



ROSIE THE RIVETER
1943



PUBLICATION OF *THE BRIEF CASE*
1955

The Bar Association of San Francisco:

Carole Conn

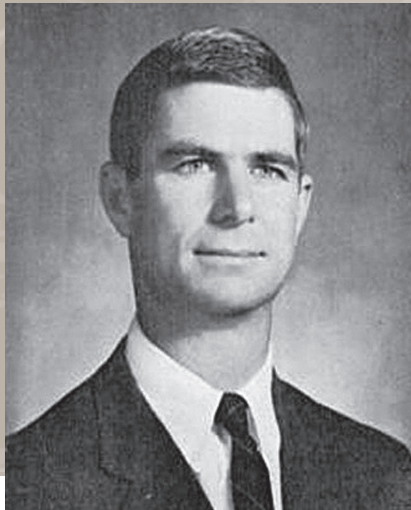
The years between 1942 and 1976 represented a period of tremendous cultural and social change that moved the twentieth century solidly into the modern era. The racial question, feminism, civil rights, “dropping out,” Vietnam, drugs, “free love,” the demand for equal rights and opportunity, protest and unrest, and the large histories within each of these subject headings pushed a colossal break from societal norms as we knew them. Television brought life images into every living room. Freeways replaced railways. The “atomic age” was spawned with the dropping of atomic bombs to end the second war of the world.

Jack Kerouac coined the term *Beat Generation* in 1948 and the “baby-boomers” were born. As they grew into adulthood, the real median income (adjusted after inflation) grew 80 percent for all classes of U.S. citizens from 1947 to 1977. Other wars started, but in far-away, less familiar places, a soldierless cold war frosted the geopolitical landscape. Three men set foot on the moon. The sweater-girl fashions of Jane Russell yielded to poodle skirts, miniskirts, bell-bottoms, and the pantsuit, and hair grew long, frizzy, or “afro.” The “rocked”

nation listened to faster and bolder rhythms, from jazz to rockabilly, rock and roll, folk rock, and punk rock. Historic civil rights legislation and Supreme Court decisions, made and implemented at the cost of human lives, removed laws of oppression.

Much like the changes that characterize this period, BASF increasingly focused on legal issues affecting ordinary citizens and the courts, looking to lead a generation of lawyers toward the pursuits of equal opportunity, civil rights for all, and public service. While still an association devoted to cultivating the fellowship of its members, BASF became more proactive in its supporting role to the judiciary, public interest, women, minorities, and adequate legal service to the community.

Our time period begins in 1942, just after the United States had declared war on Japan and expanded its support of the Allies with U.S.-led attacks by air, sea, and land. In 1943 as the Allies intensified their offensive, BASF strongly objected to the creation of what it termed *kangaroo courts* formed by the Office of Price Administration (OPA) to prosecute violators of the nation’s rationing laws. BASF denounced the OPA courts, charging that they were “illegal and violated



RICHARD MORRIS, BASF'S FIRST EXECUTIVE DIRECTOR & GENERAL COUNSEL
1971

Historical Moments 1942 to 1976

the separation of powers and the basic principles of the Constitution and Bill of Rights.”

The war was won four months after the longest-serving U.S. president, Franklin Delano Roosevelt, died. Returning World War II veterans and lawyer veterans seeking to reestablish themselves gave rise to two actions by BASF. First, it requested of the federal government that it relocate its San Francisco offices to the Presidio or Treasure Island so that returning veterans who were lawyers could reestablish their law practices.

Second, in 1946, BASF created the Lawyer Reference Service to assist returning World War II veterans, but broadly defined its mission to assist any person in need of legal assistance. This commitment to providing access to legal services to all groups continues to shape the program today. By 1948, approximately one hundred panel members participated, “to whom references are made by automatic rotation,” and three hundred fifty references had been given. Attorneys agreed not to charge an initial conference fee of more than \$5, the equivalent of \$45 today (LRIS currently charges \$35 for consultations). In the minutes from 1948, the board of directors asked whether the program should be “exten-

sively publicized,” not only because it served the public but because it enhanced the reputation of lawyers to the public. The board “wholeheartedly” agreed.

On December 1, 1949, BASF resolved to convert the association into a nonprofit corporation with the following stated purposes:

- “To further the honor, dignity and public usefulness of the legal profession;
- To increase the profession’s effectiveness in promoting the sound administration of justice;
- To act in the interest of maintaining a skilled, humane and independent judiciary;
- To aid in making available a library for the use of San Francisco lawyers;
- To cultivate social intercourse among members of the Association.”

Also, it sought “To serve the general welfare of San Francisco lawyers as appropriate and provide an organization for collective action or expression in matters germane to the aforesaid purposes.”

To this end, the Barristers Club’s Civil Assistance

Program was formed in 1952 to find volunteer attorneys to handle cases where the Legal Aid Society had a conflict of interest. These were the first seedlings of what eventually would grow into the Volunteer Legal Services Program, not established for another twenty-five years. In response to requests from the court, BASF also had the Barristers Club develop the District Court Panel (renamed the Indigent Trial Panel in 1962) and the Indigent Misdemeanor Panel, for cases in which the public defender has a conflict of interest and could not provide representation. BASF then passed a resolution to support the Criminal Justice Act of 1963 to establish a public defender system in the federal courts. At this same time BASF looked to becoming a “clearing house” for the court, whereby the clerk of the court could call one person to obtain the name of an attorney when conflicts with the public defender arose. By 1973, this responsibility was built out significantly and housed within the Lawyer Referral Service, which established its Conflicts Program. This program has developed still further into the LRIS Courts Program of today, with its own LRIS director.

By 1955, BASF had twenty-two hundred members and the association staff consisted of two full-time employees and one full-time attorney for the office of Placement and Referrals. BASF initiated sponsorship of a KCBS radio program called “Point of Law” (and much like then, BASF/LRIS sponsors a KALW public radio legal program called “Your Legal Rights”) and began publication of a magazine called *The Brief Case*, the precursor to our current-day *San Francisco Attorney* magazine.

By the early 1960s BASF “activated” the “Bi-Racial Problems Study Committee,” which among other activities provided its recommendations regarding race relations to state bar leaders who met with President John F. Kennedy. In November 1963, BASF passed a resolution to “express its sense of grief and loss upon the death of JFK, 35th President of the US . . .” It further resolved that the “Association [should] urge all citizens to renew their efforts to foster a respect for law and human rights so that acts of violence and lawlessness . . . may not occur in this land.”

BASF also opined that with respect to the murder of Lee H. Oswald, “not only did the Dallas law enforcement officials and the news media bear the responsibility for the death of Oswald, but by their conduct,

had jeopardized his right to fair and full trial had he lived.” The association resolved to write an open letter to the media to “devise a system of self-regulation” to “forestall the deprivation of rights to any individual in the wake of a major crime of violence in San Francisco.” In conjunction with this, BASF urged the ABA to oppose the televising of the Jack Ruby trial.

By the late 1960s the Continuing Education of the Bar program was attracting many attendees and the Barristers Club won the ABA award for outstanding young lawyers’ organization. One of the activities that had received national attention was the club’s formulation of the “Release on Own Recognizance Project” or O.R. plan. The courts adopted the O.R. plan because it worked and eliminated the discrimination against the poor who could not afford bail but were not a risk to society.

A new attitude started to emerge on the part of the newly admitted lawyer. Many wished to partake in some form of public service, and a difference of opinion as to the nature and scope of association activities emerged. One group thought BASF should focus on the courts, the law, and the practice of law, while another group believed it should be committed to and be a leader for matters of public interest, such as prison reform, legal services for the poor and the middle class, fair trials, and nondiscrimination objectives. In the end the latter won out.

To help carry out its many initiatives, and to provide continuity for policies and programs, BASF hired its first executive director and general counsel in 1971. Richard Morris was beloved and furthered the civic responsibility direction the BASF board wanted to take.

BASF commemorated its centennial anniversary in 1972 with celebrations and the publishing of a history of The Bar Association of San Francisco titled *The First Hundred Years 1872–1972*, still available for purchase online.

Next issue: BASF historical years 1977 to 2012.

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