: Yes.

McNulty: At an appellate level?

von Ammon: On the Supreme Court.

McNulty: Yes.

von Ammon: The one that, of those three that you have mentioned, I think the one that I think of with greatest respect, and affection I think, is Levi Udall. I appeared before him on numerous occasions and I used to see him when he was in quasi-professional-social sorts of gatherings and relationships. And strangely enough--as you know Levi was a very devout Mormon, and I think was always looked upon by both the Mormons and non-Mormons as a leader in that faith and on fairly frequent occasions when there was an opportunity to do so I'd sit down and I'd talk to Levi Udall about the Mormon Church. And I am not a Mormon and I

have never really had any temptation to inquire into the possibility of becoming one. The interesting thing about Levi was that he would talk to me about his faith and there was never any overtone of any . . .

McNulty: Proselytization.

von Ammon: . . . Any proselytizing at all. Made no effort whatever to interest me in the Mormon faith and I don't think that he and I ever even discussed it at that level in any respect at all. But I remember his saying to me something to the effect one time, "Phil, you know there are four million people in the world that are members of this faith and have subscribed to this faith, and given that fact alone without anything else I would suggest that it would be imprudent for you just to cast it out of hand, without, you know, giving it any sort of thought on the subject." And strangely enough, as a result of my several conversations with Levi, I got a volume of, I think, The Pearl of Great Price and read it. All the way through. From A to Z. And I thought that it was intensely interesting.

McNulty: Yes.

von Ammon: I'm not what you would call a particularly religious kind of person, at least in the formal sense of religion at all. But I thought it was

worth inquiring into a little bit and see what it was that four million people thought worth accepting.

McNulty: Some other folks that have wound up on the Supreme Court I suspect you may remember include Justice Fred [L.] Struckmeyer. Did you ever practice before him?

von Ammon: Oh, I practiced before Fred Struckmeyer when he was on the Supreme Court and every time that I was out at the Capitol Building, if there was any opportunity to do so I would always drop in and say hello and have a visit with Fred Struckmeyer. And he and I, I think, established really a quite a cordial relationship. He said to me one time when I was out there, and I thought there was--for Fred, which I thought was unusual, I thought there was just a little tear in his voice you know. He said to me, "You know, Phil," he said, "you're just about the only guy I know that's left that ever comes around to see me anymore." And he liked that.

McNulty: Yes.

von Ammon: He really liked that. It made him feel good.

McNulty: What about . . .

(tape turned off then turned back on again)



McNulty: . . . craggy exterior, surely.

von Ammon: Oh, I know it. But god damn, he was all heart.

McNulty: Wasn't he inside? Are we all right, Tim?

Tim: Yes.

McNulty: What were Justice Struckmeyer's outstanding professional qualifications?

von Ammon: Well I always thought that Fred was a good student and that he tried very hard to inform himself about issues. I think his social philosophy was pretty well miles away from mine and I think in general that we, pretty much by mutual agreement unexpressed, decided that those issues that had any kind of social overtones would be well omitted from our dialogue.

McNulty: By common consent, laid aside.

von Ammon: Yes. (laughter)

McNulty: Justice Jesse [A.] Udall, do you remember him?

von Ammon: Yes I do. He was my client at one time.

McNulty: Was he really?

von Ammon: Yes.

McNulty: Was this when he was a Superior Court Judge in Graham County or after he'd come to the Supreme Court?

von Ammon: Well, maybe he wasn't my client. Maybe that isn't the word I'm looking for. I think I was his

campaign manager when he was running for re-election to the State Supreme Court. If there was ever any discussion about compensation for me it did not result in any and I don't think we ever talked about it at all. He was--he always ran scared, which was totally unnecessary. (laughs)

McNulty: Well that's the heritage of a one-judge court in a rural county, though.

von Ammon: Given the handle he had on re-election I don't think there was any problem at all.

McNulty: No.

von Ammon: And he was a very kindly--I was going to say warm but maybe that isn't quite the word, but at least a very personable, agreeable and courteous gentleman. And we had a nice relationship together. I remember one thing which seemed to me interesting, probably not remarkable, and that was that during his one campaign when I was, I think he called me his campaign manager, I would have a message that I had received a phone call, and it always said, "Mr. Udall called you." And I know that that didn't come from the woman at the desk in the office. That was because he said, "This is Mr. Udall." And he was a justice of the Supreme Court of Arizona. And he never referred to himself as Justice Udall.

McNulty: I knew him fairly well in Graham County, he was

next to Cochise County, and I practiced in front of him a number of times. I thought he was a man of very great humility in the sense that he never insisted that anybody kowtow to him. He never seemed to evince any feeling that he was some special kind of individual. And his demeanor in the courtroom was, as you say, very patient and very gentle and very understanding to a remarkable degree.

Tape 2, Side 1

von Ammon: I remember, Jim, one time I tried a jury case before him when he was still on the Superior Court bench, and he took over the examination of one of my witnesses and really violated all the rules by, for all practical purposes, almost testifying himself by his questioning of the witness. He asked the questions in such a way as to pretty much indicate what he thought the facts were, or the circumstances were, for which I had called the witness. But it was not in a way that I would ever have dared to interrogate a witness at all myself, because I knew I would have invited an objection from the lawyer from the other side, but when the judge was asking the questions, we said, "Well,

we'll just let him go with it. It's the territory."

McNulty: (laughs) I want to wind up, although not immediately, on a more philosophic vein. And that is to ask you to contrast the practice of law as you view it to be accomplished now with the practice as you remember it back in the late 1940's and early 1950's. Do you think there's any difference?

von Ammon: Yes I do. I think that there is a marked, marked difference. In the first place, the identical lawsuit, factually, could have been tried with relative comfort in three or four days is just going to endure a minimum of two weeks at this time. A jury case.

McNulty: Do you view that as an unhealthy development in the law?

von Ammon: Yes I do.

McNulty: Why is it taking so much longer today?

von Ammon: Well, Jim, you're listening to a seventy-three-year-old man talking about something that he probably doesn't know anything about. But from my perspective it is my sincere belief that lawyers today are making litigation much too complicated and prolix. I think that issues that were tried at one time by the testimony of a single witness for

an hour and forty-five minutes or two hours, direct and cross, now are tried not only by the testimony of a witness, which can be strung out to the better part of a day, but almost without exception they are tried with the testimony of not less than two and sometimes up to four witnesses. On what I would call comparable factual predicates. And I think that that is unfortunate and I think it's counterproductive.

McNulty: Will society find another way to resolve conflicts if this continues?

von Ammon: Well they already have. Society already has found other ways to resolve conflicts. And the ways include all kinds of things. I suppose prominent among them is non-judicial kinds of proceedings in which there is a considerable measure of informality and presentations are made without exception to an arbitrator, without a panel of jurors, who listen to proof. And I think that when you have an arbitrator who is in the business of arbitrating and who understands the process and is engaged in it, and knows that the reason that he was picked and that the process was picked was to shorten the time of the proceeding, cost to the litigants, that the litigants or the adversaries, or whatever you want to call them, are

sophisticated enough to understand that kind of a proceeding and one who is qualified to determine the rights and duties and obligations of the parties, is going to be driven out of his skull if the sort of tactics that are pursued in jury litigation today are pursued before him. Because he is not going to stand still for it.

McNulty: With respect to the general sense of what we thought of as the fraternity of the Bar and the kind of professional understandings lawyers had with one another. Do you think there's pretty much the same ambience today that there was thirty-five years ago?

von Ammon: (pause) Well I've got to, I have to start my response with a predicate, and the predicate is that this community where we are at this time is so dissimilar to the community that existed here thirty-five years ago that I would think that simply those differences would account for a vast dissimilarity in the way that law is practiced. If you've got a Bar like we had in the forties and you could walk from your downtown office over to the old courthouse and back again and see lawyers and judges, every one of whom you knew personally--virtually every one--and things were relatively simple, it just would have to be a different kind

of a professional proceeding than persists today.  
And I don't see how you can really compare two  
different kinds of fruit.

McNulty: Would you encourage a young person to follow a  
career in the law today?

von Ammon: I would be less enthusiastic about doing that than  
I was at one time.

McNulty: Norman Hull answered that question, "No." He felt  
that the whole profession and the enchantment,  
perhaps, that time lended to his earlier  
observations and feelings about the Bar were such  
that he, he said that he would not recommend to any  
of his grandchildren that they go to law school.  
Which I thought was kind of sad, in a way. But I  
didn't disagree with him.

von Ammon: Well, I'm not nearly as positive about that  
viewpoint as Norman.

McNulty: Yes.

von Ammon: But I'm not so darned sure that the opinion of  
somebody my age, who has gone through this dramatic  
change and readjustment of values in the  
profession, is relevant. I'm not at all certain  
that that sends anybody a message. There are some  
things about the practice of law, currently, that I  
would perhaps deplore. And I think most  
significant about the practice is that it is, has

become and is continuing to become heavily commercialized. And that's an easy phrase to flip off, but I have some views about this. And one of the views that I have, and I think maybe someone my age would share this view, that in the quote "early days" in the forties and fifties, in that time frame--certainly up to the end of the fifties--nobody really, not many practitioners of the law gave first consideration to what kind of pay they were going to get out of the opportunity to represent somebody in some kind of a controversy that involved their legal skill. And I dare say that as of 1988, that this really isn't so much true as it used to be. I really think that people are actually looking more and more at the bottom line. That is, what sort of net return do we look at when we are engaging in this representation.

McNulty: When you began, there were relatively few women in the Bar. Today there is an enormous number of them.

von Ammon: Yes.

McNulty: Has their presence changed the parameters of the profession, as well as you can tell?

von Ammon: Not from my point of view at all. Not at all. We have women lawyers in this firm, partners and associates in this firm, that are real stars and



they are such nice people. Just really darling people, that you would enjoy very much having the opportunity to be associated with in a professional way and in a social way. And as far as I'm concerned it's all the same to me.

McNulty: Do you think you felt that way forty years ago?

von Ammon: Oh, probably not, because I hadn't had any chance to test it in any way. In the old Sidley, McPherson, Austin and Burgess firm in Chicago there was a woman lawyer in the days when there weren't so very many women lawyers. And I don't know where she is, or if she's alive, or if she's practicing law, or if she's a partner in the firm, or what she's doing. I don't even remember her name. All I know is that because of her personality and her physical appearance and the way she conducted herself I would never have sought her out as a buddy or a friend.

McNulty: A final area I wanted you to touch on, because I know that you've had strong political interests over the years, do you view lawyers' participation in political matters as a predictable, or is that just an individual inclination?

von Ammon: Well, Jim, I've got to tell that I have really always been amazed at the tremendously high percentage of members of the Bar who are members of

Congress, and I personally have never believed that being learned in the law or a member of the Bar, or a practitioner is necessarily a prerequisite for being a legislator. And I don't think that the Congress of the United States deserves to be populated by people with law degrees. And I'm not so sure that it's even the way to go in terms of resolving national problems.

McNulty: But this high ratio of lawyers in Congress has been a continuing fact of life from the founding of the Republic. Why would such a thing persist unless there was some fundamental and practical reason for that being so?

von Ammon: Well, it's difficult for me to know because--and I look at the Arizona Legislature as being the absolute cardinal example of a non-lawyer legislative body and--I don't know what the last count was, but it's never been the feeling that there was more than eight or . . .

McNulty: Oh, nearer three or four.

von Ammon: Maybe three or four. And I guess there are some people who believe that if you are, quotes, "learned in the law," somehow that it gives you a greater skill to draft legislation and determine the place of the legislation in governance and society, to decide whether it ought to be a part of

the fabric of our governmental process or not. But I think that given the kind of professional assistance which can be purchased and is available and in fact is functioning in the legislative process all the time, that there ain't no reason in the world why someone who makes his living in retail sales or medicine or something else can't make just as good judgements about what's good for people and what's bad for people and what matches the society, as lawyers.

McNulty: Some people look to the law for morality and the enforcement of morality on other folks. Isn't a lawyer more apt to understand that the law is a minimum tolerable code of social conduct, while morality is a stretching upwards and that these two are not the companions that some would suggest?

von Ammon: Amen. I agree with you.

McNulty: With respect to participation in the political life of the community, you've always done that? Would you recommend other lawyers do so?

von Ammon: I'd recommend other lawyers do that if the lawyers were people who had the temperament and personality and disposition to be involved in community leadership and governance, but there is absolutely no reason in the world why any M.D. can't perform that kind of a function, nor is there any

particular reason why a retailer of men's clothing can't perform the function if he's got sense and his head screwed on properly.

McNulty: Phil, if you had it to do all over again, would you do it all over again?

von Ammon: The answer is yes.

McNulty: Thank you. I'm through here. Are there any areas that you thought I might touch or you would wish that I would touch?

von Ammon: If you wanted me to give you a short dissertation about what I think about you, I'd be glad to do it.

McNulty: (laughs)

von Ammon: But it would just be all flattery . . .

McNulty: Yes. (laughs) Well, I think that this went exceptionally well, and somehow you've managed to remember more than forty-five minutes worth of memories of law and the people.

von Ammon: Well, I'm just delighted if you got what you wanted and that's . . .

McNulty: I did. I got all together and more really.

End of interview.

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