

**ORAL HISTORY OF DWIGHT D. MURRAY**  
**Seventh and Final Interview**  
**July 12, 2018**

This is the seventh interview of the Oral History of Dwight D. Murray as part of the Oral History Project of the Historical Society of the District of Columbia Circuit. The interviewer is Gene Granof. The interview took place at Mr. Murray's office in Washington, D.C., on Thursday, July 12, 2018.

Mr. Granof: The last time you had mentioned you wanted to talk about your bar association connections, your experience with the Inns of Court, and the Association of Trial Lawyers, so any of those that you would like to talk about, or all of them.

Mr. Murray: I got involved with the Bar Association back in the early 90's. I did some committee work.

Mr. Granof: Was this the D.C. Bar?

Mr. Murray: Bar Association for the District of Columbia. It's an interesting organization because it was founded in 1870 something. It's one of the oldest bars in the country, and it existed before the D.C. Bar, and my understanding is that when the D.C. Bar, 1970, when there was a court reorganization act and they wanted to establish a D.C. Bar, there was a question as to whether or not the Bar Association would perform that function, and they declined. There was some racial discrimination connected with the Bar Association of the District of Columbia for quite some period of time.

Mr. Granof: D.C. was a segregated city.

Mr. Murray: D.C. was a segregated city, and African Americans were not allowed in the Bar Association of the District of Columbia. I don't know who broke the color line, but I think Judge Aubrey Robinson was in the forefront, and one of the former

presidents of the Bar Association, Charles Rhyne, was also president of the American Bar Association, and the Bar Association of the District of Columbia made a concerted and successful effort in integrating the bar association. I come along 40 years later after all these battles were fought by all these great heroes. I, along with a lot of other African American lawyers in Washington, D.C., received the benefit of the struggles of those who came before us. I got involved in committee work, litigation, and the tort committee, back in the early 90's. And then one day somebody came to me and said, "Dwight, why don't you run for office?" And I've never been joiner; the only thing I joined was the Marine Corps. I didn't participate in college politics; I didn't participate in a lot of other things. Maybe I was president of the history club in college, but that's because I liked history, but student government I stayed out of, not only in high school but college as well as law school. So I thought it was interesting, and I liked the people, so I joined a committee, I ran for office, and it really didn't bother me if I won or lost to tell you the truth, but I won, and the next thing you know they wanted me to run for another office. I ran again, and I won.

Mr. Granof: And what office was that?

Mr. Murray: I think it was Secretary, and then they asked me to run for Vice President of the Bar, and I ran, and I won, and I was quite surprised because you know in the bar association you didn't campaign, so it was mostly reputation that caused people to vote for you or vote against you. And then the big test was when I ran for President, and I ran against a well-known lady who was very active in getting the Women's Bar to support her, and I won that election as well. I thought that was

interesting. You serve a term as president-elect with the existing president for the bar association, and then after his term is over with, you slide into the position of president. The purpose of that is to keep the continuity going.

Mr. Granof: What years are we talking about?

Mr. Murray: It was in '95, '96, so it didn't take me long to get up to speed and to start running for the high office. I had no ambition to become president; but one thing led to another. It was a logical turn of events, and in '96, that was an eye opener because it was also a busy year for me. I had about four or five trials that year, I was doing a lot of traveling. But it was a tremendous experience to be president of that great organization. I learned a lot. I met a lot of great people. Myles Link, who was president of the D.C. Bar, and I became good friends. We had Ron, I can't remember Ron's last name, who was president of the National Bar Association, so we were all three presidents at the same time, so we went on a lot of speaking tours and we got to know each other, and both of these were great people. During that entire time, I was also a member of the American Inns of Court.

Mr. Granof: Before we leave the Bar Association, when you were secretary, what did you do?

Mr. Murray: Well, just kept notes. I mean it wasn't really a job or responsibility where you could have a lot of impact. We tried to increase the membership of the bar association because at this time, the 90's, the D.C. Bar was beginning to grow, and people had less money to spend on activities that were not essential to their professional development. We tried to make the Bar Association relevant to D.C. lawyers. What we did, not only under my leadership, but also the leadership of my predecessor and the leadership of others who followed me, we held seminars

that were relevant to topics. We brought in the Patent and Trade Office, the people who practice patent law, we gave them a section, we gave them a platform. Glenn Mitchell, who was at this firm, one of the founders of this firm, had a platform for antitrust that was his specialty that was well attended. We raised a lot of money with that platform. Our main goal was to increase the membership, raise money, and be of service to the members of our association. Those functions, those missions, we accomplished. But what I could see happening is that the D.C. Bar was becoming bigger and stronger, and the Bar Association played a relevant part with the court system because the D.C. Bar had to be neutral, but the Bar Association could be an advocate for the court. When the Family Division was started in Superior Court here, the Bar Association led the charge with the court, lobbied for the court with Congress, lobbied for the court in front of the City Council. When there was a movement to assess professional taxes on all professionals in the District of Columbia, we fought that. In fact, I remember testifying in front of the City Council and we had the figures to show how much pro bono work the lawyers in the District of Columbia do, and how much we paid in sales taxes with all of the equipment we buy, the purchases we make, and the entertainment we do for our clients and for members of our firm. And it was quite substantial. With those efforts and the efforts of some other individuals who fought the professional tax, we were able to defeat the professional tax that the City had planned to levy against professionals like doctors, lawyers and accountants, etc. The proposal to levy the professional tax was shelved.

Mr. Granof: What's the difference between D.C. Bar and the D.C. Bar Association?

Mr. Murray: The Bar Association of the District of Columbia is a voluntary bar. You don't have to belong to it to practice law in the District. It's the Association that is over 200 years old. It existed before the D.C. Bar existed, and the D.C. Bar came around in the 1970's. That's the mandatory bar, so every lawyer that practices law in the District of Columbia is a member of the D.C. Bar. Every lawyer who wants to practice law in any of the courts whether they live in D.C. or whether they're abroad, or whether they're in one of the other 50 states, they become members of the D.C. Bar. So that's the mandatory bar, and that's essentially the difference. The D.C. Bar got stronger because they could increase their dues; if you want to play, you have to pay. In other words, if you want to be a member of the D.C. Bar, you're going to have to pay the dues. Moreover, attorneys can just waive to get admitted to the D.C. Bar. There is no need to pass a bar exam or an attorney's exam as a condition for admission. As a result, there are over 100,000 members of the D.C. Bar, and maybe half those members practice law in the District of Columbia. The others like to have a D.C. Bar admission on their résumé, I'm a member of the D.C. Bar, I'm a member of the D.C. Court of Appeals, I'm a member of the U.S. Court of Appeals for the District of Columbia Circuit, which all the news outlets recognize as the second most important appellate court in the country. I am also a member of the bar of the Supreme Court. If one can have that on their résumé that they are a member of the D.C. Bar, that's big plus for business development purposes. Also, the D.C. Bar does a lot of fantastic things. I participated in CLE programs of the D.C. Bar. I was a member of the Attorney-Client Security Fund Committee, which is a fantastic organization. It's a very

well-run organization. Now the D.C. Bar has its own building. That shows you how successful they are.

Mr. Granof: And they're in charge of the attorney discipline, subject to the oversight of the courts?

Mr. Murray: Yes, but the courts are really the disciplining arm, but yes. They have an Ethics Committee, they have the D.C. Grievance Committee, you know when someone files a grievance against a lawyer, that's handled by an arm of the D.C. Bar.

Mr. Granof: And they publish the magazine that your partner Jake Stein wrote a column for?

Mr. Murray: *Washington Lawyer*, yes.

Mr. Granof: Yes, they do a lot of work and they're a tremendous benefit to the city, but they can't lobby. And the D.C. Bar Association is separate?

Mr. Murray: It's not the D.C. Bar, it's the Bar Association of the District of Columbia, The BADC for short. That's a separate voluntary bar association. You can be a member of the D.C. Bar and not be a member of the Bar Association of the District of Columbia. You can be a member of the Bar Association of the District of Columbia, but if you want to practice law in D.C., you also have to be a member of the D.C. Bar.

Mr. Granof: And how many members did the Bar Association of the District Columbia have?

Mr. Murray: When I was president, we had about 5,000 members. Now you got to remember, back in the 50's and the 40's, this was the Bar Association of the District of Columbia; it was the premier organization that if you were a top lawyer, you belonged to that organization. It was an invitation kind of thing. That's why they couldn't integrate. You had to invite someone to be a member. All of the top

lawyers who practiced law in the District of Columbia were members of the Bar Association. This was before they had a D.C. Bar. Now when it became it integrated, and it became less exclusive, and when the D.C. Bar was formed, which was the mandatory bar, the BADC had a hard time attracting members because of competition with the D.C. Bar. Someone would say, “Well, why should I pay a hundred bucks to be a member in an organization when I have to pay another hundred plus bucks to be a member of the D.C. Bar., and I really need to belong to that bar? Why do I have to pay a hundred bucks to socialize with other lawyers, when I can do that without paying?” It became very competitive to attract members and to keep members, and we had to make ourselves relevant. I have to say they did a good job of doing that. Now the Bar Association has its own office, it’s a condominium office right there on 16<sup>th</sup> Street, across from the Capital Hilton Hotel. It’s a small office but it’s very efficient and, like I said, it’s doing very well. I haven’t kept up with the membership. I used to go to the annual banquet which was like the social event of the year for D.C. lawyers. That’s where you got to see everybody, at least once a year. I mean it was usually held at the Capital Hilton.

When I was president, we moved it to the Grand Hyatt, and I had as my guest speaker, Attorney General Janet Reno, who was Clinton’s attorney general. We had a really interesting conversation. When I met her, what amazed me was how much of a source of inspiration she was to all the young women lawyers. I was standing next to her and witnessed how the women lawyers, especially, would come up and express their admiration. These young women lawyers would

express how wonderful Attorney General Reno was. I said, “Holy smokes,” because I realized how important role models are to young people. Role models give people a goal, an affirmation that anything can be accomplished if one works hard enough. President Clinton selected her to be the first female attorney general, and she did a pretty decent job, until they had the Waco siege. But you can’t have perfection 100 percent of the time. There are so many people involved, and so many parts are moving, something’s bound to break down at one time or another. It’s how you handle the adversity once it happens, and I thought she did a good job.

When I first was introduced to Attorney General Reno, she was a little bit guarded. We were sitting up on a dais, just the two of us before the proceedings started. I don’t particularly like daises, but this is what the organizers put together. I could tell she was a little bit uncomfortable, so I leaned into her and I said, “I’ve got a very important question to ask you.” And she looked at me like what is this guy up to. And I said, “Why did you major in chemistry?” And she just burst out laughing and at the same time, she looked at her security guard and shooed him away. After that one little joke, she felt very relaxed, and she said, which was pretty revealing, given the times, that she had the major in chemistry in order to hide from her father that she wanted to be a lawyer. If she majored in pre-law or anything connected with that, her father would get upset. That shows you the kind of courage that women had to have back in those days to pursue their dreams. It’s a common story. Ruth Bader Ginsburg would tell similar stories. Judge Sylvia Bacon, who was one of the first women to be an assistant U.S. attorney in D.C.,



told similar stories. It shows the struggles that people had to go through to accomplish their goals.

Janet Reno gave a great talk, but the thing that stuck out with me was the admiration that the other women, no matter what their color, came up to her and expressed their admiration for her, and I'm sure that happened every time she went to a public event, you know where women would come up to her and say how much they admire her and how much she inspired them. I thought that was great.

We had some great speakers for the Bar Association. The only time my wife went to one of those banquets was one that Thurgood Marshall was the guest speaker, and she had to listen to him. He was a great speaker. My experience with the Bar Association was very good. It was a tough year when I was president of that organization because, like I said, I had five trials that year, and I was like a man on fire. I had the presidency of the Bar Association, I had the commitment to the clients, and I had these trials coming up every now and then. That was one tough, tough year.

Mr. Granof: I can imagine.

Mr. Murray: But like all tough moments, they end. Sooner or later the case is tried and it's over with, and you move to the next one. The Bar Association is a great organization, and I was glad to be part of it. I wish I could participate more in it. I haven't been to an annual banquet in several years because I have a client who gives a Christmas party the same date as the Bar Association's annual banquet. This client is an organization that does actuarial work for pension funds. It is one of

those stories that gives a lawyer tremendous professional satisfaction in helping a client. Anyway, I helped this client during a very difficult time. These guys were kicked out of their big multi-national organization because of pension fund liabilities that the multi-national company, who were my clients' employer, did not assume because the liabilities for mistakes in handling pension funds could be astronomical. There was a serious disagreement between my clients and their employer, the multi-national corporation. The corporation fired my clients after locking them out. There was a huge bitterly fought lawsuit, I mean a huge lawsuit, and I know I backtrack, but this is an important story. This is why I can't go to these annual banquets.

This multi-national company came after them with probably the most vicious attack I've ever witnessed in any litigation I've been involved in. They were out to destroy these people, and they hired a big law firm to do it. We were able to hold them back. We were able to stop the onslaught. One day, after an evidentiary hearing in court, I was sitting with the clients, there were just six of them, just six people. They showed me a computer program that they put together that can project the health and sickness of a pension fund, and if it's sick, how to make that pension fund better. I looked at these guys and I said, "Why are you fighting this lawsuit? I know you're being attacked; and I understand how you are taking this personally." But I told them "You're sitting on a gold mine. Let's settle this suit and start your own business and start making money." They said, "But Dwight, what they did to us was . . ." I said, "Forget about that. Ten years from now, it won't matter. Focus on making money." Those six people are now a

100-person firm. They represent pension funds all over the country that they're in charge of, and they've grown tremendously. Now they're well respected, they have an excellent reputation, so that's why they invite me to their banquet.

Mr. Granof: A nice banquet, too?

Mr. Murray: Nice banquet. Always in a nice place. They have nice offices. These guys are millionaires now. Millionaires. And it's always good to look around to see new faces when I go there, to recognize the growth that they've experienced. Now they have me on the Board of Directors. After I retired, they said, "Well, Dwight, why don't you join our Board of Directors." I said OK. I get to see them on a regular basis, at least once every couple of months. That's one of the pluses of being a lawyer, when you can tell stories like that, when you've helped clients and make a difference.

Mr. Granof: Yes. No question about it.

Mr. Murray: It makes you feel good. Not only do they benefit, but their families benefit and other people who come into their organization benefit. But getting back to the Bar Association, that's why I haven't been able to go to the annual banquets. But being president of the Bar Association increased my profile, I can't deny that, and so judges got to know me better, and it's always a plus when you put down on your résumé, or you see something in your byline, or your CV, where you were president of an association.

Mr. Granof: The Bar Association, 5,000 or more lawyers, it's a recognition.

Mr. Murray: Yes, it's a recognition, it's an accomplishment, and it's like I tell young associates, I say "Join something, get involved in something, get to know the

judges, go to these happy hours when you see a judge in a different light, and the judge will see you in a different light, and your reputation will be enhanced, get to know the young lawyers now who will be the future leaders tomorrow.” Some of them took my advice, some of them didn’t. The ones that took my advice were happy for it. They did get involved, they did learn; and they benefitted from the experience.

Mr. Granof: And it’s good for business.

Mr. Murray: And it’s good for business. Right. Not that lawyers will send you business because you’re a member of a committee. That happens every once in a while, but it won’t be a steady stream of business that comes, but occasionally it will happen. The important thing is that when a potential client looks you up, now they Google you, or if they looked you up in Martindale-Hubbell in the old days, or if they go to your website, they can see your bio, they can see that you didn’t just go to law school and practice law. They can see that you have positions of leadership in the Bar, that you’re responsible for making changes. They equate that with decision making abilities and leadership abilities. I thought that was a big plus. And I didn’t have any problems making decisions, or leadership, you learn that in the Marine Corps, but I also honed those experiences I learned in the Marine Corps, and those experiences made me better. It’s different in a civilian world than it is in the military world. If you outrank someone, you can tell them this is an order, you do it. No questions asked. But in a civilian world you have to be a little bit more persuasive and logical, in bringing people along. So that was a tremendous experience.

The next area is the American Inns of Court. American Inns of Court was started by Justice Burger, Chief Justice Warren Burger. He went over to England and saw the system they had over there where young lawyers would sort of associate, affiliate, and congregate with more seasoned lawyers. The barristers would be with what they call the silk, the guys who were really accomplished. They would learn. They would eat together. They would talk about cases together. He thought that was a good system and wanted to adopt it in the District of Columbia, and throughout the United States. As a result, several Inns were started. One was the Charles Fahy Inn, which was named after Judge Fahy. And Sherman Cohn who was my Civil Procedure professor at Georgetown was instrumental in starting that particular Inn. Professor Cohn was also instrumental in working with Justice Burger. The Inn that I belonged to was called the William Bryant Inn, and in the William Bryant Inn, since I had been practicing law maybe 15, almost 20 years, I was asked to join as a Master. There are several categories. You have associates, who were the lawyers who were practicing between 1 to 3 years. The next category was the barristers. The barristers were lawyers who were practicing 5 to 10 years. The last category was the masters. The masters were lawyers who had over 10 years of experience, the guys who were really experienced. In that Inn they had some of the top trial lawyers in the District of Columbia. I mean people from Williams & Connolly, the top trial lawyers from Williams & Connolly; the top trial lawyers from Arent Fox; the top trial lawyers from Arnold & Porter; the top trial lawyers from the U.S. Attorney's office. All these people were members of this Inn. Can we give demonstrations on how to do

cross-examination, how to do an opening statement, how to do the closing arguments for the young lawyers? First, we would have dinner, usually in the judges' dining room in the federal courthouse, on the 6<sup>th</sup> floor. You would get to mingle with law students, third-year law students; one or two-year associates; and then people who had been practicing for about five years.

Mr. Granof: And how do you become a member of one of the Inns of Court?

Mr. Murray: The first group was by invitation. They put it all together. They made a list of lawyers. They went to judges, and said, "Who would you recommend," and somehow my name came up, and I was one of the first, part of the first group.

Mr. Granof: And that's at the formation of it.

Mr. Murray: That was at the formation of it. I stayed in that organization for 25 years. We had meetings, not during the summer months, but from September to May, we had meetings once a month.

Mr. Granof: And after the initial group, could you join, could you ask to join, or is it still by invitation?

Mr. Murray: It was mostly by invitation. We would keep our eye on somebody. Young associates who were interested, young lawyers who were interested, people in the government who were interested in honing their skills and becoming better trial lawyers. We would look for them especially. We had no problems filling the ranks, no problems at all. We had a waiting list of people who wanted to join. We had some tremendous programs, some tremendous speakers. In fact, the present senator who just won election from Alabama, Doug Jones, came and spoke to us. He was one of the individuals that brought to justice one of the Ku Klux Klanners

who murdered, the bombing incident in the church in Alabama. Tremendous speaker. Nice person, and I was really gratified to see him win that election for the Senate seat because I think Alabama will have a great Senator. What he did took a lot of guts, let me tell you, it took great courage to do what he did. He brought justice to the families of those little girls who were killed in that church bombing in Alabama. We had other great speakers.

One program that we put on one year, we did research and we got transcripts of the great trials that were tried in the American judicial system. One was the Sacco Venzetti trial. We did the Scottsboro boys trial. I was in charge of that trial, and we did such a good job they wanted to submit it for an award. I'm not like that, so I didn't push it. But it was a great, great presentation that the entire team did. All I did was just moderate it. The people did a fantastic job. I learned about the Scottsboro case, I knew a little bit about it, but to read the transcript and to know what this lawyer Leibowitz did from New York, here's a guy that had a 77 won and 0 record in capital cases. In other words, he won 77 capital cases, got a hung jury in one, and did not lose one case. Talk about a tremendous trial record in capital cases. A New York Jewish lawyer who came down to the deep South, the "Heart of Dixie" to try a case in Scottsboro, Alabama. Do you realize what guts that took? What was interesting about that, I read into it, there was a struggle between National Labor Party, which was a communist front organization, and the NAACP. The NAACP turned down the opportunity to finance the legal defense fund for the Scottsboro boys. Remember this was in the 30's.

Mr. Granof: Yes.

Mr. Murray: In reading and researching the Scottsboro case I learned something about the social mores and political atmosphere at the time. It explained why some prominent black figures in America explored the Communist Party. For example, people like Paul Robeson, and Langston Hughes. The Communist Party saw them and treated them as equals. The Communist Party didn't see them as black individuals. Unlike the Democratic Party and the Republican Party. Comprised of people who were victims of social prejudices. I began to understand why these guys, Paul Robeson especially, all American football player, opera star, Phi Beta Kappa, you name it, he had it, why a person like him was drawn to the Communist Party and was later ostracized for his involvement.

Mr. Granof: And he had a wonderful voice. I am old enough to remember hearing him as kid, listening to him sing at a concert.

Mr. Murray: Precisely. You know he had that stamp on him. That just ruined him. I always asked myself why did he do that. From the Scottsboro case, I found out why. Here the national labor organization, whatever that front was, whatever the name of that front was, financed the defense of the Scottsboro boys when no one else would do it. The NAACP was afraid of the publicity because they thought they had these guys dead to rights, and he did a phenomenal job against overwhelming odds; he kept the fight up. Now the Scottsboro boys lost because the deck was stacked against them. But their lawyer kept them out of the electric chair, and through sheer persistence got them eventually released from prison

Mr. Granof: There was no way the Scottsboro boys were going to win.



Mr. Murray: And I would have told him that if I had been there, there's no way you're going to win this case in Alabama. But he kept at it. This is what is great about the legal profession. You got stories about guys who have been saved from wrongful execution, wrongful imprisonment for the rest of their lives, just by the sheer will and talents of some of the lawyers who like a hungry dog with a bone, they didn't let go until their client was finally vindicated. And that's the same way that Sam Leibowitz was. Despite the prejudice, despite the threats, despite the life-threatening situations he faced on a regular basis, and despite the judges who were against him, the town was against him, press was against him, everybody was against him. Eventually he prevailed because none of those guys was executed, a couple of them died, and then later on it came out that this was all a hoax and these guys spent all that time in jail or on death row, for nothing, for absolutely nothing, just because of the color of their skin.

Mr. Granof: You know there was a movie, an award-winning movie about that.

Mr. Murray: Yes, I was aware of that. In fact, I was asked to invest in that. I said no. I didn't know anything about investing in movies, so I turned it down. The great thing about the American Inns of Court is the experience you had with other lawyers who were at the top of their game. I mean some of these guys were just absolutely fantastic. You see a demonstration, and you put it in your repertoire, and that's what lawyers do.

Mr. Granof: I'm sure you did a fair number of demonstrations.

Mr. Murray: I did a fair number of demonstrations. I thought I did pretty well, but some of these guys were just absolutely incredible, and sharp, I mean we had guys that

tried Watergate cases, we had a guy that was in the Abscam cases. That shows you the type of experience level that they had belonging to the American Inns of Court.

Mr. Granof: And so, for a young associate who was interested in trying cases, being a trial lawyer, this was an invaluable experience.

Mr. Murray: Yes. I remained in the organization until I retired. When I retired, I still came to the meetings on Tuesdays, and then I said, "Dwight, why are you doing this?" So I stopped, but I would go to a dinner, they had the annual dinner in May, I would go to that every once in a while. It was a fantastic experience. I got to know a lot of great lawyers through that experience. One time when I had the responsibility to get guest speakers, I invited Jake Stein, Plato Cacheris, and Sherman Cohn, to speak to the group. This is like murderers' row. All these guys were at the top of their game when this happened, I don't know, 15, 17 years ago. Plato represented just about every spy that was ever caught by the government and prosecuted in the Eastern District. Jake represented Ken Parkinson and got the only acquittal in the Watergate trials. Jake was also special counsel for the Meese investigation. Of course, he and Plato represented Monica Lewinsky. He represented a lot of politicians who got in trouble. Everybody recognized Jake's name because not only was he president of the D.C. Bar, but he was also president of the Bar Association of the District of Columbia. And then Sherman Cohn, world renowned, nationally respected expert in civil procedure from Georgetown. It was like a trifecta; everybody was really impressed. I knew these guys, and I was impressed. I'd call them up and say, "Hey, you want to . . ." "Yes, we'll do

that.” And I thought that was quite an accomplishment, after the fact. I didn’t think it was quite an accomplishment while I was doing it, but when I was sitting there, it suddenly hit me. I thought these guys are heavy hitters and they came just because I asked them to. Of course, I did favors for them, too. I would go to their class, like Jake had a class, or Sherman Cohn would have a class, and I would go and speak at the class. I would refer a criminal case to Plato at one time. I was really impressed that I was able to get these three heavy hitters in to speak to our group, and I thought it was just fantastic, and it was very successful.

As time went on, the William Bryant American Inns of Court became more and more of a speaking organization. When we’d meet, we’d have speakers that would come in and talk about esoteric topics like fingerprint analysis, voiceprint analysis, DNA analysis, and we got away from the trial demonstrations. For the old guys like me, that turned us off a little bit. Not that the speakers were not good. All of the speakers were excellent.

Mr. Granof: But they weren’t the same thing as a live demonstration by trial lawyers.

Mr. Murray: They weren’t the same thing as a live demonstration, right. Slowly but surely guys began either to retire or drop out or whatever, and it just became a different organization, but I still enjoyed it, and I still went to the meetings, I still learned a lot – because it’s all about learning.

Mr. Granof: And still a live organization which is thriving?

Mr. Murray: Yes, and it’s named after a great jurist, William Bryant. In fact, he was there, William Bryant was there, Judge William Bryant was there when the Scottsboro demonstration was done, and he congratulated everyone on a good job. Even

though the Inn was named after him, he didn't appear too often, but he was there for that presentation.

Mr. Granof: They named the courthouse after him.

Mr. Murray: Yes, they named the annex, and I was very glad that happened. One of the guys that was very instrumental in that was Roger Adelman; I became good friends with him. Roger was one of the founding members of the William Bryant Inn of Court. Roger was a career prosecutor, and he was the guy who prosecuted Hinckley who shot and attempted to assassinate President Reagan. I believe Hinckley was acquitted by reason of insanity. Roger and I went to lunch quite often, and that case, that case crawled under his skin. I would say, "Roger, the guy was nuts. No person in their right mind would attempt to shoot the President of the United States to impress a movie actress."

Mr. Granof: Jodie Foster.

Mr. Murray: Yes. He said he should have won the case. He hated to lose, and he was absolutely a great trial lawyer and an expert in evidence, an expert in the mental health defense, and the diminished capacity defense. Roger and I became good friends. We were both trial lawyers and Roger had an office on the 7<sup>th</sup> floor; we were on the 6<sup>th</sup> floor. He would come in and use our library, come in and talk and we'd exchange war stories, we'd go to lunch, but that loss still grated him. I said Roger, "Hinckley will never see the light of day, don't worry about it." Roger died a couple years ago, and he died maybe a year or so before Hinckley was released to his folks. Poor guy if he were alive to see that, oh, he would just have a fit, he would have a fit. But I thought the right decision was made because

Hinckley definitely wasn't in his right mind when he did that, his parents were able to afford Williams & Connolly to represent him, and I forget who the trial lawyer was, but Williams & Connolly is a great firm and they do excellent work. If there was a way to prove not guilty by reason of insanity, they would find it. And Roger put up a great case, a great prosecution, but if you just look at the facts, you'd say this guy, he just wasn't in his right mind when he did what he did, in open public too.

That's an example of the type of people I met in this American Inns of Court. We became friends through the American Inns of Court. Earl Silbert was a Watergate prosecutor and some of the other Watergate prosecutors, some of the Abscam prosecutors, and defense lawyers. I became friends with those guys because of the exposure that the American Inns of Court gave. It was a great organization. What's the other organization? Yes, the American College of Trial Lawyers.

The American College of Trial Lawyers, I never thought I would be a member of the American College of Trial Lawyers. The reason why is because if you look at the directory, there are not only people from big firms, or people who knew people who were members of the American College of Trial Lawyers. You had to have a sponsor, it's by invitation only. No one in my firm was a member. Several of my partners, senior partners, wanted to become a member, but for whatever reason, they never made it for the first review process. I was nominated and you're not supposed to know that you've been nominated. I didn't know. All I knew was my secretary started collecting my calendars to see what trials I had and

how far back they went. She collected the calendars; she had to put together a list of my cases. Somebody called her up and said this is confidential, we're trying to do something, but we don't want Dwight to know about it. She was a good secretary, Janice Connor, so she collected all the information – she was the secretary I had the longest in my career – and provided it to this guy who was doing the investigation of me. They contacted not only the lawyer that you went up against, but the judge that you tried the case in front of. If there's one negative comment about you, then you're taken off the list. You don't move to the next level. So it's a pretty stringent requirement. I mean given the fact that they're asking your adversaries and the judges about your professionalism and your capabilities, and the fact if there's one negative comment you're blackballed. I made it through the process, and I got a call that I was invited, and would I come to the swearing in ceremony. I was too busy. They give you several chances, and finally after two times, I went to Seattle to get sworn into the American College of Trial Lawyers, but I never knew who nominated me. At first, I thought it was Don Bucklin. Don Bucklin was the previous president of the Bar Association that I followed, and we got along pretty well. He was a member of the American College of Trial Lawyers. He was from a big firm. He had his ticket punched in all the right places. But Don wasn't the one. I found out it was a judge who I had tried a case in front of. I'm not going to mention his name, but later on I thanked him for that. It was a legal malpractice case. I represented a lawyer and I guess what impressed him was that I was about to cross-examine this woman, and she had her daughter sitting in the courtroom, and I asked to approach the bench. I

told the judge, I said “I’m about to get into some sensitive information here and I see her daughter is in the courtroom. I don’t want to do this in front of her daughter.” The judge talked to the lady, and the lady said, “I don’t care, I don’t care if my daughter hears this.” And I put it to her. I mean I really put it to her.

Mr. Granof: What kind of a case was it?

Mr. Murray: It was a legal malpractice case.

Mr. Granof: And you were defending the lawyer.

Mr. Murray: I was defending the lawyer, right. A good lady that I was defending. The only other time I was hesitant on pulling the trigger on cross-examination was a case that I had, this was in front of Judge Gasch. There was an auto accident case where this lady hit a pedestrian. The pedestrian was about 72, 73 years old. It was New Year’s Eve night on Pennsylvania Avenue. The weather was atrocious. Heavy rain coming down. He was walking across the street in the dark with black pants and a black raincoat, so she didn’t see him, she hit him. She told me he got up and he tried to leave. Nothing’s wrong with him. I said OK. I get his medical records. Broken hip, broken leg. I said, well how did this guy get up and try to walk away, it just didn’t make sense, and he’s in his 70’s for crying out loud. I called the client up again, and I said, “Are you sure he tried to get up and walk?” “Yeah, he said ‘I’m OK, I got to go catch the bus, I’m going back to the Old Soldiers Home.’” That’s where he lived. I take this guy’s deposition, and I asked him, I knew he had prior military service. He said, “Yeah, I retired from the Air Force.” I said, “What did you do before that?” He said, “I was with Merrill’s Marauders during World War II.”

Mr. Granof: Oh, yes, from World War II.

Mr. Murray: From World War II, which meant that, he was part of a group that went behind Japanese lines in the jungle, and if you went down, you were dead. There was no medivac back then. In other words, if you got sick and you straggled and got behind, you were dead. So that instinct, I know about that instinct that just kicked in, after all those years, just kicked right in, he sprung right up and he was ready to move, and I said I have to see if I can settle this case. But the other guy wanted too much money. So, I had this old soldier on the stand, and I was getting ready to put it to him, and I just hesitated and suggested we have a break. The judge said, and the judge could see it coming, you know you build up to the knockout punch, you don't just pow!, you must build it up so the courtroom gets silent and everybody's paying attention, and you're waiting for the axe to fall, and the axe was about to fall, and I said time out. I said can we have a break. I took the attorney outside. I said I don't want to do this to your client, your client doesn't deserve what is about to happen to him.

Mr. Granof: What would you have done?

Mr. Murray: I had some impeachment material that I was going to use on him, and it would have been rough because he was in his 70's, and he wasn't as sharp as he once was, and it would have been a catastrophe for him. Normally I don't care, that's my job, but not to this guy. So, I held back, asked for a brief recess. The judge knew what I was doing. Judge Gasch was a pretty savvy judge, and I stepped outside. I said, "You know what's going to happen. I'm going to impeach your client; I don't want to do this." I said here's what I can offer you, and he took it.



We settled the case right then. This guy was so happy he didn't realize that he escaped being humiliated, and I didn't want to tell him. I said I'm so glad you settled, I'm so glad everything is resolved. Now you can go back and have a good time. He invited me to the Old Soldiers Home to have some drinks. I mean, he was a good guy, he was a really good guy.

Mr. Granof: But did it come out that he was really injured in that accident?

Mr. Murray: There was no doubt that he was injured, but he was jaywalking, number one; number two, it was difficult for anybody to see him; and three, it was almost contributory negligence, but he was in a hurry to catch a bus.

Mr. Granof: Yes.

Mr. Murray: It was almost like a dart-out case. And it would have been devastating if he went to all of this trouble and lost and didn't walk away with some money in his pocket. I made that possible. Those were the only two times I ever hesitated. Evidently this left an impression on the judge that I had the decency to think about the well-being of the child before I went in there with guns blazing and crucify the mother on the witness stand. I didn't think the child should witness this. If I were a mother, I would have told the child, my daughter, to step outside the courtroom, I'll come get you when I'm finished. But she didn't care, and when she said I don't care, she said it in such a nonchalant way. I didn't either.

Mr. Granof: Do you recall what the nature of the cross-examination was?

Mr. Murray: I used to remember all that stuff, but I had a lot of trials, which meant a lot of cross-examination. All I know, it was devastating. And it was embarrassing to her. If it was just a question of inconsistent testimony, that's one thing, but this

was embarrassing testimony, and that's why I was concerned about the well-being of the child. You don't want to see your parents humiliated in a courtroom. But the lady didn't care.

Mr. Granof: That's odd.

Mr. Murray: I put it to her, gave her both barrels, and we won the case, so the client was very happy about that. That more or less summarizes Inns of Court, the Bar Association, and the American College of Trial Lawyers, which is a fantastic organization. I've only been to one of their meetings, and that's the one that I got sworn in. They have some exotic meetings in some exotic, expensive places, and whenever it comes up, I'm always busy, I always have a conflict.

Mr. Granof: One of these days you'll get there.

Mr. Murray: Yes, one of these days. It's a great group, it does great things for the legal profession and lawyers. It's a reference book that I use. I had a case, lady called up, she lived in some small town in Pennsylvania, she was having problems with a brother, the estate that her husband left and whatnot; she was in her 80's, and the lawyers that she hired were really trying to take advantage of her. So I picked up my book, American College of Trial Lawyers book, and figured anybody in that book has to be not only ethical, but good, and I found somebody close to that area and I called him up, and I said can you, or can you recommend somebody, that can help this lady out. He said yes, talked to this guy, gave him the information that he needed, next thing I know the client is calling me up thanking me profusely, everything's resolved.

Mr. Granof: Good outcome.

Mr. Murray: Yes, good outcome. And that's happened just about every single time I've used that book as a reference because the people in that book are so good. There's a collegiality when you're against someone who's also a fellow in the American College of Trial Lawyers. You play fair. You try to play fair all the time, but there's an understanding that you're going to be fair, there's no gamesmanship, and so that's appreciated. That doesn't happen too often in litigation, especially with young lawyers, lawyers climbing their way up to the top. It's a dog eat dog world now.

Mr. Granof: I think we talked about this before where you have two top notch lawyers, say two, say American College of Trial Lawyers members, and they're so professional that the case would go a lot more smoothly.

Mr. Murray: Oh, yes. The judge sits back and watches the show. He, or she, watches the show because they have two very competent lawyers who know what they're doing and very seldom does the judge have to make a ruling on anything, and judges like it when you have two lawyers that really know what they're doing in trying a case in front of them. It makes their job a lot easier, and it cuts down on any mistakes that may go up on appeal. So, yes, it's very helpful. This firm, the Stein Mitchell firm, they have a number of people who are in the American College of Trial Lawyers. I was the only one in my firm, my old firm, who was a member. Although I tried to get some other guys in, they didn't have enough trial experience to make it, which I thought was strange, or something else happened that defeated the nomination, they didn't make the first cut so to speak, and I thought that was interesting. Like I said, the investigators go to your opponents,

and if you try to pull fast one, or if you weren't truthful at any time, that would come back to haunt you, and perhaps that's what happened. But my old firm, especially the senior partners who knew what that meant, they were very happy that I got in. I think I was the first one in the history of the old firm that got to that level.

Mr. Granof: I guess we're pretty much at the end, but looking back on your career is there anything else you want to add, or any advice for younger lawyers?

Mr. Murray: Well, I believe the law is an excellent profession if you like to help people. I mean it can be a lucrative profession, there's no doubt about that, there are some lawyers who are making a lot of money. And some lawyers who are just as good, if not better, who are barely getting by, and there are a lot in between. But the thing about the legal profession is that it's a profession designed to help people, people who are in trouble, like doctors help people who are sick, lawyers help people who are in trouble. I'm not a big fan of lawyer jokes, and I hear my share of them. But I tell people that most of the signers of the Declaration of Independence were lawyers, and they had a lot to lose by signing the Declaration of Independence, but they knew what freedom meant, and I if you look around, every right that people enjoy, every safety device that you have is probably the result of some lawyer. We drive better cars now because some lawyer filed suit against one of the manufacturers demanding that certain things be done. We have better medicine because some lawyer filed suit. We don't have toxic environments now because some lawyer picked up the sword and went to battle for one of his/her clients to get asbestos removed, to get things like silica

removed, to get better protection for people working in dangerous environments. So when you look at it that way, most people don't see it that way, but when you look at it that way lawyers serve a valuable function in society. In the *Henry VI* play that Shakespeare wrote "The first thing we do is kill all the lawyers," the rest of that line is because in order to accomplish what we want to do, we have to get rid of the people who defend the defenseless, and that's what lawyers do.<sup>1</sup> The fact that lawyers come in and take up these lost causes like for people who are on death row and wrongfully convicted, and fight the battle that no one else wants to fight and get these people released because they've been wrongfully convicted. I mean it's in a headline today and gone tomorrow, but somebody's freedom has been restored, and somebody's life has been restored, and that will last a long time, and that affects people for a long time.

I'm very proud to be a lawyer. It's hard work. I mean, I am a guy who never liked school because I didn't like homework, and I get a job where I have homework every night, but it's different because you see a reason, a purpose, a mission behind it, and you're helping someone; the harder you work, the better the outcome. So sometimes there's a reward at the end of a long journey, the hard-long journey, and that's what I like about it.

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<sup>1</sup> In reference to the review of "Guilty Conscience" (May 20), Leah D. Frank is inaccurate when she states that when Shakespeare had one of his characters state "Let's kill all the lawyers," it was the corrupt, unethical lawyers he was referring to. Shakespeare's exact line "The first thing we do, let's kill all the lawyers," was stated by Dick the Butcher in "Henry VI," Part II, act IV, Scene II, Line 73. Dick the Butcher was a follower of the rebel Jack Cade, who thought that if he disturbed law and order, he could become king. Shakespeare meant it as a compliment to attorneys and judges who instill justice in society.

Mr. Granof: I have three concluding questions. I think I know the answer at least to one of them. Would you do it again, that's one; would you do anything different, that's two; and three, would you advise young people to go into law today?

Mr. Murray: Answer to your first question, yes, I would do it again, without hesitation, because I believe I have the talent for it. The answer to the second question, would I do anything differently? That's a difficult question to answer because I thought about my time at Georgetown Law School. Not knowing lawyers, I didn't know what path to take to get to my objective, and I wish I would have had somebody to talk to, to steer me in that direction. I should have applied for other clerkships, federal clerkships. Whether or not I would have gotten them, I don't know, but I'm glad things worked out the way they did because I thought clerking for Judge Murphy, Tim Murphy was a very valuable experience, and I got that primarily due to the Marine Corps, because Judge Murphy was a Marine, and I was a Marine, and Marines sort of stick together. Judge Murphy taught me a lot. We became close even after the clerkship. We saw each other often after my clerkship. I would go pick him up for lunch when he retired and became disabled. I went to his funeral. Judge Murphy and I became very close.

Mr. Granof: And so if you had a different kind of clerkship, it may not have worked out as well?

Mr. Murray: It would have been maybe a different judge, but not like Judge Murphy.

Mr. Granof: That was an unusual, a good relationship for both of you.

Mr. Murray: Yes and the firm I went to work for after the clerkship, the Carr Jordan firm, it wasn't an extraordinarily well-paying job, but the other side of it, I got a

tremendous amount of experience, tremendous amount. I mean it was decent pay, but we were probably the medium level of salary scale. Nevertheless, it was a terrific place to work and learn.

Mr. Granof: But at that time, lawyers did not make what they make today.

Mr. Murray: No, they didn't make that kind of money.

Mr. Granof: So, the differentials weren't so huge.

Mr. Murray: Yes, but the experience, you couldn't beat the experience. I mean that was priceless. And I loved the job. I remember coming in and saying "Man, I thought I died and went to heaven." You try cases all the time, you're in court all the time. It was fun. I don't know if I would have done things differently because the way things turned out was very beneficial to me. Plus, I liked what I was doing and the people I was working with in the firm.

I was happy doing what I was doing. One of my law school classmates came to me in 1978, '79, which means I was still an associate, and he was in communications law, and he said, "Dwight," his name was Russ, and Russ said, "Dwight, come join his firm." He was starting a small communications law firm. He said, "We're on the ground floor of something that's going to really take off like wildfire." I said, "What are you talking about?" He said, "Cell phones." He sat down and drew these towers, and he showed how cell phones were going to be connected. He said, "Right now the only people who have phones are big shot government workers in their cars." He said, "One day" – this was in 1978 – "one day everybody's going to be walking around with a phone." He said, "We're going to make a lot of money. I guarantee you'll be a multimillionaire." I asked

what's the work like? He said it's dull. And you know the guys that went with him, there were three of us, the other guys that went with him, became multimillionaires. One became the Ambassador to Portugal because he was a big friend of Clinton, when Clinton was in office, and Russ became a very wealthy man. But I don't regret that decision, I really don't because I enjoyed what I did, probably would have been financially a lot better off had I gone with Russ, but when I close my eyes I see the same thing that they see when they go to bed at night. It's just a smaller bedroom, that's all. I wouldn't have done anything differently. I'm glad I made the decision I made. I still get together with these guys, and I think I'm a lot happier for taking the path that I took.

Mr. Granof: Well, beyond a certain level, I think the research is, beyond a certain level, the incremental amount of happiness is dubious; that is, you don't get a huge amount of satisfaction and maybe not much at all, if any, after you achieve a certain level.

Mr. Murray: I always believed happiness was a state of mind. I mean, of course, if you're not in want of anything, you can be happy. But I grew up next to a real poor family. I mean this family was very poor, but they were happy, because they were together. They were so poor that at Christmas they had nothing under the Christmas tree. The mother had to wait until after Christmas when the toys were brought back. But she never complained, they never complained. So, happiness is a state of mind. You can be very rich and be very miserable.

Mr. Granof: Sure. You know, if you have a nice house, and you have four bedrooms, and a couple of bathrooms, and a quarter of an acre of land in a nice neighborhood,



would you be happier if you had a mansion with 15 bedrooms and 15 bathrooms and three acres of land? Maybe, maybe not.

Mr. Murray: Why don't you ask somebody? Yes, maybe, maybe not. You don't know. A lot of rich people that I know are not very happy, not because they didn't want for anything, it's just that their lives did not turn out the way they wanted.

Mr. Granof: Maybe the things that provide happiness are human contact, companionship, relationships, which don't necessarily improve with a lot of money; in fact, they may get more complicated and more difficult.

Mr. Murray: Yes, when I look at my daughters, their husbands, and my granddaughters, and you see that they're happy, that makes me happy. When you see your children happy, that makes you happy. That doesn't have anything to do with money. When I see they have become successes in their own lives and that they have happy marriages, that makes me happy. You don't have to worry about them. You don't have to worry about what's going to happen, when's the next shoe going to drop. I mean people have a lot of problems with their kids, not because of their fault but sometimes societal pressures interfere with parental ability to bring up their kids and raise their kids. Let's face it, two-thirds of the time your kids are away from you. They're either in school or they're with other friends, so they can get influenced by the wrong elements. My wife, from the time our kids started school to the time they graduated from college, I'm talking about graduated with PhDs, she was there for everyone of our kids' first day of class, every single day, no matter what. And I was always too busy to do that, but I always admire that because it showed that somebody cared. It showed that our kids were loved. They

knew their old man was there if they needed him, but that was a demonstration that showed sincere deep love, not only with words but with conduct. So those kids, my two daughters, they knew it, and now the grandchildren, they're beginning to see that too. So that makes me happy.

Mr. Granof: That's wonderful. How about would you advise young people to go into law?

Mr. Murray: It depends on what they're looking for. If they're looking to be rich, I would say find another profession. You have to really love this profession to put up with the demands of the profession. You can become very well off if you have the talent, the brains to go to work for one of the top notch law firms, they will work you like a dog, and if you have the gumption to hang in there, for five, ten years, then yes, you will wind up making a lot of money. Will you be happy? I don't know. But you wind up making a lot of money. You have to know what kind of person you are, what your goals are, and how you want to think of yourself 10, 20 years from now after you enter into the legal profession. I was surprised to find out when I went back for my 25<sup>th</sup> reunion at Georgetown that most of the top students were no longer practicing law.

Mr. Granof: That's interesting.

Mr. Murray: Yes. Why? Because they were looking at the monetary rewards. Not that they didn't love the law, they were looking at using it as a vehicle to make money, and if you love the law, you don't mind paying a price. If you don't love the law, the price is too high. So that's why a lot of them got out. Not because they couldn't hack it, it's just that they realized that the love wasn't there, they wanted to do something else, so a lot of these guys got into business where they made money.

They still made money but not practicing law. Most lawyers are not filthy rich, not from the practice of law. They'll get their money from some other venture, but most lawyers will not get filthy rich from practicing law. You have a comfortable lifestyle, you probably will not want for anything that's essential, but if you're lucky you might hit a big case, you might hit several big cases. You'll be like these class action lawyers that have their own jets and whatnot, but those are few and far between. The chances of that happening are very small. You know, given the competition you have to be in the right place at the right time as well as have the talent and the luck.

Everything has to fall into place. If that's your expectation, then no, don't practice law. But if you want to help people and you love the law and you don't mind the sacrifices, because it takes up a lot of your time, yes, I'll recommend without hesitation, and if you have the tools and the talent. Even if the market is soft for lawyers, if you've got the tools and the talent you'll find a job someplace, and all you need is that first job. Then you start making your mark, and then the next job will come a lot easier. People will get you; they will know you; your reputation will speak for itself and they will want you on their team. But without that passion for the law, no, I wouldn't recommend it. It's just like anything else. I used to speak to D.C. high school students on May Day, which would be Lawyers Day. We would go to high schools and talk about what it's like to be a lawyer. First thing, first question they want to know, how much money you make. That's the first question, and I say that's the wrong question. Then the second question, how long does it take to be a lawyer? So, you tell them 19, 20 years. They say,

holy smoke, that's too long. I would say, wait a second. At that time Michael Jordan was the top basketball player. I said, do you think Michael Jordan, when he jumps up to take a shot, do you think he hits that basket by luck, or do you think he works at it, works at it, takes a thousand shots, you know, to make that one shot to win the game. I said, nothing comes easy.

Mr. Granof: That's right.

Mr. Murray: I said, you look at the best football player, best basketball player, best baseball player, best doctor. I said, they all paid their dues.

Mr. Granof: There have been some studies on that, and the dedication and focus, whether it's Tiger Woods or an author, artists, musician, the focus and dedication and time are really required.

Mr. Murray: The *Outliers*, the book, where they talked about people with equal talents. The ones that put in what they call the 10,000 hours were the ones that usually succeeded – like Bill Gates. They put all these guys in the same category. Being in the right place at the right time. They came along when computers were just beginning to start, and these universities would open up their computers where these guys would come in and do a program. And that's how they got their start. They were in the right place at the right time.

Mr. Granof: And Gates was so focused; he said, "I'm going to give up Harvard because this is what I want to do."

Mr. Murray: Because he knew what he wanted to do. And people have to know what they want to do. My older daughter, Michele, I got so upset with her. She went through University of Virginia and she came out, "Dad I don't know what I want to do." I

said, “What!” I said, “You were at UVA for four years; you’re supposed to figure that out in four years.” Well, she got a job as a paralegal in a law firm, and then she got a job at Oakcrest, which was a Catholic school for girls, and she found her niche, not in teaching, but in school administration, so she figured out what she needed to do, where she needed to go, to be an administrator in college, so she got into this Master’s program at the University of Vermont. As soon as she got her degree, she got a job, at Loyola, then Loyola led to Seattle University in Seattle, and that led to Holy Cross College in Massachusetts. Michele is now a vice president at Holy Cross College. You just have to like what you do. But I couldn’t understand. To me, you make a decision and you follow it, and everything sort of leads in that direction. With her, she was a good student, she enjoyed college, she enjoyed UVA, and when she came out, she said, “Now what?” But everything worked out.

Mr. Granof: Well, that’s good advice. Anything else before we conclude?

Mr. Murray: No, sir. That’s it.

Mr. Granof: That’s wonderful.

Mr. Murray: I enjoyed it, Gene, really enjoyed it.