

Oral History of Robert P. Watkins
Seventh Interview
September 19, 2019

This interview is being conducted on behalf of the Oral History Project of The Historical Society of the District of Columbia Circuit. The interviewer is James McKeown, and the interviewee is Robert Patterson Watkins III. The interview took place at the law offices of Williams & Connolly on Thursday, September 19, 2019. This is the seventh interview.

MR. McKEOWN: Good afternoon, Mr. Watkins.

MR. WATKINS: Good afternoon, Mr. McKeown.

MR. McKEOWN: I think we spent some considerable time talking about your days with Williams & Connolly, and I guess by way of wrapping things up on that subject, unless there's something you want to add that's occurred to you as part of our conversation, when did you retire?

MR. WATKINS: November 2016.

MR. McKEOWN: Is there anything, aside from a partnership agreement, that brought you to your decision to retire?

MR. WATKINS: I decided it was time. I had been in the hospital earlier in the year for almost a month. Other things were happening to me medically and physically. I decided that I had been at Williams & Connolly for 30 years, I had enjoyed it, and I was doing interesting things. My wife had retired, and my sons were out of the house. I thought it was just time for me to leave.

MR. McKEOWN: Did your duties at the firm change in any significant way or as you approached the latter years of your career?

MR. WATKINS: I guess I would say yes and no. At this stage in my career, I was assigning cases out to younger lawyers and that was fine. I wasn't doing a lot on my own. I felt the trend was not going to change, so, it was time to go.

MR. McKEOWN: Did you see any change in the way law was practiced over the years, maybe became more complex or more paper-oriented?

MR. WATKINS: It did change. When I first came to the firm, when cases came in, lawyers decided to take them or not take them and get what help they could to service the client. I think I've said this before. I was the 21st lawyer in the firm. When I left the firm, I'm sure there were more than 200 lawyers there; there are probably over 300 now. I didn't know as many people as I should know. I knew all the people that were in my generation. I didn't get to know or work with some of the newer lawyers at the firm who were doing significant things. I knew their names, but I didn't know them.

MR. McKEOWN: Was there much in the way of committee structure or did you serve on many committees in the firm?

MR. WATKINS: When I came to the firm, there were no committees. I handled the cases I brought in; it was up to me to staff and take responsibility for what had to be done. There was an executive committee formed shortly after Williams' first illness. I understand now that there's a management and hiring committee. I don't know what the committees were when I decided it was time for me to retire. There were committees that I knew existed, but I didn't know what they did. So that was it. It was a change from the

way I started practicing law, and I practiced for 25 or 30 years. It was changing so much that I just thought it was time for me to leave.

MR. McKEOWN: I noticed that your resume indicates that you were involved with several volunteer organizations. Were they taking up a lot of you time while you were practicing law at Williams & Connolly?

MR. WATKINS: They were not. That was not a factor in my deciding to leave the firm. It was family more than anything else and my health to some extent.

MR. McKEOWN: Did some of your contemporaries also retire at around that time and become involved in similar activities?

MR. WATKINS: You're right in talking about people of my vintage who left. Bob Weinberg, David Povich, and Paul Wolf left before me. There were others who were not of my vintage that left the firm.

MR. McKEOWN: Is there anything that you would like to memorialize in your record since we've been talking about your practice?

MR. WATKINS: You remember your wins with a great deal of affection. You're less likely to remember your losses, and there are two or three cases that I did not prevail in; they're not fun to recall.

MR. McKEOWN: There's an old saying. Success has many parents and failures are orphans?

MR. WATKINS: That maybe it. That's not quite what I was thinking of. It's easier to think of things you did that turned out successfully. There were other things you did that are harder and more painful to recall.

MR. McKEOWN: Did the losses live with you for a long time?

MR. WATKINS: I would say no. I tried to put the losses out of my mind as much as I could. I didn't want to dwell on them. Some things I learned from them were helpful, but it was the issue that I recall and not that I lost.

MR. McKEOWN: I know that in some firms there was a practice of going over why the case may have been lost. Was that something you have done in your practice?

MR. WATKINS: No. Everyone knew about your successes. Lawyers called you and wanted to talk about them. You didn't want to discuss your losses. Your colleagues, other than the people who tried the cases with you didn't want to discuss them. My approach had been to put them away as much as I could.

MR. McKEOWN: Let's go back a moment, outside the offices of Williams & Connolly. What kinds of things were you particularly heavily involved with outside the day-to-day practice of the law, and, of course, outside of your family obligations? Were any causes near and dear to your heart?

MR. WATKINS: Yes. I was appointed to be a member of the ABA Standing Committee on the Federal Judiciary. This committee consisted of fifteen prominent trial lawyers, one for each judicial circuit. Its mandate was to write a report on every candidate for a federal judgeship and then informing the President and the Congress of our findings and evaluations.

MR. McKEOWN: Do you know what year this was when you were chairman?

MR. WATKINS: I was a committee member for three years. I was chairman in 1992, my last year on the committee.

MR. McKEOWN: So, you were a member of the committee in the early 1990s?

MR. WATKINS: Yes. During my time on the committee, we evaluated Clarence Thomas, Ruth Bader Ginsburg, and Stephen Breyer for the Supreme Court. I interviewed all of them. The only evaluation criterion was competence, temperament, and integrity. The committee members spoke to all the lawyers and judges who had cases with or against the candidate. They wrote a comprehensive report setting forth their findings and conclusions; the reports were often 20 or 30 pages long.

In case judges were going to be elevated to a higher court, the chairman selected a law school dean to analyze the opinions of those judges and write a report. It would be circulated to all members to discuss and voted on. The chairman then sent a short letter of the committee findings saying that the candidate was well qualified or not qualified only to the President. The process was fair, especially to candidates found not qualified. The work on the committee was very rewarding but very tiring.

MR. McKEOWN: Was this at the appellate level of the bench level?

MR. WATKINS: Every level; the District Court, the Court of Appeals, and the Supreme Court. During my year as chairman, we vetted over 120 candidates.

MR. McKEOWN: Would the level of due diligence increase as you went up from District to Appellate Court, or, was it pretty much the same?

MR. WATKINS: Yes, it was pretty much the same. We evaluated everyone in terms of competency, integrity, and temperament; that's the way the questions were structured. One had to be very careful when speaking to lawyers who had cases with or against these candidates, particularly when they had

something negative to say; their statements could be repeated. If the President revealed the negative comments, that person (i.e., lawyer) could be called to testify about what they found negative. It didn't happen very often.

MR. McKEOWN: Thank goodness.

MR. WATKINS: In a couple of cases, there were several found not qualified, not because of temperament or integrity, but their lack of experience. One nominee that I recall that came out of law school, had done very well, went to a firm for about two years and became the state attorney general. He was smart, and temperament was fine, but the committee felt he was too inexperienced to sit on a bench. So, he was found unqualified. The White House did not take our recommendation that the candidate was not qualified, and the thing died without any publicity.

These nominees claimed they were qualified. Our Committee chairman had to testify before the Judiciary Committee as to why this person was found unqualified. One of the reasons was they lacked experience and integrity.

MR. McKEOWN: I think I would choose inexperience if I was going to be disqualified.

MR. WATKINS: You didn't have a chance to have any input on that. There was one time that we had an attorney that was nominated who had enough experience, but, more than one lawyer on the committee questioned his integrity. I said we may have to call you, or the committee may want to talk to you

about some things. Most of them said that we can't have judges whose integrity is in question, so, I'll testify if necessary.

When the committee found him unqualified. The White House didn't push the nomination forward.

MR. McKEOWN: Were these nominees' potential candidates?

MR. WATKINS: Yes. They were candidates. Let me explain the process. In one of the cases where we found someone unqualified, a senator called me and said I'd like to talk to you. He was in Washington. I could not refuse to speak with him. I met with him, and he spent two or three hours trying to convince me that the nominee was qualified. Finally, I agreed to resubmit the nominee to the committee; they found him unqualified again. Then I testified against the nominee and despite the Committee's findings the Congress confirmed him to become a District Court judge.

MR. McKEOWN: That was probably less painful than talking about someone whose integrity was lacking.

MR. WATKINS: I didn't want to trash any potential nominee because it could ruin his life and career; we tried to be as factual as we could about a candidate.

MR. McKEOWN: Did you interview the potential nominees for the Supreme Court yourself?

MR. WATKINS: Yes. The circuit representative would at some time call judges. If a judge indicated that he had appeared before them or knew them in any way, shape, or form, the committee would speak to them. The interviews with a nominee usually lasted three to four hours. We would ask them about everything.

MR. McKEOWN: Could the questioning, at times, result in some hot sessions?

MR. WATKINS: Not in my experience. I had one nominee who was very cautious. They answered questions as if they were in a deposition. They answered only “yes,” or “no.” They opened a bit more when I said these questions don’t come from a hostile source.

MR. McKEOWN: Okay. Fair enough. How long would it take, for instance, on average, do you think to vet one of these candidates?

MR. WATKINS: I don’t want to give a deadline; our goal was to complete the interview with the candidate and conduct the assessment by the committee and judges in the circuit within 60 days from receipt of the candidate’s name.

MR. McKEOWN: Given what you said, I think about 120 candidates were interviewed during your tenure as chairman. Is that correct? That must have put a dent in your law practice.

MR. WATKINS: Yes. But the firm was very, very generous with me. They let me do what I had to do.

MR. McKEOWN: Were most of the people on this committee people similarly situated-- trial lawyers from well-known firms?

MR. WATKINS: Yes.

MR. McKEOWN: When did you roll off the committee?

MR. WATKINS: I was on the committee for three years. In my last year, I was chairman. As chairman, it was my job to ensure that the committee members adhered to the 60-day goal. Close to the 60th, day, I’d call the member responsible for the candidate and ask how are things coming, what’s going on, and are

you going to have your report ready within 60 days? All the reports would come to me, and then I circulated them to all the members of the committee. We'd discuss the nominee via telephone conference call, after which we would vote, either "well qualified", "qualified" or "not qualified." That would sometimes take place at one of the ABA conferences.

MR. McKEOWN: You did your part.

MR. WATKINS: It was fascinating. I met some great lawyers from other parts of the country whom I would have never met had I not been on the committee.

MR. McKEOWN: May we talk a little bit about your family? Maybe this is recalling something that's incorrect, but I have the impression that you met your wife while you were at Cambridge. Is that right?

MR. WATKINS: No. I met my white before I went to Cambridge. We were married in August of 1969 and went to Cambridge in September; we came back after we had both received academic degrees.

MR. McKEOWN: What is your wife's name?

MR. WATKINS: Ann.

MR. McKEOWN: My wife's name is Ann. It's spelled without an "E."

MR. McKEOWN: Where did you meet her?

MR. WATKINS: I met her here in Washington. A friend of mine in law school who is a class behind me married a woman who lived in Massachusetts, and I attended their wedding. They came to Washington to clerk for a judge. His wife was working for the Department of Labor. They had a Christmas

party in their new apartment. I had to walk up three flights of stairs to attend the party. I met her at this party.

MR. McKEOWN: This would have been 1968 or so?

MR. WATKINS: I guess it was 1968. She was working at the Department of Agriculture at the time, but the following September, she was going to Alabama to teach in one of the small Black colleges there. She was interesting and attractive, but I did not want to spend time with a woman who was going to be leaving town within the next eight to nine months, so I didn't call her.

About six months later, I saw her on the street, and I couldn't remember her name. I called my friend and asked him about her. He said the job in Alabama fell through and she's still here. He gave me her name and telephone number. I called her and we started dating and ultimately got married.

MR. McKEOWN: Was she a teacher by training?

MR. WATKINS: No. She went to Nebraska Wesleyan and then went to Johns Hopkins International School. She spent a year in Bologna and the other year in Washington. She was very interested in international politics. She was working on grain agreements at the Department of Agriculture, which had international implications.

MR. McKEOWN: Probably more today.

MR. WATKINS: Today it's very important. She liked her job, and she knew about farming and grain agreements.

MR. McKEOWN: What made her then think that she, to the extent that you even know, what was the attraction to teach at a Black school in Alabama?

MR. WATKINS: She's a good person. In the summer of 1964, a friend of hers from Nebraska Wesleyan went to Mississippi and talked about what a worthwhile experience it was. Ann's father did not let her go to the South in 1964; she regretted that.

MR. McKEOWN: I take it she was from the Midwest? She was a Nebraska girl?

MR. WATKINS: Yes.

MR. McKEOWN: When did you get married?

MR. WATKINS: We got married in August of 1969. We went off to Cambridge in September of the same year. We took our honeymoon in Europe and traveled to Spain, France, and Belgium for about a month. Courses at Cambridge did not begin until October. Ann had friends in Bologna who were working on international matters in Belgium, so we spent some time with them.

MR. McKEOWN: So, she got her master's from Bologna?

MR. WATKINS: Yes. She did a degree in development economics with Professor Joan Robinson who is one of the leading academics in development economics.

MR. McKEOWN: Is development economics for developing countries?

MR. WATKINS: Yes.

MR. McKEOWN: Did your wife specialize in an area?

MR. WATKINS: I don't think so.

MR. McKEOWN: At some point you had two children. Can you tell us about your kids and when they came along?

MR. WATKINS: We have a son, Robert, who was born in 1975. We went to Boston for a funeral, and Ann was very pregnant. My sisters and aunt said that if it's a boy; it'll be Robert Patterson Watkins the fourth, right? They backed me into a corner and said the first boy in a generation our family has always been named that. My wife said that was fine with her, so that's how he became Robert the fourth.

He went to Sidwell Friends in D.C. through the eighth grade. He wanted to go someplace else after the eighth grade. He wasn't having any academic problems; he played football. He corresponded with people at prep schools up in New England. I told him that if you want to leave Sidwell, you must go to a place that's at least as good as Sidwell. The public schools in D.C. were not good after 6th grade. After the eighth grade, he won a fellowship from Greenpeace that took him to Russia for six weeks. He had a great experience. He told us that he wanted to go to St. Albans. My wife was not happy about his leaving Sidwell. She said that I'm not going to fill out any papers. So, Robert, on his own, gathered the papers, filled them out, had the interview, and was admitted to St. Albans. He graduated from the school and was admitted to Williams College, in Massachusetts.

He enjoyed St. Albans, went to Williams, and then to Georgetown Law School. Now, he practices in the Appellate Section of the Equal

Employment Opportunity Commission (EEOC). He handles claims of government employees who claim they were discriminated against by the federal government.

MR. McKEOWN: Is he still there?

MR. WATKINS: He's still there.

My second son, Matthew, is three years younger than Robert. He went to Sidwell and he wanted to do everything his brother did. So, after eighth grade, he thought about leaving Sidwell. I said okay, where do you want to go? He didn't know. So, we went to one prep school recommended to us. We took him there for a weekend. My wife and I stayed in a hotel while Matthew stayed with one of the students, was shown around the school, and went to classes the next day. Coming back on the plane, I asked him, what he thought about the school. He said he was going to stay at Sidwell because he said, "There, I'd be dumber." A senior student read an essay that he had written for class and Matthew said, "I can write a better essay than that. I'm not coming up to this place. I'll be dumber." So, he stayed at Sidwell, and then he went to Williams like his older brother.

MR. McKEOWN: What did Matthew study?

MR. WATKINS: Matthew wanted to be an architect, and Williams had a program for architectural studies. The year after he arrived, Williams discontinued that program because there were not enough students taking it. When he returned home, he was very upset. I asked him if he wanted to leave. He

said that he would take a related program of art history. So, he studied art history. Then he took a semester abroad in Italy where he studied architecture. When he left Italy, his Italian was fair. When he returned, his Italian was excellent. He traveled in Europe, became fluent in Italian and learned a lot about architecture.

He went to the University of Michigan architecture school. When he graduated in 2003, the market for new architects was not good. So, he found a position with the Washington Business Improvement District (“the BID”) in downtown D.C. The BID is an organization that coordinates the needs of the community and business owners. It is a group that finds what the business needs or like or dislike about the area in which they are located. Then the BID goes to the government with that information and helps negotiates changes. He did that for a few years then he worked for a developer; now he is working for another BID in Southwest Washington.

MR. McKEOWN: With all the activity going on in D.C., I expect he’s a pretty busy person?

MR. WATKINS: He is busy and happy about what he is doing now.

MR. McKEOWN: Was your wife ever able to jump back into the workforce?

MR. WATKINS: No. She worked for a time at the Brookings Institute assisting a scholar who was writing a book on developing countries. Then she worked for the American Bar Association (ABA) here in D.C. She then did economic studies at the Environmental Protection Agency (EPA) from which she retired.

MR. McKEOWN: EPA?

MR. WATKINS: Yes.

MR. McKEOWN: So now you're blessed with a third grandchild.

MR. WATKINS: Right.

MR. McKEOWN: How old are the other two?

MR. WATKINS: My oldest son, Robert, has an eight-year old son, Aire. My youngest son has a two-year-old daughter, Lucia, and a three-week old daughter whose name is Simone.

MR. McKEOWN: So, there's no Robert Patterson Watkins IV?

MR. WATKINS: Not currently.

MR. McKEOWN: Let me ask you this, Mr. Watkins. Is there anything else you think that you'd like to share on the record about your life, professional achievements, family, or anything that you think ought to be memorialized that we might have missed?

MR. WATKINS: I have a wonderful wife and clever sons. They have families. I'm very proud of them; they're great guys.

MR. McKEOWN: Is your greatest achievement your family?

MR. WATKINS: Yes. I look at them and see that they are good people. They work hard, and they are good family men. My granddaughters are charming and beautiful. My grandson is handsome and talented. Who could ask for more?

MR. McKEOWN: Well that should go on the record. I want to thank you for your time.

MR. WATKINS: You are very kind to do this. I appreciate that.