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Frank Engfelt

University of San Diego School of Law

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CONVERSATIONS IN LEGAL EDUCATION:

ORAL HISTORIES OF THE FIRST HALF-CENTURY OF THE UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

Narrator: Professor Frank Engfelt

Interviewer: Ruth Levor

Recorder: Ruth Levor

Date: June 3, 2005

Accession No.: OH-LRC-Engfelt-2005-1a

TAPE 1a: SIDE A

RL: This is an interview of Professor Frank Engfelt for the project: Conversations in Legal Education: Oral Histories of the First Half-Century of the University of San Diego School of Law. The interview is being conducted by Ruth Levor at the Engfelt home on June 3, 2005. This is the first session of this set of interviews. Tapes and transcripts of this interview will be archived at the University of San Diego's Copley Library.

Good afternoon, and thank you so much for having me in your beautiful home.

FE: Thank you, Ruth. You make me feel like a talk show host [laughter].

RL: I do, I do, yes! [laughter] So we'll start with just your personal background, if you'd just talk a little bit about where you grew up.

FE: I was born in Englewood, California, which is a suburb of Los Angeles. My father owned a neighborhood grocery store. For the first eight years of my life, I lived behind the grocery store. The living quarters were attached to the grocery store, and even though we didn't have much money, we never starved, because there was always a store full of food.

When I was about eight years old in 1942, I guess, thereabouts, maybe it was 1944, anyway, I was still a young kid, they decided to move to San Diego. They had some good friends down here, and he went through several businesses and was not very successful at them. Eventually he ended up in the real estate business, where he was either very successful or things weren't going very well at all; it was feast or famine

For the first years in San Diego, I went to La Mesa Grammar School. In those days, you went to grammar school through the eighth grade and then went directly to high school, nine through twelve.

We lived on what we called a ranch, which was on the south side of Mount Helix. We had two acres, mainly in lemon trees, fruit trees. My dad at the time had a store, so he raised his own chickens and rabbits. I remember having to feed the chickens, and I remember the slaughter of the chickens and the slaughter of the rabbits. The main thing that I remember from those days is that we had a goat named Daisy, and Daisy had a child named Petunia. I was a midwife at the time of the birth, and then feeding the afterbirth to Daisy on a stick. I loved that little Petunia. I used to come home from school, and she used to jump up into my arms. I came home one day, and Petunia wasn't there, and I was dismayed to find out that my father had sold her to a Greek for a Greek barbecue. I've never yet forgiven him for that [laughter]. That's how I lost Petunia.

We later moved to La Mesa and lived in a house on Palm Avenue. My dad was a butcher in addition to being a grocer. He had a butcher shop right on La Mesa Boulevard. For some reason, it seemed like everything he tried insofar as business was concerned just didn't work out in San Diego, although he was successful in Los Angeles. As I said, he finally ended up in real estate.

My dad never was in good health. I remember even as a young child spending a lot of time going to the hospital visiting him. He was one of the first people in the United States to wear a hearing aid. We always kidded him that he was deaf in one ear and couldn't hear out of the other. He died way back in 1971 at the young age of 58, but he had the kind of death I guess we all wish for. He went to bed one night, and he didn't wake up. He had a heart attack. It wasn't a bad way to go.

I went to Grossmont High School. Graduated in 1951. At the time, I decided I was going to be an engineer and went to San Diego State College for one year, then transferred to Berkeley. After spending a year at Berkeley, I spent a half a year at UCLA and then went back to Berkeley. When I finished up at Berkeley, it was 1954. After three years of college, I had acquired an AA degree. I don't even know if they give them any more.

RL: Associate degree.

FE: The main thing was I decided to become a dentist. Don't ask me why. Well, I know why. I read an article in the newspaper which said the second highest paid profession at that time was a dentist. That sounded better than being a doctor, because I didn't like hospitals. So I was actually accepted at the University of California Dental School in San Francisco, which then and now is a big achievement. I was all set to go to dental school and was at home with my parents who at that time owned a restaurant on El Cajon Boulevard, and we lived above the restaurant. That's another story, which need not be told here, but needless to say, it wasn't that much fun. We used to, if we wanted to get out when business was going, we used climb out the second story window and climb down the hot water heater.

I got accepted at dental school, was all set to go to dental school, and that summer, we had a surprise visit from my dad's cousin, who was a lawyer in Midvale, Utah, which is a suburb of Salt Lake City. He and his wife, who also served as his legal secretary, talked me into going back with them to Salt Lake City and to spend time with them in the law office and to spend time in the dental office, which was just below their law office, and compare the two. To make a long story, I hope, shorter, I ended up in the dean's office, who at that time was Dan Dykstra, who later on ended up at UC Davis.

RL: This was the dean of which law school?

FE: The University of Utah. I ended up in the dean's office at the University of Utah, which in those days was the only law school in Utah. Brigham Young didn't have a law school at that time. Between the two of them, they were talking to me like a recruiting sergeant. Before I knew it, I was signed up to go to law school! In those days, they didn't need a four-year degree to get into law school. There was no such thing as an LSAT. That had not yet been invented. As it turned out, I started law school in 1954, graduated in 1957 at the age of 23, and was at that time, I think I still am, the youngest person ever to graduate from the University of Utah law school.

Much to my surprise and delight, I found out that I really liked it. It was the first time in my educational years that I was in a position that there was really no right answer to anything, and I liked that. I liked the idea that we could argue and go back and forth, and we could talk

about whether or not things were reasonable or unreasonable and so forth. I liked the idea that I could write an examination and come up with an answer which might be graded an “A” and which might be diametrically opposed to what the Supreme Court of Utah had just said, which was the case at one time.

RL: Do you remember what that was about?

FE: Torts, it was in torts. I was being ragged by my fellow students because they said, “Frank, if you spent some time in the library, you would know that that question was based on so-and-so versus so-and-so, and the court held unanimously exactly the opposite of what you wrote in your bluebook.” Then, when the grades were posted, I had the last laugh, because I had the highest grade on that particular examination.

Anyway, I enjoyed law school. I was a bachelor, did all those things that bachelors, I guess, are wont to do. I don’t know if they’re supposed to do them, but they do them anyway.

RL: I’ve never been a bachelor, so I’m not sure what they are.

FE: They call them bachelorettes now [laughter].

There were 39 people in my graduating class. One of things I’ve told my students at the University of San Diego, because there was an actual case in our Remedies case book about somebody who sued the University of Southern California law school for not having been awarded the Order of the Coif because they changed the rules on him in midstream. I relate to my students that I felt like suing my law school because they made the awards prior to the final grades coming in. We had 39 people; they only gave it to three people; they rounded it off to three instead of four, and at the time, I was Number Four in the class and ended up Number Three in the class when all was said and done, so I’ve never been and will never be a member of the Order of the Coif.

Of the top four in the class, Jerry Hennison was Number One. He ended up being a law professor at the University of Utah. I think he was probably a colleague of Kristine Strachan¹

¹ Sixth dean of USD School of Law(1989-1997)

when she was teaching there. Jerry was probably the brightest guy I ever knew. He was one of the few married students. He used to spend a lot of time playing cards and drinking beer and smoking cigarettes. At some time in his career as a professor at the University of Utah, he was told by his doctors that, if he didn't quit drinking, he would be dead within six months. He died about six months later because he told them to go to Hell and did what he wanted to do. Last time I was there, there was a portrait of Jerry in the law school library at the University of Utah.

Warren Broadbent graduated Number Two in the class. Again, a very bright guy, a very studious individual, I suppose [compared] to Jerry, and I wasn't that studious either, insofar as studying, except for the night before an examination. Warren was a very devout Mormon. He had an excellent job with a very prestigious law firm in Washington, D.C., and about a year or two later, killed himself by sucking exhaust out of his car. The story goes that he got hooked on brandy and started drinking the brandy with a cold and couldn't stand the fact that he was going against his religion and drinking alcoholic beverages, and that's the reason why he committed suicide. So he's dead. Number One is dead; Number Two is dead; I was Number Three, and this tape, if nothing else, proves in spite of what the doctors told me, that I'm still breathing!

RL: And we're delighted.

FE: Number Four in the class, the guy I passed up, ended up being a professor at the University of Utah also. We always made jokes about Ron in law school, because he was a weight lifter. He was a body builder. He was one of these men of steel, but he lifted so many weights for so much of his life, even though he'd just taken a shower, you could always smell him coming. Anyway, he ended up being a professor, and again, I have the University of Utah law school's magazine a few years back, and it was in memoriam for Ron Boyce, and he likewise had died, and at the time of his death, must have weighed close to 400 pounds. He was huge, and it sounds snide, but he was bald [laughter].

RL: [laughter] But that's probably not what killed him.

FE: No, I think probably what killed him was he ate too damn much. He was so overweight, and he had a heart attack. From the article that was written in the magazine, I take it he was much beloved by his students and was doing a wonderful job. So anyway, out of the top ten percent, I'm the only one that's still around. The other three are dead.

RL: Did you have any other lawyers in your family besides this cousin?

FE: Nobody. I never even considered law school. It was the farthest thing from my mind. Like I say, I was talked into it, and much to my delight, I loved it. I've told my students that my going to law school was what some people might consider going to heaven, because I was in a place where, as I said, I could argue, I could debate, I could have an opinion which might be different from someone else's. In most cases in the law, there really is no right answer. Again, as I've told my students over the years, it's a good thing we have two hands, because we couldn't say "on the other hand," because as a law teacher, you're always saying that, "Well, you know, that sounds pretty good, but on the other hand, ..." and you can make the opposite argument. I seemed to like the fact that I could take any side you wanted and argue it.

RL: What did you do right after law school?

FE: I was interviewed by the then dean at the University of Chicago law school, a man by the name of Ed Levy, who later was the Attorney General in the Ford administration. He offered me a job at the law school as a Bigelow teaching fellow. I think they paid me \$210 a month or something to do this. I, in addition, was the head of the law students' dormitory, which basically gave me a free furnished apartment.

RL: And you were still single?

FE: I was still single. This was in 1957, and the summer of '57, my best friend and I drove to Mexico City and spent a summer in Mexico City, and that's where I met Marcy, my wife. She

and a friend of hers ended up living above us in this apartment house, which was part of a bigger house that was owned by a rich Mexican couple.

RL: Was she a tourist?

FE: She and Marlene were going to go to the University of Mexico, the Autonomous University of Mexico, which was near where we lived. We lived in San Angel. We lived, I think, three or four doors down from Diego Rivera. He had a big pink house there. He lived there with Frida Kahlo.

Much to her surprise, and I don't know if chagrin would be the right word, but she came home from her first class, she said, "It's all being taught in Spanish." So she and Marlene quit.

I still remember there was a pool there, and my friend Gaylen and I were sitting at poolside. One of the reasons we rented the apartment is because the lady who rented the place told us that there were two beautiful young ladies who had rented the apartment above us. One was an Italian, and the other was Dutch, I think. The next morning we were sitting at poolside, and these two young gals came trooping down the stairs. I said to Gaylen, "That one must be the Dutch, and the other one must be Italian," because one had light hair and one had dark. Gaylen had a brand new car, but unfortunately, the battery was dead, so we made a deal with the gals. If they would push the car to get us started, we would let them go with us on tours, and they did.

We started dating. I started dating Marlene, and Gaylen was dating Marcy, and about halfway through the summer, Marcy and I switched, which caused Marlene to go home in a huff. Marcy stayed on for the rest of the summer.

Among other things, I got my draft notice. The draft was still in effect at that time. In order to stall off the draft board, I wrote a handwritten appeal to my draft board on Mexican stationery, which is similar to wide toilet paper, cheaper, but I wrote this handwritten appeal, knowing it was going to be denied but knowing that, through the bureaucratic process, it would buy me time. When I got back to Utah, I went to Fort Douglas for my physical. In those days, I could mentally raise my blood pressure, and I got it up so high that day that they told me I was going to die in six months, and I was classified 4-F, and I left with a big smile on my face and

then went back to Chicago and taught for a year at the University of Chicago and really liked it. I really enjoyed teaching.

RL: What did you teach?

FE: I taught Legislation and Legislative Drafting. I just had the one class, but I had, I think, two sections. I learned at that time that this was something I really enjoyed doing, and if you had to do something to make a living, this was a pretty good choice

The guy who was head of the program at the time was Nick Katzenbach, who later on became famous when he was standing on the stairs of the University of Mississippi law school when it was integrated and later became a big shot in the Kennedy administration. I always remember Nick because the faculty offices at the University of Chicago were in the perimeter of the stacks, and they were dark and dank, and Nick, in those days, always wore sandals with no shoes [*sic*] and maybe changed his shirt once every two weeks, that was about it, and he had stuff stacked all over the place. He was the quintessential scholar. The next time I saw him, he was one of the assistant attorney generals for the United States in a huge office in a dark blue suit, had on his shoes, starched shirt, tie, and talking on the telephone with one of those rubber muffler things, and I, without thinking, said, “My God, Nick, they’ve turned you into a God damn politician,” and I knew immediately that they had, because he took umbrage at my remarks but ended up offering me a job in the Justice Department, which I didn’t take, but that’s another story.

After I spent a year at the University of Chicago teaching, I got home. The Army found out I was alive and drafted me, so I spent two months as an enlisted man at Fort Ord, which now is gone. It’s one of the Army posts that’s been dismantled. I knew one thing—I didn’t want to be an enlisted man. I didn’t know I was going to get drafted, so I didn’t put in for my commission until after I’d gotten my greetings, so I finally got appointed a first lieutenant in the JAG corps after I had spent two months there at Fort Ord.

RL: Was that like boot camp?

FE: Oh, I hated it! Overnight, I went from the lowliest of the low to a first lieutenant. They put me in a separation platoon, and a corporal told me I had commissary duty that night, and I had to go to the commissary to help clean up, and I said, "Have you seen my orders, Corporal?" He said, "No." I said, "You better look at them, because as of midnight, I'm going to be a first lieutenant." He said, "Well, you don't have to go to the commissary." Right away, I found there was a big difference between being an officer in the service as opposed to being an enlisted man.

I got to go to Fort Benning. I say that with tongue in cheek, because I had to spend another eight weeks going through infantry officers' basic training. The big difference was we got to slog through the Georgia mud with a bunch of lawyers. We were in a platoon that was full of lawyers, and I was about the only one who had had any kind of training whatsoever. At one time, I still remember this, a big fat kid from New York almost killed all of us there when we were supposed to be charging this hill, and he had his finger on a BAR, and he sprayed 30 caliber bullets all over the place.

RL: You have to tell me what a BAR is.

FE: Browning automatic rifle, which does not have a safety on it. I was severely upbraided by a lieutenant colonel at the time because I was the head of the platoon, and we were supposed to be laying down a wall of lead as we charged up this muddy hill and then crawled into these trenches, and the instructions I gave my troops were, "You don't fire a shot until we're in those holes up there," and this idiot had his finger on the trigger and almost killed all of us.

RL: And it was live ammunition; it wasn't blanks.

FE: Oh, yes!

RL: Even though it was training.

FE: That's right, it was live ammunition. We would go out on bivouac, and we would eat K-rations from World War II, which included a little package of cigarettes. That's how things have changed. We would get Philip Morris, Lucky Strikes.

Anyway, I survived, obviously, and when we finally got out of officers' boot camp, we were all stationed to Charlottesville, Virginia where the Judge Advocate General school was located on the campus there, right next to the law school. That's significant because later on, two members of the USD faculty were professors of mine at the JAG school. I knew them; I knew they could teach, and I recommended them to the dean at the time, and we ended up hiring both of these men. Unfortunately, they are both now dead, but that's how they came to San Diego.

RL: Who's that?

FE: Marv Krieger, who at the time of his death was written up in Time magazine. I never knew he was the hero he was. He was one of the main prosecutors during the Nuremberg trials. He never said a word to me about that.

The other one was Lou Kerig, who was one of the most popular professors up at the law school. Lou got prostate cancer, which metastasized to his bones, and he ended up, of all things, killing himself on Christmas Day.

Marv died in the hospital after a very long, drawn out, horrible, agonizing last illness, and he died, oh, I don't know, maybe seven or eight years ago. I remember both of them very well. Marv was instrumental in arranging the dinner and the proceedings for my daughter's wedding, which was held at the Marine Corps Reserve Depot, and that was someone who had a military contact. At that time, I was a defrocked captain. I was informed by the Army I was no longer in the Army, because of my failure to keep up my obligations as a reserve officer, which meant that I thought it was silly for me to be flying back to Washington, D.C. every year to sit on my rear end and do nothing. Marv was still in the reserves. He was a full colonel, and set everything up with MCRD. We had a lovely ceremony, a sit-down dinner.

Pat Quinn² remembers it. She was there. I ended up inviting some people on the faculty, but most of the people from the law school I invited were people like Pat, whom I'd known for a

² Pat is currently (2005) an administrative assistant in the Records Office.

long time, who were not professors. Marv set it up; one of my former students, Mike Wellington, was a Superior Court judge—a lot of my students were judges, former students--and he performed the ceremony outdoors under the palm trees around Easter time, and everything turned out just, as they say, hunky-dory.

But the person who was the man, who was *the* man, was someone we referred to as the T-JAG. If you've been in the service, you know they have acronyms for everything. It's kind of redundant to say the T-JAG, since T-JAG referred to *the* Judge Advocate General, and he was a two-star general. His name was George Hickman³, and he was very highly respected by everyone there. I never got a chance to meet him when I was in the service. I never got into his inner sanctum, but I spent the entire time in the Army in the Pentagon. I started out in the General Counsel's office. Didn't last all that long there because one day during what the general counsel called "going around the horn," he would ask us all questions about the state of current events, he asked me, and I was there as a first lieutenant--we masqueraded as civilians, but our clients were big shots in the Defense Department--he wanted to know what I thought about the news on television over the weekend about the missile gap, and I said, "I'm sorry, Mr. Malloy, I can't answer your question, because we don't have a television." This was one of the things we agreed upon when Marcy and I got married, and he snapped back at me, and he said, "You do read, don't you?," and he went on to the next person, and I couldn't stop myself, I raised my hand, and I said, "To prove to you I do read, Mr. Malloy, I read an interesting article in the Washington Post this morning, which dealt with the derivation of new words. Sometimes they come along through typographical errors, and the example they gave was not putting a space between the word 'low' and 'politician,' and hence, we have a new word 'lowpolitician,' which I think is a pretty good word under the circumstances." The next day, I was gone.

³ Acting Dean of USD School of Law (1963-1964)

CONVERSATIONS IN LEGAL EDUCATION:

ORAL HISTORIES OF THE FIRST HALF-CENTURY OF THE UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

Narrator: Professor Frank Engfelt

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TAPE 1a: SIDE B

FE: ... the Postmaster General, Art Summerfield. The guy that fired me, Frank G. Malloy, was one of his cronies. So I ended up in an office called the Legislative Claims Division, which I liked, because we wrote reports to Congress and went up to the Hill and testified before congressional committees. The last boss I had there was named Grady Moore, a very likable guy. He thought he was a real ladies' man, why I don't know, but he was from Tennessee, and he spoke with a drawl, and he put on all this stuff. He didn't know it, but we referred to him as "Grady Manure."

We would go up to Congress and be all dressed up in our uniforms, and he had this little speech, and he would say, "I'm Lieutenant Moore, blah, blah, blah, blah. It's indeed a pleasure to be here to represent the Army. I now turn this over to Lieutenant, later on Captain, Engfelt." I got to do all the yakking, which I was very good at, and I would explain the Army's position on these private relief bills.

RL: Can you talk about that a little bit? What were they about?

FE: Well, most people don't realize it, but Congress passes literally thousands of bills every year. They're called "private relief bills." If you have exhausted all of your administrative and legal remedies with the courts, or administrative remedies before various bureaucracies, whether it be the Claims Commission or whatever, your Congressman or Congresswoman, whatever the case might be, can introduce a bill on your behalf for your relief. I soon discovered that those who were successful with these private relief bills were those who had some sort of physical loss

or death in the family, which was caused by something the Army did which they shouldn't have done, whereas, if the only loss was a monetary loss, they usually didn't get anything. But the only time we testified before the congressional committee was when the Army was opposed to the bill. Otherwise, it would go through the committee and would end up getting passed. There are thousands of these things. Like I say, most people don't realize it.

I got to meet people ... There was a young guy there, his name was John Lindsay, who was a first time congressman from the Silk Stocking district in New York, who later became the mayor of New York City, didn't last very long as mayor, then tried to become a novelist. He was worse at being a novelist than he was being mayor, but a bright young guy. ... A fellow named Kastenmeier¹ from Wisconsin who was bright. I remember the young bright people because they were so interested in what was going on, as opposed to the old political hacks who were still there because of the fact that they just kept getting reelected over and over again. They never read our reports; they didn't seem to know what was going on.

RL: Was this the Armed Services Committee?

FE: No, it was the Judiciary Committee. It was the Claims Subcommittee of the Judiciary. I kind of liked it because I got to find out how things operated on Capitol Hill. I got to know these people who, as I say, it was the young ones who still cared and who still ran and still did things, that I thought were doing a decent job, whereas the old-timers who had been there for a long time were the quintessence of what one would call a political hack. I know there was one old guy on there, he had served for many years from Massachusetts, who was indicted and convicted of charges involving bribery and corruption and so forth, served his time, and then was reelected, and he was back on this committee. That was kind of interesting.

Anyway, I thought I was going to get out of the Army at a certain time, and then we all found out we were all extended on active duty because the Berlin Wall had been built.²

RL: You and Marci were married at the time?

¹ Robert W. Kastenmeier, Democratic Congressman from Wisconsin, 1959-1991

² The Berlin Wall was built in August 1961.

FE: Yeah, and we had a grand time because there was a whole group of us who were newly married. We all knew each other. We all partied together. Some of them had babies while we were there. I still keep in touch with some of these people. I e-mail this one couple in Chicago all the time. They had a rather large family of not only their own but kids they adopted. We made some lasting friendships.

RL: Were these people that you had gone through basic training at Fort Benning with?

FE: Yeah, and more that we had gotten to know very well at Charlottesville. For instance, the couple from Chicago—one day, I was asked by a guy who lived in the dorm at the JAG school if I wanted a free meal, and I never passed up a free meal. His name was Bernie Radosh, and Bernie was Jewish, and he said they were going to have a big dinner for Seder at the Hillel House, and would I like to go. He had two tickets. I said, “Sure, I’ll go.”

This very good friend of mine, Barry Kroll, who later on made the cover of Time magazine, if you’ve ever heard of people being Mirandized, he represented Danny Escobedo. The Escobedo case was the first case that required a warning. Miranda became more popular. Barry was on the cover of Time magazine for having represented Danny Escobedo. He used to get Christmas cards from Danny Escobedo. It was kind of funny, because he was Jewish, but I think Danny Escobedo was later on killed in prison.

Anyway, Barry, they had an overflow crowd, so the rabbi--of course, I’m not Jewish, it was a free meal. The rabbi conducted the ceremonies in one room, and Barry, who had gone to Hebrew school, he conducted the ceremonies in the room in which I was partaking of this so-called feast. Mainly what I partook of was an awful lot of Manischewitz wine. After it was all over, the rabbi came over to Barry and said, “I’d like to meet your friend. I was so impressed with him. He seems to know the chants and the songs better than anyone else here. Wonderful, the way he was singing [laughter].” And the rabbi was asking me to come over the next night for leftovers, and Barry said to the rabbi, “Sorry to tell you this, Rabbi, but Frank’s a goy³ [laughter].”

³ Yiddish term for a Gentile

RL: I have to do something, I just want to ask you when that was, and the reason I'm asking you is because my father was the Hillel Director there at one time.

FE: This had to be 1954 or '55.

RL: Okay, that was after we were gone, but I lived in that Hillel House.

FE: Did you? Good! That's just amazing. I have to say the wine was great, but the food wasn't very good, kind of dried-up chicken, so I didn't want to come for leftovers anyway! Barry and Jane were just out here not too long ago. He just told me that they went up to celebrate Passover. I think one of his adopted kids, I think, married a rabbi, and I think he said they had 67 people, someplace in Toronto, and I don't know if they met in a hall or what.

RL: Some people have huge Seders.

FE: I've e-mailed to him. He and I read an awful lot; he's retired now. He was in a big firm in Chicago and did a lot of appellate work. Again it stems from the Army, because he was in the appellate section of the JAG at the time. They were just out here not too long ago, and we took them out to Bill and Ann Marie's⁴ house. They were really nice. They gave a \$40 gift certificate for the kids to buy books

We, of course, still believe, a lot of people don't believe any more, that it's very important to read. You've probably noticed I've got a stack of books here, and there's another stack of books over there, and that stack represents books that I've read that Marci has yet to read. I keep trying to tell my grandson that the most important thing to do is read. I was so bad when I was a kid I used to sneak a flashlight to bed so I could read under the covers.

Anyway, I met these people in the Army. George Hickman⁵ was *it*; he was the T-JAG. I got out of the Army, and Marci was teaching school back then. Things were much simpler in those days. I made, I think, \$300 a month as a first lieutenant, and it went up a little bit when I

⁴ The Engfelts' son-in-law and daughter

⁵ Acting Dean of USD School of Law (1963-1964)

became a captain, and I think she made \$360 a month as a schoolteacher. We would live on her salary and put my salary into a savings account. It wasn't complicated like it is today.

I got out of the Army. Even though I was extended for a year, they pulled back the extension, and so I got out early in 1962 and ended up going nuts staying in the apartment with nothing to do till she got finished with her teaching assignment, but I did go around and get interviewed with the Justice Department, and I was offered a job as a GS-13,⁶ which even in those days was a pretty high job. I was going to be one of the personal assistants to this Katzenbach,⁷ but that all went awry when Whizzer White,⁸ who was the Deputy Attorney General was appointed to the Supreme Court, and everything was shuffled in the Justice Department. Katzenbach went up to be Deputy Attorney General. They said he had no slots, and he didn't think it was right that I should take a slot in his successor's office, and I agreed with him. But he said he would get me a job. As it turned out, months later, while I was sitting in my law office in Fletcher Hills practicing law, I was offered a job in the Antitrust Division of the Justice Department as a GS-13. They didn't even know that I was gone, and I wrote back and said, "Thanks, but no thanks."

When we finally got back to California, I had interviewed for jobs as a law teacher and was offered jobs in places I didn't want to be. I didn't want to live in Kentucky, and I didn't want to live in Missoula, Montana. I told Marci, "We might as well just go back to San Diego, because eventually we're going to have to go back anyway."

RL: Where was Marci from originally?

FE: Connecticut. Her dad owned a drug store in Hammond, Connecticut, and he had retired, so after I met her in Mexico City, I would fly down to Fort Lauderdale, Florida, where her folks were living. Eventually, we got married in 1959, after I had already been in the service. In fact, I got married in my Army dress blues. We had the reception at the Yankee Clipper Hotel in Fort Lauderdale, which is still there, by the way. We got married in a little church called "The Little Church by the Sea," which was good for me, because it was one of those non-sectarian churches,

⁶ A high level government job classification

⁷ Assistant Attorney General of the Office of Legal Counsel (1961-1962) and Deputy Attorney General (1962 – 1965)

⁸ Supreme Court Justice Byron R. White (1962 – 1993)

and I still remember the day I met the guy who married us. He was in his tennis shorts. He had just been playing tennis.

Our honeymoon consisted of staying in Fort Lauderdale until, again she was teaching, and then driving up through Williamsburg and up the West Coast of Florida and then to Arlington, Virginia, which is where we lived.

Anyway, I finally got out of the Army. She got done teaching. We got back here to San Diego. We bought a house in San Carlos, which is two miles from where we're sitting, a suburb right near Cowles Mountain.

RL: Was that considered out in the country then?

FE: No, even El Cajon wasn't considered out in the country. Alpine was out in the country. We paid \$20,000 for this house. Our total payments started out at \$133 a month.

RL: And this was in ...?

FE: 1962. Three bedroom, two bath, tract house in San Carlos on Lake Dora, 6373 Lake Dora.

I interviewed with law firms in San Francisco. Nobody wanted me up there, because I didn't know anybody. They wanted somebody who had connections to bring in business. I interviewed with law firms in San Diego. A couple of the larger firms were willing to hire me, but they didn't want to pay me what I thought I was worth. In those days, the highest pay in San Diego with a big firm was \$250 a month. If you went to one in LA, you'd get \$400 a month. In San Francisco, some of them paid up to \$450 a month. But that's how things have changed.

RL: You could live very well on that?

FE: Eh, you could live, but now law students are making \$2,000 a week sometimes clerking, which I think is kind of obscene, but that's another story.

Anyway, I finally decided, "I'm just going to practice law," so I hung out a shingle right here in Fletcher Hills. I was the only lawyer in Fletcher Hills. I did an awful lot of what you

might call pro bono work, because in those days, if a juvenile needed representation, they had no one to represent the kids, so they would call the guy that was the closest to the court, and the Municipal Court was right in El Cajon, so I'd get all these calls. As a matter of fact, I earned the distinction, the judge told me, "I'd like you to know that today, you are representing this kid Archie, and this is the last time that someone will represent someone for free. Starting tomorrow, we're going to start paying," and I said, "Well, that's a good thing to know."

RL: Was that kind of like a public defender?

FE: They didn't have public defenders. There was no such thing. You just did these things, not out of the goodness of your heart, you did them because they called you, and you didn't say, "No, we will not represent these kids." Likewise, as far as criminal defense was concerned, there were no public defenders, but they did call you from the courts and ask you to represent these people, and if it went to trial, you got \$25 a day, unless it was a capital case, when they paid you \$50 a day. I got an awful lot of business, because once the word got out that so-and-so was doing a good job, and this guy is really, you know, cutting the mustard, then you know, the calls came in.

I have out in the garage right now a filing cabinet that has two drawers full of felons, people I represented. The typical person you represented was an indigent, and the typical person was some sort of a career criminal. I think in all of the people I represented, I ended up getting two or three acquittals and one directed verdict of not guilty. Everybody else, you went through the motions.

I loved it. It's like teaching law school, only you have a smaller class. You've just got that jury there. You've got to have a lot of ham in you to be a litigator, and I enjoyed it. I wasn't making much money, you know, \$25 a day, but I enjoyed it.

My mother used to call me up every once in a while and ask me if I had any "customers" that day, like I was still in the grocery business. My sister for a while sat in the front office and acted like my Della Street.⁹ You're old enough to know what I'm talking about.

⁹ The faithful legal secretary of Perry Mason on the murder mystery television program.

RL: I know exactly who Della Street was.

FE: My sister was a beauty queen, so if nothing else, she adorned the office.

Booksellers used to come to my office, and I would spend hours with them, because I got lonely, and I had somebody to talk to. I was just building up a pretty good client base, much to most people's surprise. I was actually doing pretty well in Fletcher Hills, in spite of the fact that my office was hard to find because it had a Fletcher Parkway address, and it wasn't on Fletcher Parkway [laughter].

One day, I'm sitting in the office, and I get a telephone call from George Hickman, and I didn't know what had happened. George had retired from the Army as a two-star general. George, among other things, had been an English professor at West Point. He was one of the main representatives of the Army at Panmunjom¹⁰, and again, you and I are old enough to remember the Korean War and what Panmunjom was all about. He had a very distinguished career, and of all the people I've known in my life, I could possibly say that I respected George Hickman as much or more than anyone I'd ever known. This was after I got to know him, but anyway, he called me up, and he said, "I got your name from Dave Gill," who was a guy who was in the Army with me, who later on became a Superior Court judge in San Diego, "and he said that you might be interested in teaching full time. I am now the Acting Dean at the law school at the University of San Diego. Would you like to come down and talk to me?" I said, "Sure," because what I really wanted to do was teach. We struck it off. He made me an offer I couldn't refuse, \$7,500 a year.

Besides me and him, there were three other people who were on the full time faculty, so we had four full time faculty members in 1963, plus the acting dean, George Hickman. There was Joe Sinclitico, who later became the dean, was the dean for quite some time; Joe Brock, he was on the faculty; and Gene Reynolds, I believe, was on the faculty at the time, and I became the fourth member of the faculty.

RL: Do you know how Hickman got to San Diego?

¹⁰ Site of the July 27, 1953 signing of the Korean War armistice.

FE: No, I really don't. I don't know how he got to San Diego. I do know that he did a wonderful job as acting dean. In those days, they didn't have a Dean Search Committee. In those days, the bishop decided who was going to be the dean.

RL: And who was the bishop then?

FE: Bishop Buddy. Bishop Buddy was the one who decided there was going to be a law school. That building, which they now call Warren Hall, which was More Hall at the time, was supposed to be a science building, and Bishop Buddy called up someone, the story goes, and said, "I decided we should have a law school on campus full time." It had a part time law school going, and they were teaching classes in the high school across the street. Hugh Friedman knows about this.

I think the full time school started in 1959 maybe. I got there in '63, and it was still very small, and the term "University of San Diego" really was not an accurate term. It was not a university. Many of the parishioners referred to the University as "that money pit on the hill." They didn't like the idea that it was diocesan university and that their money, which they contributed on Sundays, was going to support that thing on the hill. The thing on the hill was not the University; it was three separate autonomous schools. The first school up there was the College for Women, which was run by the Mothers of the Sacred Heart. Later, they had a College for Men, and then they had the law school, and we were three separate autonomous schools and didn't have much of anything to do with each other. We ran our own budgets and pretty much didn't even know anybody on the faculties of these other schools.

George Hickman, of course, he did not last very long, because the bishop, for whatever reason I don't know, refused to make him permanent dean. That was a snub to George. George was too proud to take that, and he quit and became Head of the American Bar Association and ended up living in Chicago. Marci and I visited him and his wife, Peg, later on when he was in Chicago. I remember we did, because they were having race riots at the time in Chicago, and we went through Lincoln Park with the car all locked up and with a lot of fear.

When George was not made permanent dean, Joe Sinclitico became the dean. In the meantime, Bishop Buddy had died. There was a bishop who was up there for not very long; his

name was Furay. He didn't last very long. I think Sally Furay may ..., I don't think she was related to him, but Sally, as you know, later became Provost of the entire university and was also a student of mine in law school. She got a law degree.

The way the School of Law was run—in the beginning, if we ran out of money, Joe Sinclitico would call up the bishop and say, “We need some money,” and they'd send some money down. The bishop then lived on campus. He had a big apartment in what is now known as, I think, Hughes, the Hughes building. In those days, it was Serra Hall, and he had a big apartment at the top. There was no Guadalupe Hall. There was an outdoor Greek theater, which was nothing but a big parking lot with a stage at the end where we had our graduations, where that Guadalupe is, which I still call “Guacamole Hall,” but I guess I can't be quoted on that. The worst statue on campus is that statue in front of Guadalupe Hall. They really went on the cheap when they got that one.

We used to hold faculty meetings in the hall. We had a faculty lounge, which was about, maybe two-thirds the size of our faculty lounge right now, and the other one-third was my office and another office.

RL: But that was in More Hall?

FE: Yeah, that was in More Hall.

RL: But was it much smaller than it is now?

FE: Yeah, the faculty lounge was much smaller, because my office was taken away to make the faculty lounge which we now have. I didn't like that. I had a big office. I had two desks in there. I was on the northwest corner, right on the ground floor, the same floor as the dean's office, and there was one other office next to mine and a small faculty lounge, which I recall was decorated by the mother of one of the students. At that time, we got what we considered a big donation from a man named Marvin Kratter, which allowed us to refurbish and redecorate this lounge. One of the conditions was that we had to look at his wife's portrait, which was in there for many years. I think we got, I think it was \$16,000 from this guy Kratter, and it was a lot of

money, so much so that the law library was named Kratter, Kratter Law Library. I understand that he sued when his name was removed from that, when Pardee's name went up. It's all about money, you see.

Anyway, that was not the law library when I joined the faculty. The law library was on the third floor. We knew that the sheer weight of the books was causing window frames to buckle and so forth and so on, and something had to be done, and the obvious solution to the people who were in the law school was to add on to More Hall. We put this to the University at that time, because at that time, we had been forced, literally forced, to unify. We fought it as much as we could; we were forced to do it.

CONVERSATIONS IN LEGAL EDUCATION:

ORAL HISTORIES OF THE FIRST HALF-CENTURY OF THE UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

Narrator: Professor Frank Engfelt

Interviewer: Ruth Levor

Recorder: Ruth Levor

Date: June 3, 2005

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TAPE 1b: SIDE A

RL: Okay, you were talking about the law library being too heavy.

FE: Yeah. We knew something had to be done, and at the time, we were in a position of a lot of force being applied to make us part of a university. The main reason at that time for this was that the only school up there that was being successful monetarily was the law school, and they wanted to dip into our funds. Everybody knew this. This big ol' guy named Mike somebody-or-other used to come over with his magic lantern slide show to try to convince us how it was a wonderful thing, and we all knew what was going on.

RL: And he was somebody from the university administration?

FE: Yeah, yeah, the university administration.

RL: And did the pressure come then from the diocese, from the bishop's office?

FE: I think so. It came from above, wherever it came. I'm not suggesting that there was any kind of divine force involved, but we at the time said the obvious and logical thing to do was to add on to More Hall and extend it back, because there was an awful lot of bare ground back there.

RL: Where the bookstore is now?

FE: Yeah, but we were told at the time that that land was sacrosanct, and nothing would ever be built upon it. We were told lots of things, but at that time, what is now the, we call it the Legal Research Center, they don't even call it a law library any more, was the Knights of Columbus library, which was the Men's College library. The plan, which took place after they said, "That ground will never be built upon," was to force the College for Men to get out of the Knights of Columbus building, because, quote, "the law school had to have that space." We in the law school didn't want to be split up into two buildings. We didn't want to have to go across the parking lot to get to the library. We didn't want to have offices separated in one building and the other, but as you know, that's the way it ended up.

Before any of that happened, when I came up there in 1963, the president of the so-called University was Father Bear, nice guy. He became President of the University because the bishop said to him, "You are the president. This is your job."

RL: That was Buddy at the time?

FE: Yeah, and Father Bear hated the job. Father Bear and I became good friends, and he told me that every night of his life, he would sit by the side of his bed and actually vomit, because the job was, he hated it so much. The poor guy got cancer in his jaw, and he was dead within a couple of weeks, real quick thing.

So we lost him as the president, and about that time, they decided that they were going have a lay president, and I was appointed as the law school's representative on the Presidential Search Commission. At that time, I think Bishop Maher had arrived on the scene, and he was on this Search Commission *ex officio* by virtue of the office which he held. We advertised in whatever magazines you advertise in that we were looking for a president of this university, and the ad and the public comments which were attributed to the University was that it made no difference what religion you were, it made no difference what sex you were, and all this other kind of stuff. It soon became obvious to me as a member of the Commission that if you weren't a Catholic, you didn't have a chance in hell of getting appointed President of the University of San Diego.

I imagine during that period of time that Marci and I went to the zoo at least six times with these presidential candidates. I myself probably ended up eating at least two dozen dinners. I remember Father Shipley, I think he's still around. Father Shipley has been known for always running places, because he's always late, and for pronouncing words in his own little way, like inNOVative ...

RL: Oh, instead of INnovative [laughter].

FE: Oh, yeah, and he had a lot of ... I liked the guy. He insisted we go to the same restaurant all the time in Mission Valley, and I got so sick of that restaurant.

Anyway, we finally, a bunch of us settled on a candidate that we thought was very good, but it turned out he didn't get past the bishop because he was Chinese and he had been divorced, so he had two strikes against him.

RL: Was there a Board of Trustees involved at the time?

FE: Yeah, I think so. The gal that, I'm trying to think of her name, she was from La Jolla. She's been on the Board of Trustees forever, and I think she finally retired from the Board of Trustees, and she's got to be at least in her eighties. I can't think of her name. She was a member of the Commission.

Anyway, it finally came down to two people, Author, not Arthur but Author Hughes, Art Hughes, who at that time was, I think, a provost at the University of Northern Arizona in Flagstaff, Arizona, who was a converted Catholic. He was a convert. His wife's name is Marge, and the remaining candidate, I think his name was McConnell, who was from Boston, I think. After these two names were proposed, each of the three schools voted on them. The College for Men and the College for Women voted for Hughes, and the College of Law, the law school, voted for the other guy, so Hughes was appointed the president, which was a good move. I think Art did a wonderful job as President.

But what got to me was that the diocesan newspaper came out with the headline that said that Hughes was the unanimous choice of all the schools, and I'm saying to myself, "Here I am,

teaching in a Catholic school, where supposedly we're all moral and ethical, and we tell the truth, and this is nothing but a damn lie," which it was and always will be. But as an addendum, I must add that any time anyone asks me what did I like best about the University of San Diego, my answer is, "The fact that no one ever even asked me during the entire forty years I was up there what my religion was." No one ever tried to convert me to any religion, and no one knows to this day that I know of what my religion is, except my friends know that the answer would be I don't have one. That I always thought was ...

RL: I agree.

FE: They always paid me on time, too, that was a good thing.

RL: I agree with that as well.

FE: But they never bothered me about this religion business. But anyway, this was a lie, Art Hughes was appointed unanimously.

So he became the president. I think his starting salary was \$26,000, plus they would give him a place to live. He started out with real estate people looking for a place to live, and he and Marge decided to buy the house which is directly across from my house. In those days, today I don't know, we bought this house in 1969 and paid \$67,500 for it; actually \$65,000, the real estate broker gave us half the commission back. They were going to buy the house across the street for, I don't know, \$75,000 or something at that time. I then called up, I forget who I talked to, and I said, "I think you're making a big mistake. I know the Hugheses would like to buy that house, and I think it would be wonderful to have them as neighbors, but the entire purchase price of that house is going to be taxable income to him all in one year, and I don't think that you or he wants that to happen." I said, "If you don't believe me, check with your own lawyers." And of course, they found out that I was right, and that's how that house got built on campus. I guess it was my fault.

They built that house for the president, and I still remember there was a big exposé in the law school newspaper when they finished it. It was called The Woolsack in those days, you

know, the paper. Somebody got into the house and went through, and there was a big exposé about how lavish it was and how big the chandelier was, and all this baloney, but anyhow, that's how that house got built on campus.

RL: It's actually owned by the University?

FE: That's right, and I guess, I can remember this, Mary Lyons, who is presently the president, she's probably living in it.

RL: She does, yes.

FE: She's rattling around in a big house, I would imagine. Alice Hayes, I would imagine, was rattling around by herself in a big house.

The Hughes had a family of four kids, two of which were biologically theirs and two who were adopted. That's another story I'll get to later on. Art and I became very good friends. We exchanged jazz tapes. I introduced him to Cleo Laine. We got to know each other quite well.

In the meantime, the law school was growing. We started making money. We started hiring people. I think in '67 we had a big hire. We hired a couple, Bill and Sarah Velman. Sarah's still in the neighborhood. She's remarried, and her husband died, Bill died, after the divorce, which shocked us. Dick Kelly was hired at that time. Dick has since died. He was a very, very good friend of ours.

RL: When did Homer Kripke come on?

FE: I don't recall, but I know when I first started there, we had part timers. We had General Leo Hermle. General Hermle was a big hero in World War II. He was a Marine general. We had Brigadier Miller, who was the British chief authority in the Palestinian territory, lovely guy. We had a fellow named Carroll Smith, who was an old man at that time, and I kind of took over his job, because the first thing I started teaching was Contracts, and Carroll, I think, was teaching Contracts at the time.

We had a lot of part timers. When I started in 1963, for \$7,500 a year, I taught twelve hours a week. It was considered to be normal to teach twelve hours a week. Now, if you told somebody up there to teach twelve hours a week, they would think you were crazy. Those twelve hours were taught day and night. We had an Evening Division, so I would be up there some days from eight in the morning to maybe nine or ten o'clock at night.

RL: Would that be three classes?

FE: Yeah, you'd teach three classes doubled, and sometimes, you'd teach two classes double and another entire course. The ABA at the time said it would be okay so long as you were doubling up in the same class, and it was counted as half an hour, even though ... because they had restrictions on how much you could teach.

RL: So doubling meant that you taught the same class at eight and then at two or something?

FE: No, you'd teach maybe eight o'clock in the morning and maybe five o'clock that night in the Evening Division. Some of our more famous students who have gone on to glory were evening students.

RL: Can you think of some examples?

FE: Oh, judges, the Secretary of the Navy, who lost his job because of the Tailhook Scandal. He had a dinner which was presided over by Ed Meese, who had been a big shot in the Reagan administration, that's another story, and was nice enough to get up at that dinner and refer to me in this way, that he had always felt that the best thing that ever happened to him was being in my class, because from there and after, what I did to him one night, keeping him in the frying pan for 45 minutes, that it was such hell that everything else that came thereafter was easy. He could deal with anything.

RL: And this was this fellow who went on to be Secretary General of the Navy?

FE: Secretary of the Navy.

RL: Secretary of the Navy, excuse me.

FE: Yeah, and he got canned because of the Tailhook Scandal.

RL: Do you remember the name?

FE: Yeah Larry, I can't think of his last name; his first name was Larry. Everybody got a big kick out of this. He also went on to say that I was his favorite professor. That was nice. But he said that after he went through 45 minutes of hell with Engfelt, he said you were ready for anything.

As I say, Ed Meese was there. Ed Meese, as you know, became Attorney General in the Reagan administration.

RL: And he was on the faculty, is that right?

FE: No, he wasn't, and that's another thing which was untrue. Ed Meese came to us with hat in hand, almost begging for a job, because he had been up in Sacramento. Reagan had gone to Washington. He was not employed at all, but he said he could, if we set up a criminal justice institute that he could run, that he could bring in the money. It would be funded, so we were offered, in effect, free money so he could run a criminal justice center so he would have something to do and have a job. I'm not making this up. He never was a member of our faculty, as opposed to what was said.

Billy Anders, who was a good friend of mine in high school, who went around the moon as an astronaut and later became ambassador to Norway and Head of NASA and many other things, never graduated from Grossmont High School, but they say he did. He was there for a while but went to Bowdoin to take prep courses to get into Annapolis the same year I got into Annapolis, but I didn't go. Ed Meese was one of those things.

[aside to wife, Marci]What was that guy's name who was Secretary of the Navy, Larry ...?

ME: Larry Garrett?

FE: Larry Garrett, thank you, and she says she doesn't remember things, Larry Garrett.

ME: I remember things from way back when.

FE: The Honorable Lawrence Garrett, former Secretary of the Navy. They say the buck stops here, and you know, if you're the Head of the Navy, and you've got a bunch of pilots that start chasing semi-nude women in Las Vegas, you're the one that ends up getting canned. Anyway, he was nice enough to say what he said, after he had gone through 45 minutes of hell with me in a Contracts class, no, it was UCC, the Uniform Commercial Code, and we were going over a certain section of the UCC, and I wouldn't let him off the hook.

Anyway, an awful lot of our very distinguished graduates have been from the Evening Division. That's important because the entire time I've been up there, they keep bringing up the same thing: should we or should we not abolish the Evening Division? There was a lot of pressure during those years to get rid of the Evening Division.

RL: What was the reason for that?

FE: It wasn't cost-efficient. Nobody wanted to teach at night. Those were the main reasons. I myself, later on after I'd been there for a while, would scream like hell if they tried to give me an evening class, but sometimes it didn't work. I'd end up with an evening class anyway. But at the beginning, like I say, we taught twelve hours a week and thought nothing of it. Those powder puffs or cream puffs that are up there now [laughter], plus the amount of money we were paid ...

RL: What were the class sizes back then?

FE: They were small to begin with. The graduating class of 1964, it was the first class I taught that graduated, there were 24 people, I think, in that class. When they have reunions, they have them for five, you know, ... When they have the class of '64, we go, because we know those people. You not only associated with those people in school, you associated with a lot of them socially, including spending a weekend in Rosarito Beach and things like that. I could tell stories about that.

RL: And you used to have them come here, didn't you?

FE: Yeah, oh yeah. We used to play pool, you know, and have parties here, and we would socialize with each other. It doesn't happen any more. You don't have that kind of feeling. Like I say, Dick and Ruth Kelly ended up being our best friends even though Dick and Ruth, what were they, about ten years older than we were.

ME: Mm-hm, at least.

RL: Do you think that's a function of size?

FE: Yes. For instance, when I started, there was no such thing as parking regulations. There was no such thing as these people running around in police cars or what have you. We didn't have these people with their starched uniforms, and now we've got 'em, God knows. They got Smokey the Bear hats they wear at graduation ceremonies. You could park where you damn pleased. When we thought we were really doing well, the faculty actually got to park right next to the building, and you actually had your name painted on the curb. There were no charges for it.

Later on, they attempted to charge us parking fees, and I was labeled by the people across the street in the university administration as a labor dissident, I think they called me a dissident or anarchist or something, because I refused to pay my parking fee. I said, "Look, I got my contract in March, and there wasn't a thing in that contract about a parking fee. You're trying to superimpose upon my contractual obligation something which was not bargained for, and I've been teaching Contracts for many years, and you can't do that. I refused to pay, and the word got

out throughout the entire university that there's some guy in the law school who says we don't have to pay this. So the Head of the Security ...

RL: Don Johnson?

FE: Don didn't come over; a cohort of his came over. I knew Don quite well, too. His cohort came over and went to the dean's office and said, "Could I speak to Professor Engfelt?" And they called me, and I said, "Sure," and he came in, and he said he wanted to know what would happen if they tried to enforce these parking fees. I said, "First of all, if you try to impound anyone's car and tow it, I would think that the person who got towed would have a good cause of action against you for having committed a tort of trespass to chattels." I told him that, contractually speaking, anyone whose contract was entered into prior to the time that they tried to impose these parking fees had no obligation to do so, because actually no consideration was given to support any promise to pay a fee. You just can't do it, unilaterally change the terms of the contract after it's been entered into.

I thought this guy was going to argue with me. He said, "I'm so glad I talked to you. Now none of us are going to pay it [laughter]." And he went back, and nobody did that first year. I jokingly said, "If they attempt to collect this fee from me by deducting it from my paycheck, I am going to sue the University; I am going to sue the diocese; and by God, I'm going to join in the Pope." When word got out that Frank was going to sue the Pope, that was ... In those days, I was young, and I was having a hell of a lot of fun. I enjoyed these things, but I wasn't going to put up with that kind of stuff.

We started to get bigger, and you know, big doesn't necessarily mean good. As you know, now we have huge bureaucracies. We've got something called Human Resources. Since I had my body fall apart in January of 2003, I've had to deal with Human Resources. I got a letter from Human Resources the year after my contract finally ran out, when I guess I officially retired, telling me that I was entitled to get \$983 or something for medical, not expenses, but for premiums paid to Medicare and to private insurance, and I could apply for this, and if I had any questions, call this number. I called the number, and I got ahold of some woman. She didn't know anything about the program, although she knew that her name was in this and that she had

signed the letter. She then informed me this only applied to those premiums which were paid in the year following my retirement.

I said, "What you're telling me is that this letter is one year premature."

She said, "Oh, I guess it is."

I said, "Next, you're going to tell me I'm not getting another letter next year, am I either?" She didn't know.

"Actually, for all I know," I said, "neither you nor I will be around next year." I said, "If you're smart, you'll quit your job, and I may be dead."

Well, she made the mistake of saying, "Well, at least, you'll be going to a better place."

I said, "Where is that?"

And she said, "Heaven."

I said, "Tell me about it. What's your vision of heaven? Do you really believe in that crap?"

She said she didn't have a vision of heaven.

I said, "I've always kind of thought of it, if there is such a place, I might be up there sitting on cloud with my bald head, and all these little angels will be flying around pissing on my head."

I just read the day before the worst thing you can do is to pick on somebody's religion. That's a very offensive thing to do. It was obvious to me that she really thought she was going someplace after she died. She didn't know exactly what this place is, and I think if you ask most people who believe they're going to heaven, they don't know what it is, although I had a nurse in the hospital who'd already picked out her room in the golden palace, but that's another story.

Getting back to the, this is just an example of big doesn't necessarily mean better, we started hiring people, '66, '67, we got the Velmans, we got Kelly, we got ...

ME: '66. '65.

FE: ... the Brattons, Darrell Bratton, Bert Lazerow. Morris came later, Grant Morris.

ME: Weckstein came later.

FE: Weckstein came later. We got him from Connecticut. Mike Navin we also got from Connecticut. I recommended later on that they hire Lou Kerig and Marv Krieger, who were both teachers of mine at the JAG school, and they lived here for the rest of their lives.

And the faculty started getting larger. Joe Sinclitico, I thought, did a very good job. He made a big mistake. He was at a cocktail party in More Hall. In those days, More Hall meant two things. It meant the building plus the large auditorium, which had no chairs in it, on the bottom floor.

RL: Oh, there was an auditorium?

FE: Oh, yeah, there was a great big empty room. It was called More Hall.

RL: Is that where the big foyer is now?

FE: It was done right over. We've done it so many times. For a while, it was called the Fletcher classrooms, because the Fletcher family gave the money.

RL: So what did Joe Sinclitico do at this party?

RL: He had one too many to drink and referred to Bishop Maher as "that cheap Irish politician," which, of course, was true, and word got back to Bishop Maher. Joe at the time was on a sabbatical in Rome. He got a one-page note from I. Brent Eagen, who is likewise dead, good looking guy, though, he was really a hunk. I. Brent, I mean, he was the silver hair and the whole thing. I had lunch one table away from him, I think, two weeks before he died. Perfectly healthy, and with the cancer, he was dead. But Joe got a one-page note from I. Brent Eagen, not even signed by the bishop, which in effect said, "You're fired." So he was gone.

So Joe Brock took over as the acting dean. My office was at that time on the same level as the dean's office, where the dean's office is today. I jokingly said during a little speech I made, the event being Kelly's retirement, which was what, '72 or something, he inherited money from

his mother, and he said he was going to retire, and he did. He mainly retired because he couldn't stand all the PC stuff, political correctness. He wrote a Property exam question which involved a woman having to clean up the mess which was caused by a clogged toilet or something, and all the women revolted against him. He said, "The hell with you. I'm not going to put up with this crap," and he retired.

But at his retirement ceremony, I said, "You may have noticed that since Joe Brock has taken over as the acting dean, that there is a small trench which has been worn into the concrete floor between his office and mine," which was true. Joe was a great guy, but, oh, he was so timid. He was always after me. "Frank, Frank, you've got to come here. I've got a problem." The best one was he called me over one day and, I don't think you ever met Joe ...

RL: No.

FE: Joe was known as the chancellor. He taught Equity, and Joe had wattles under his chin, and he'd go, "Brrr-rrr-rrr," and they would shake, and he was bald as a billiard ball, great guy. I loved him. He married late in age. Minnie Brock is still living in the same house. I remember Marci and I had dinner with them after Joe had Alzheimer's. He would say, "Pass the butter," and he would point to the meat.

He called me, and he said, "Frank, come over right away, brrr-rrr, we've got a big, big problem."

I went over to the office, and said, "What's wrong, Joe?"

He said, "We're having a revolt."

I said, "Who's revolting?"

"All the Jewish students," he said.

"What are they revolting about?"

He said, "They don't like the fact that we have a Christmas tree." I mean it, we had a Christmas tree.

And he said, "They told me that they are going to boycott the classes, refuse to pay their tuition, blah, blah, blah, blah, unless we put up a Chanukah bush."

I said, "Joe, calm down. They're pulling your leg."

“Whaddya mean?” Joe, if he hadn’t become a lawyer, he would have become a priest. If you go to the, oh what’s the name of the chapel up there, the Immaculata, you go through the door on the far west and look up, you will see a big stained glass window which has Joe Brock’s name on it. It was in his will. He donated a lot of money to put a stained glass window in that Immaculata.

And I said, “Joe, they’re pulling your leg.”

“Whaddya mean?”

I said, “There’s no such thing as a Chanukah bush. It’s a joke! It’s a joke among Jewish people. There are a lot of Jewish people who have a hard time because their kids don’t understand why they can’t get presents, blah, blah, blah, blah, and why they can’t have a tree, and they jokingly refer to the Christmas tree as a Chanukah bush. They get plenty of presents. For all I know, they get presents for eight days in a row or something. They’re not going to do anything. There’s no such thing as a Chanukah bush.” He didn’t believe me.

CONVERSATIONS IN LEGAL EDUCATION:

ORAL HISTORIES OF THE FIRST HALF-CENTURY OF THE UNIVERSITY OF SAN DIEGO SCHOOL OF LAW

Narrator: Professor Frank Engfelt (Marci Engfelt was also present)

Interviewer: Ruth Levor

Recorder: Ruth Levor

Date: June 3, 2005

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TAPE 1b: SIDE B

RL: How many Jewish students do you think there were at the time who pulled this joke?

FE: I would guess maybe half of the student body.

RL: Oh, you think so?

FE: Oh, I think it's really true. You know, the old Goldberg, who was the Jewish comedian, the woman? "If you ever be a doctor or a lawyer or a CPA ..."

RL: Uh-huh, Molly Goldberg.

FE: Molly Goldberg, yeah. I think it's true. I think part of, again, I'm not a Jew, but part of the ethos and part of the culture of being a Jew is to have an education and to study and to make something out of yourself.

RL: I'm just surprised that there were that number, that you think there were that number of Jewish students.

FE: There were quite a few, I think, were Jewish. I would guess that Catholic students, maybe even today, were in the minority. I don't know, but it would just be my guess.

As far as the faculty is concerned, Joe Darby's Catholic. Grant Morris is Jewish. Larry Alexander is Jewish. I don't know what Kevin is. I don't know about Walt Heiser. Bert Lazerow, I know, is Jewish. We got invited to Bert Lazerow's house for dinner.

RL: Let me ask you another thing about the students. When you started, do you think that most of the students were fresh out of college, or were they GI Bill people, what do you think?

FE: The Day Division usually was a lot younger, although I had people in the Day Division who actually died, who were so damn old they died before they got out of school. I had one guy in the Day Division, I swear it's true that, at least on three different occasions, they had to carry him out on a stretcher while he was taking examinations.

ME: Who was that?

FE: He was a retired major, and he had heart problems, and he'd get excited during the examination, and he'd go ploomp, and they had to carry the guy out. I had one guy who was in his eighties when he started law school, and he didn't last. But they were typically younger in the Day Division.

In the Evening Division, I always have said, and I'll say it forever, that my perfect law school class would be a bunch of night students that I could teach at ten o'clock in the morning.

RL: And what you mean by that is ...

FE: ... that I don't want to be up there at night, but that the students who studied harder, who were more motivated, who were basically better students, were the evening students. I mean, these people would come in after having put in a full day on the job, and they would be prepared. You wouldn't get the type of stuff you would get from the day students. What I saw in my last ten to fifteen years of teaching was that each year, the caliber of the entering student went down, in spite of the fact that we were told by the dean's office that this is the best class we've ever had;

their average LSAT was higher; their GPA was higher. But insofar as being educated, motivated people, a lot of them were not.

I have found that most of the students today know little or nothing about literature. I tried in class to make references, one to Kipling's Poem "If," and the word I wanted was "if," you know, *if* things were different, would we have a different outcome in this case? And I said, "You're all aware of the poem 'If.' Nobody.

I said, "Does the name Rudyard mean anything to you?" Nobody!

One day, I mentioned in class that that's kind of a Panglossian view of things, isn't it? Didn't know what the hell I was talking about. I said, "Have you ever heard of eponymous words?" Didn't know what I was talking about. They didn't know what an eponym was.

I said, "Have you ever heard of Dr. Pangloss?" No!

"Have you ever heard of *Candide*?" No!

"Have you ever heard of Voltaire?" No! They don't read! They sit in front of a computer, or sit in front of a television, but their literary background is bad.

RL: What about their writing ability?

FE: Never been very good. The worst part of the job is grading bluebooks, especially if a lot of your grading consists of putting Xs or question marks by things just because it's not a sentence, or it's grammatically incorrect, or it just doesn't make any sense. I never wrote in bluebooks long comments. I used to jokingly tell them, "If you see a BS in the margin of your bluebook, it meant that you made a bad statement," and they all knew that that's not what the BS stood for.

RL: And that remained constant? You didn't see that fluctuate?

FE: No, I saw a steady decline. It bothered me. It bothers me right now, because on paper, you know, you're told, for instance, that we had 3,000 applicants, and we only took 250 or whatever. You think, gee, we're getting la crème de la crème, and then you say to yourself, "If this is the cream of our young society, this country's got a lot of problems."

I don't know, with a lot of the people I went to law school with it may be true, you know—the A students end up teaching, and the B students end up doing this, and the C students end up making all the money, and there may be some truth in that.

What I found is that the university, they did in fact get us. We were forced to unify. They did in fact evict the Men's College from the Knights of Columbus building. It was in fact made the law library. That upper floor of the law library consisted of apartments for priests. The librarian of the law school was Father Alfred Geimer. We were very good friends with Al Geimer. We knew Al Geimer very well. We used to go over to his apartment, by the way, later on, my office became part of his apartment, because he was on the northwest corner of the apartment, and of course, it was all demolished, and it was made offices, and I ended up in that office when I was kicked out of the office I had before when they made the faculty lounge larger.

Al Geimer had a big color television set. In those days, it was big. I remember watching the World Series in his apartment and watching Bob Gibson pitch in the World Series. I could look it up in my almanac and tell you what year it was ...¹

RL: I have a son who could tell you that from memory, I'm sorry to say.

FE: Father Geimer had a nice Jansen stereo system, but then at the same time, he had these God-awful velvet paintings that he got in Tijuana hanging on his wall, so he was a character.

RL: How did he become the librarian?

FE: I don't know. He was just there.

RL: And he was the law librarian?

FE: He was the law librarian. Finally, for some reason, it was decided we needed a real librarian, so we hired Joe Ciesielski, who had a degree from Villanova, Pennsylvania. We couldn't fire Father Geimer, so we made him Director of Libraries, because we had a little

¹ Bob Gibson pitched for St. Louis and was Most Valuable Player in the World Series in both 1964 and 1967.

faculty library for a while in More Hall, and we had a big library, and that's how they finessed that thing. Father Geimer later on became the parish priest in Cathedral City.

RL: Out in the desert ...

FE: One of his parishioners was Frank Sinatra's mother. Father Geimer just loved celebrity. I mean, those things really impressed him. When she got killed by a plane crash, he presided at the funeral, and he got national coverage. Oh, I can just see him!

And he said, "And Frank, they've made me an honorary captain in the San Bernardino sheriff's office. I get to go out to the pistol range and shoot with my own gun!"

He always drove a Mercedes, and he was always getting stopped for speeding. He was an Irishman, and he'd give the cop the Irish blarney stuff, "Ah, young lady, you don't want to take a priest like me and pound me off to jail now, would you?" And he'd always get away with it.

They finally ended up putting him out near Lake Arrowhead in some little town, which is where he ended up, and then he finally ended up in what they euphemistically call a rest home. Betty Brock used to go down and see him every week. It was after Joe died. Father Geimer, he died, of course, and Joe Ciesielski ended up dying at a very young age. He lived out in Jamul, and he got bitten by a horsefly, and he got equine encephalitis. He was dead within ten days. Young man.

John Winters, early forties, brain tumor. He was the brother of Sally Furay.

ME: Brother-in-law.

FE: Brother-in-law, sorry, okay.

RL: Now, tell me about when she came on as Provost. Do you remember?

FE: She was Provost. She pretty much ran things.

ME: Who, Sister Furay?

FE: Sister Furay, she did. She was the one I told you the other day who came into my office and showed me the San Francisco Chronicle, which she had picked up at the airport in San Francisco, which had a long, long article about the Bishop of Santa Rosa leaving the Diocese of Santa Rosa under a cloud because of alleged financial defalcations, and that was Bishop Maher. We got him from Santa Rosa. This was in the San Francisco Chronicle. It can be researched, probably on the Internet, but you may have to pay a fee. It never appeared in the San Diego Union. Likewise, as I told you, when he got into some trouble with buying a condominium for his secretary, his female secretary, they were going to have a three-day exposé in the Union ...

ME: Yes, they never had ...

FE: It lasted one day, and then it was shhh.

RL: And he was already at the University?

FE: Oh, he had been for some time. I don't know if you met Bishop Maher.

RL: No.

FE: There was a priest on campus named Owen Mullen, a great guy. He rode a Harley Davidson motorcycle in a black leather jacket and arm wrestled every member of the football team and won. Owen Mullen was told he was going to be the law school chaplain, so he asked me if he could sit in on my contracts class so he could get a feel of what it was like to be a law student. I thought he just wanted to come in once in a while. He took the whole course! I still remember when the Padres won the pennant and went to the World Series and got demolished by Detroit,² I presented to Father Mullen a Padres baseball cap, because here is our true Friar.

RL: That was in class?

² 1984

FE: That was in class. I gave him this cap, and he put it on, and we all had a grand time.

Father Mullen was always the guy at graduation—I was always the guy who read off the names, and we'd get into a rhythm. I, and Art Hughes would give them the diploma, and Art and I would get into a rhythm, and we would see how fast we could make this go, you know. We'd have three hundred students, and we'd do it in under ...

But Father Mullen was the guy that did the closing prayer, you know, not the invocation ...

RL: Right, benediction

FE: The benediction, he always did the benediction, and he always sat next to me on the podium when we moved the graduation down to the football field. We used to graduate them in the Greek Theater, right next door where Guadalupe Hall is now.

Bishop Maher would always get up and make a speech. If you have ever envisioned in your mind what the voice of a god might be coming from on high, it would be the voice of Bishop Maher. He would have these sonorous tones and would make all these sounds, but no one knew what the hell he was saying! I think he gave the same speech every year, but we still didn't know ...

RL: You didn't know what it was. Now, when Sally ...

FE: So we were ... Let me finish.

RL: Oh, I'm sorry.

FE: Owen Mullen and I were marching back from graduation one day, and I said, "Owen, does it make it any easier to understand the Bishop if your collar's turned around backwards?"

And do you know what he told me? "Oh, hell, Frank, we don't know what he's talking about either."

RL: [laughter] I'm sorry I stepped on the punch line!

FE: I thought that was so funny. "Oh, hell, Frank, we don't know what he's talking about either."

I understand Owen is now retired and is living in Hawaii. I know that because I was trying to think of his name the other night, and I couldn't think of it, and I went on the Internet, and I found an article where somebody flew him all the way from Hawaii to preside at their wedding, a couple of law students. We lost him because he was made chaplain at the Military Academy, and he was a graduate of the Military Academy, and that was his big goal in life, to get back to the Military Academy. He was a great guy. I've gotten to know a lot of people, and people who were in the priesthood, it never had anything of the priest-parishioner thing, it was just friendship. I was a buddy of his. Unfortunately, I've gotten to know a lot of the people from the law school who are now dead people, have died over the years.

But they forced us into unification. You would go to a party, this is back in the sixties, and were told, "If you refer to the University of San Diego, always tell them you're in the law school, because if anyone is there who is part of the Diocese, a parishioner, they don't like it. They call it the money pit." Of course, when they unified us, they also started using the tuition, part of it, from the law school. There was nothing you could do about it. Joe Sinclitico got canned. Joe Brock was Acting Dean. The next one was Weckstein.

RL: Was he already on the faculty at the time?

FE: Yeah, he was on the faculty at the time. We hired him as faculty. Weckstein was there for some time, as you may know. Weckstein had the bypass operation and within a relatively short time was out jogging again, went to London and got the infection and was in a coma for, I don't know, years, and he died.

Sheldon Krantz I always considered to be probably the best dean we ever had.

RL: Where was he from?

ME: He was from Iowa or someplace.

FE: He was raised in Omaha, Nebraska. He was raised in an Orthodox Jewish family. He was in Boston at the time when we hired him. He ended up losing his job, supposedly because he was guilty of nepotism in letting his wife be in charge of the Alternative Dispute Resolution thing. What was her name? Carol, she went by her maiden name.

ME: Carol Hallstrom.

FE: She and I used to have a running battle about ...

ME: She was very popular in San Diego.

FE: She was, and she and I had a running battle about sexism, of all things, feminism. Carol was one of the marchers during the civil rights movement, and she was big in that thing. She always said that San Diego had no culture. She ended up staying here, and Sheldon ended up going back to Washington, D.C. As far as I know, she's still here. I liked Sheldon very much. The supposed charges against him were nepotism. The people who forced him out of the deanship were people who didn't think they were getting paid enough for doing nothing in my opinion. I was so incensed over the whole thing I made an appointment with Art Hughes. I went over and talked to Art, and I told him what was really going on. To this day, I don't know if he believed me. All I know is that Sheldon lost his job.

After about, I don't know, half an hour, we started talking about our families. Art and Marge had two of their own, and two they adopted. The two they adopted were nothing but headaches. We adopted a son. We don't speak about him very often, because he was, to put it mildly, a headache. Pretty soon Art and I were talking about our respective kids who were adopted, and before you know it, both he and I were bawling, you know, because we both agreed that of anything we'd done in our lives, the worst thing we did was to adopt these kids, which is

an awful thing to say, and you know full well that people can be adopted, and they can be fine. I think Roy Brooks, they adopted, didn't they?

ME: Who?

FE: Roy Brooks, Roy and Penny.

ME: Yeah, they adopted, and Darrell's wife was adopted.

FE: ... was an adopted kid, yeah, Darrell Bratton's wife, Sue. Roy came into my office one day, and he wanted my advice about adopting a child. I, of course, spent quite a bit of time telling him why I didn't think it was a very good idea. "First of all," I said, "you're probably going to find out that what they tell you about the child's background might very well end up being a lie," which I'm sure was in Andy's case, our son.

As is always true, this is the one thing I found out about being a lawyer, people come to you in order to get your stamp of approval upon what they've already decided they're going to do. If anyone asks you for your opinion, they don't want your opinion, they want you to agree with what they've already decided to do. I don't care if it's your mother, your brother, a paying client, or a colleague on the faculty, and this is true. I think shortly after that advice, Roy Brooks adopted.

ME: He adopted.

FE: Exactly. My daughter, who is a very bright, wonderful person, she went to USD for free. That's one of the perks, paid tuition. She was awarded the highest scholarship, not because of me but because of who she was. She got admitted to UC Davis Medical School, which is very difficult to get into a California medical school. She's now a practicing pediatrician.

Shortly after she and Bill were married, she came to me and asked my advice about having a family, having children. I spent about an hour telling her in effect it would scare the hell out of me to have a child in this day and age with what was going on, with drugs and tattoos and

holes in your head and through your nose and through your genitalia and through your navel and all this kind of stuff. I didn't know of any way to protect kids against this kind of stuff. I did my damndest to tell her, you know, "You two are doing fine. If anything's going to change your life completely, it's going to be having a family, having children." And, of course, what was it, a month later, she told us she was pregnant. It's just an example, you know, of people coming to you for advice.

RL: [laughter] I agree, I agree wholeheartedly.

FE: But what's happened at the university is, one, we ended up losing the collegiality we had. For instance, when Joe Sinclitico was the dean, quite often our faculty meeting would be held at the Old Trieste Restaurant, because Joe loved to eat, and the best place in town to eat was the Old Trieste. I saw Joe go through at least two loaves of bread in one sitting. In 1967, Joe and Marci and I went to the American Bar Association convention in Hawaii, the three of us.

ME: [laughter] Oh, boy!

FE: We soon found out that ...

ME: Joe snored.

FE: ... the convention was boring as hell! One night, we were on the Big Island, in the King Kamehameha Hotel, and they got the reservations screwed up, and so Joe had to bunk in with us. Well, years before, we had been in Sequoia National Park with the Sincliticos, and we had stopped at a winery before going up to Watsonville, I think was the name of the place, Watsonia, the only private place in the National Park, and we went in adjoining motel rooms. We sat on the balcony, and the entire afternoon, we played How Far Can We Make the Corks Go out of the Champagne Bottles? Ah, we had a grand time, but when Joe fell asleep that night, the entire walls shook in this room. And so the faculty knew, never go anywhere with Joe if he was going to be within, you know, a hundred yards of you when he was sleeping.

So here, Marci and I are stuck with him in the King Kamehameha Hotel, and Joe knew that he sounded like a bull elephant, you know. He finally said, “Well, I’ll sleep out on the balcony.”

Well, he didn’t last long, I think because there were bugs, you know, and I felt so sorry for him. He was out there on one of these, you know, lounges.

And the other thing about Joe that was so funny, any time we would go by a Doughboy who was advertising food, he’d have to stop [laughter]. Joe weighed about three hundred and twenty pounds?

ME: He was big.

FE: He was a wonderful golfer. I never knew how he could play golf, because I didn’t see how he could see the golf ball [laughter].

We had this entire itinerary planned out by one of our students who knew a travel agent over there, and we island-hopped. We took a little air ride to all these islands, and I would always get off the airplane as fast as I could and go to the car rental agency, and they’d say, “What kind of a car would you like, sir?”

And I’d say, “The smallest one you have,” because I knew Joe couldn’t get behind the steering wheel, because he was an awful driver, just horrible. He damn near went off the road in the mountains when we went to Sequoia. He’s driving with a cigarette in his mouth, and he’s falling asleep.

When we finally got to Kauai, I found the only car rental agency at the little airport there, and he says, “All we have is a big Ford,” [laughter], and guess who insisted on driving! Oh, it was just a treasure, and some ride we had!

Marci and I were back there in ’95, was it ’95 when we took that cruise to Hawaii?

ME: It was later than that.

FE: Well, I don’t know, but anyway, and all the places we went to in Kauai were gone. The hurricane wiped them out. And things have changed again, just like things have changed

dramatically at the University of San Diego. As I said, we didn't have a police force. We didn't have parking regulations. We didn't have the bureaucracy. We didn't have all the things that happen when you get big. It has only been in recent times that all of a sudden people decided that it was a good thing to donate money to the University of San Diego. Look what we've got— We've got a Peace and Justice Center up there. It's a nice, big, beautiful building. I've never been in it. Joan Kroc gave us the money. I see things that are advertised that people are going to speak at the Peace and Justice Center, and you know, it's nothing needed. Now, the new Science Building is something, you know, they need. They've got the Copley Library down there. I just got an e-mail that they're putting a new roof on the law school and on the law library. Well, the roof they had on there never was worth a damn. Have you ever walked up there?

RL: I didn't need to. I've stood under the leaks.

FE: It was like walking on a pillow. They sprayed this stuff on there. But they do things— They tear down the building right next to the law library and build something else. I don't know what they've got in there. I think they've got, what, an Alumni Center or something. They do these things because they're getting a lot of money that was never donated before. Kratter lost his name off the law library, excuse me, the Legal Research Center, because Pardee gave them 2.3 or 3.2 million. Thomas More got beheaded again because the Warren family gave, but I think it still says More Hall out on the building, on the cornerstone. I don't think they've defaced that. There is a cornerstone that says More.

RL: On the cornerstone, you're right. Is it the Earl Warren family?

FE: No, no, a different Warren family. I don't think Earl Warren had that kind of money. They still have that statue, I think, of More, don't they, in the main foyer over there?

RL: I think so, yes.

FE: I always got a kick out of it when I saw somebody'd put a cigarette in his hand, but I used to say, "You know, the poor guy was beheaded before, and now we've done the same thing to him again," and for the same thing, money. That's what rules the world.

If you watch television at all, commercials, commercials. We got TIVO.

RL: Oh, did you?

FE: Yes.

RL: You're very advanced. I haven't gotten that.

FE: It's wonderful. It's worth the \$12.95 a month. You get the whole box for a hundred bucks now, and you can blip through all the commercials. You never hear or see a commercial again.

RL: That's a wonderful idea. I'll have to consider that.