



# Historical Society of the District of Columbia Circuit

Newsletter #21

October 2014



## JUST AHEAD: A RECEPTION FOR LAW CLERKS OF THE D.C. CIRCUIT COURTS

Judges who have sat on the District of Columbia Courts and their current and former law clerks have been invited to a reception featuring Justice Elena Kagan (pictured left), a former law clerk herself, having served with Judge Mikva from 1986-1987 and with Justice Thurgood Marshall on the U.S. Supreme Court during the Court's 1987 term. The lead-off activity of the Society's Law Clerk Initiative, a project inspired by Judge Ellen Segal Huvelle, the reception is the Society's first coordinated effort to involve law clerks in the work of the Society.

The reception will be held on October 21, from 4:30 until 6:30 p.m. in the Atrium of the Courthouse.



## WATCH THE SOCIETY'S MOST RECENT PROGRAM – AND MANY OTHERS -- IN THEIR ENTIRETY

[Listen as our esteemed panelists discuss](#) the relationship between the D.C. federal courts and public education in the District of Columbia in “Sixty Years After *Bolling v. Sharpe*: Public Education and the D.C. Federal Courts.” Circuit Judge David S. Tatel; Kaya Henderson, Chancellor of the D.C. Public Schools; Roderic V.O. Boggs, Washington Lawyers’ Committee for Civil Rights and Urban Affairs; and Brian W. Jones, General Counsel of Strayer University, talk with Moderator James Forman, Jr. of the Yale Law School about *Bolling v. Sharpe* and *Brown v. Board of Education*, key public education issues, and challenges presented by the twin goals of quality schools and diversity. Listen to Eloise Pasachoff, Georgetown University Law Center, as she highlights the history of the Courts’ engagement with the D.C. public schools.

Twelve other Society programs can be viewed on the Society’s website. [See listing.](#)



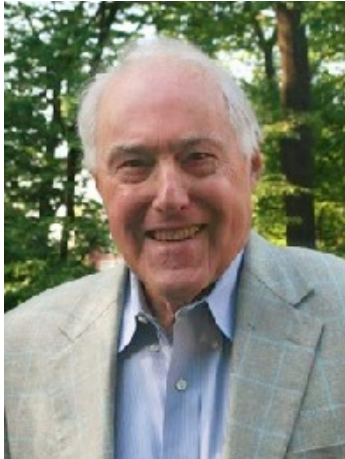
## HISTORICAL REFLECTIONS

[Read a new article](#) about Justice Wiley Rutledge (pictured left) – a judge on the U.S. Court of Appeals for the D.C. Circuit for four years before being named to the U.S. Supreme Court. Judge John M. Ferren, author of "Salt of the Earth," "Conscience of the Court: The Story of Justice Wiley Rutledge" writes about Rutledge's opinions on both courts that reflected his roots -- opinions in which he emphasized due process, equal protection, and enhancement of individual rights.

[Read an insightful article](#) about the dissenting judge in *U.S. v. Bollman*, an 1807 case involving a charge of treason and inherent judicial powers. "Rarely has a federal judge spoken so frankly and personally to the President of the United States--and perhaps never to the president who appointed him to office," writes Professor N. Kent Newmyer. You will be surprised when you discover who this judge and the President were.

## READ THE ORAL HISTORIES JUST ADDED TO THE SOCIETY'S COLLECTION

### Steve Pollak



As Steve Pollak's (pictured left) oral history demonstrates, he has most of the history of the D.C. Circuit in his head and has experienced the best parts of the last sixty years of it. Steve explains how he earned such credentials as President's Advisor for National Capital Affairs, Chief of the Civil Rights Division of the Justice Department, and President of the DC Bar. He is a young lawyer at the Justice Department, manning the open phone line to the administration building on the campus of the University of Mississippi as Deputy Attorney General Nicholas Katzenbach, John Doar, Louis Oberdorfer, and others wait for the arrival of federal troops to protect James Meredith in integrating the university. He dines at the White House with Lyndon Johnson and hears him expound on the Vietnam War. And so much more.

[The oral history](#) was taken by Katia Garrett and William Schultz

### Abe Krash



Abe Krash (pictured left) was hired on a temporary basis as the twelfth lawyer at Arnold, Fortas & Porter in 1952 and spent his career there. In 2006, he delivered a lecture at Georgetown Law School on the changes he witnessed in the legal profession, but his oral history itself is a case study of change from an era when lawyers considered themselves generalists capable of handling any legal problem to today's view of them as specialists and even "technicians." Krash tells of his run-in with founding partner Thurman Arnold over the younger man's objection to the firm's pro bono representation of poet and Fascist Ezra Pound. Arnold responded, "Look sonny boy, you like to think of yourself as being a civil liberties lawyer, don't you? It is very easy to be a civil liberties lawyer if you are representing people with whom you agree and whom you like. The real test is whether you stand up for people who you don't like and whose opinion you detest." [The oral history](#) was taken by Stuart Pierson.

## MEET THE SOCIETY'S NEW TREASURER : JASON M. KNOTT



Jason (pictured left) is a litigator who focuses his practice on business and employment disputes, white collar criminal defense, and government investigations. Jason is also a co-founder and contributing editor of the blog Suits by Suits ([www.suitsbysuits.com](http://www.suitsbysuits.com)), which discusses legal issues that arise between executives and their employers. Jason graduated cum laude from Harvard Law School in 2003, and from the University of North Carolina at Chapel Hill in 2000, where he was a Morehead Scholar.

His wife, Kelly Blevins, is an in-house attorney at Georgetown University. Kelly and Jason have three children: Carter (7), Brady (5), and Sam (3). Jason enjoys camping with his sons, hiking, playing the guitar, and Tar Heel sports.



### A VISIT FROM THE GREAT-GRANDDAUGHTER OF COURTHOUSE ARCHITECT

On June 27, 1950, the first day of the Korean War, construction of the new federal courthouse in Washington began. The design, approved two years earlier, was the work of Louis Justement, an architect whose other public buildings in the city included the Longworth Building, Howard University Medical School, and Sibley Memorial Hospital. This summer, 64 years later, Justement's great-granddaughter, Kate Justement, visited the Courthouse to view her great grandfather's work.



### ON VIEW - THE PORTRAIT OF JUDGE ROGER ROBB

Before following his father's footsteps to the bench, [D.C. Circuit Judge Roger Robb](#), a federal judge from 1969 - 1985, enjoyed a storied legal career representing both Washington power brokers and outsiders in some of the most noteworthy national security, ethics, and libel cases of the Cold War era. Known for his direct, assertive approach, Robb served as court-appointed counsel for Earl Browder, head of the Communist Party, who faced charges of contempt of Congress for refusing to incriminate former comrades. At the height of the McCarthy era, Robb acted as special prosecutor for the Atomic Energy Commission in its investigation of J. Robert Oppenheimer. In the 1960s, Robb defended Otto Otepka, the State Department security advisor charged with leaking unauthorized information regarding Kennedy-era security clearances to the Senate. On behalf of Senator Barry Goldwater, Robb won a libel suit against a magazine publisher who polled psychiatrists to ask whether Goldwater was mentally fit to serve as president. On the bench, Robb authored nearly 150 majority opinions, including an opinion invalidating the FAA order grounding all DC-10 airplanes in U.S. airspace in the wake of a 1979 crash and an opinion upholding the police handling of anti-Vietnam war riots in Washington, D.C. In 1979, as presiding judge on the three-judge panel created by the Ethics in Government Act, Judge Robb helped select and supervise the special prosecutors investigating allegations against Hamilton Jordan and Edwin Meese. Judge Robb took senior status in 1982 and passed away in 1985.