

National Academy of Arbitrators
HISTORY COMMITTEE INTERVIEW

Edgar A. Jones, Jr.

NAA President, 1981

Interviewed by William Rule

May 28, 1989

EDGAR A. JONES JR.
PRESIDENT OF THE NATIONAL ACADEMY OF ARBITRATORS
1981
INTERVIEWED BY WILLIAM S. RULE
AT
THE CHICAGO HILTON TOWERS, CHICAGO, ILLINOIS
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Rule

We are attending the 42nd Annual Meeting of the National Academy of Arbitrators, Chicago Hilton and Towers in Chicago, Illinois. It is May 28, 1989. My name is Bill Rule. I'm interviewing past President Edgar "Ted" Jones who was President of the Academy in 1981. This project is sponsored by the Academy History Committee in order to preserve the account of activities in the background of Academy Presidents. First, just to get started we are interested in your personal background, and maybe you can tell us a little bit about where you were born, where you were raised and that sort of thing to begin with.

Jones

Sure. I was born in Brooklyn, New York in 1921 and emigrated from Brooklyn crossing the Hudson River when I was six months old into New Jersey.

Rule And you remember it well?

Jones I remember it vividly. After spending several years in Northern New Jersey -- where it developed that I had a rather wide range of allergies and was asthmatic -- my mother and father (my dad had worked for the Lehigh Valley Railroad) had occasion to go down to Asbury Park, New Jersey, which is right on the shore. I think I was about six years old at the time, and I noticed, a very startling to them, an improvement in my asthma. Apparently it just disappeared in the salt air which was the very heavy Atlantic Ocean salt air. So my mother stayed there at a hotel with me. My dad went back to East Orange and they proceeded to move down there in order to get me cured or whatever. I grew up in Asbury Park and went to the public high school there and public grammar school. I got out of high school in 1938 and went to Wesleyan University in Middletown, Connecticut where my father had graduated 30 years previously to me. I graduated in 1942. He had in 1912. He went into the first World War after that.

Rule Your timing was perfect?

Jones

Yes, so I went into the Marine Corps. After about a year and a half I participated in a maneuver that I'd created with 250 Marines who were attached to a Marine Air Group at Cherry Point, North Carolina. They had left the Marine Corps about a year and a half earlier. In the course of their training with me and the folks in Navy aviation facilities, they had the recognition, which I pressed upon them, that they really had lost the salt and that we were going to have be in a combat zone. It wasn't going to be enough to be sitting at a desk in the combat zone. What I proposed to do - I was able to convince various Lieutenant Colonels and Navy Commanders. I took these 250 people out into the boondocks there in North Carolina. We ran the communications for the Marine Air Group 35. We embarked, as it were, on trucks as if we were in the process of coming on to an island in the Pacific carrying whatever we had with us, as if we had come off some ship. We dug in right away. I had a bet with one of the Lieutenant Colonels. There were Lieutenant Colonels all over the place, Marine Corps pilots. They were all Annapolis graduates.

Rule

What was your rank at that time?

Jones

I was a Second Lieutenant. They were all regular Marines, graduates of Annapolis. And I was a Reserve Second Lieutenant who didn't know any better ~~than~~ to do something like this. As it worked out I had this bet with this one Lieutenant Colonel. The Marine Corps owned one B-24, which is a big four-engine bomber, which was converted by the Marines into a reconnaissance air photographic ship with cameras all over the place. They specialized in taking, what was then regarded as, high altitude pictures thereby spotting enemy installations on the islands that we were going to be among. I bet him that within 24 hours he wouldn't be able to find us. When we went out there I sent some squads out. One I think had 250 people. A bunch of them were digging and a bunch of them continued to operate the gear. We had aircraft in the air all the time while we were going out there, while we were digging in and so on. We were still servicing all of the Air Group's aircraft making the communications available. We dug in camouflaged and so on. I sent one squad jogging. I would like to say we necessarily were going to be with an air strip. There was an area out in the woods there. I don't know how it ever got cleared out the way it had, but it was about

the size of a football field, only it was rectangular. It was white sandy stuff. There were four perimeters where we might be. We weren't going to be all around it, but we were going to be in that area. I had these kids running. They were all kids seventeen, eighteen and nineteen years old. I was twenty-two.

Rule You were a kid yourself.

Jones I had them running on a sort of winding path over in another area; not very obviously, just single file in sort of a little web. They did that for the better part of a couple of hours. Meanwhile we dug in way across the field from that area using leaves. There were a lot of leaves at that time. Sure enough he took the picture and very gloatingly came out on his jeep. He showed me these photographs and he said "now, I'm going to give you a lesson in surveillance." "See these paths here, they're very hard to see, they're very indistinct, people have tried to cover them up, but there they are and that's where you are." And I said "that's fine Colonel, come with me."

Rule I trust he was a Colonel that could take that type

of thing?

Jones

Oh yeah, he was a neat guy actually. I don't remember his name now but he was a neat guy. I was the only officer out there for six weeks. When we first went out we had copperhead snakes to cope with. They were getting into the sleeping bags. It was really horrendous. Nobody got injured but plenty of people got terrified. Of course, we had mobile generators because we were running the communication stuff. So we had mass executions of snakes, and they dangled them on the wire. We had snake corpses all along one wire. There were several dozen dead copperheads. I slept on the ground at that time and I didn't get a heck of a lot of sleep because things were going on and I was responsible. When it was all over or just towards the end of it we had the Brigadier General in the Marine Corps, who was the Base Commander of Cherry Point North Carolina Marine Corps Air Station, come out to look it over. We also had visitors from Washington; they came down from the Marine Headquarters to look it over. But he came out in his jeep with his driver and he drove along this little path he was told to come, which was itself fairly well camouflaged. All of a sudden two

Marines with bayonets fixed arose out of the ground and stopped them and demanded his identification. He didn't have any. He had a star on each shoulder and a big splash of ribbons on his chest. One of them got on the phone back to me and said "we've got General Larkin here; he doesn't have any I.D." I said "you tell him I said nobody gets into this area without an identification." The Corporal went back to the General and told him that. The General was a little pissed off but not totally. He had to turn around. He couldn't get in. He had to turn around and go back and get his I.D. He bragged about that, apparently, for months: "this was a real operation; they wouldn't even let him in on face recognition." We came off that maneuver and I was exhausted by that time. We were looking forward to going to the South Pacific in what I thought would be about sixty to ninety days. With allergies, I had had my skin condition while I had been in Quantico during the six months I spent in three months of boot camp type training and three months reserve officer training. I had checked in at the naval hospital there for a dermatologist to give me some salve. He had some kind of concoction that worked like a charm on my skin. I figured I better go up there and get a big bottle of that

stuff because everything that I'd heard from anybody that had been in the South Pacific during this period said it's just full of fungus stuff and whatnot. So I flew up from Cherry Point, North Carolina to Quantico Base at the air station. I got a jeep ride in to the hospital and went and saw this doctor, who was now a Captain in the Navy and the Commander of the hospital. This was the dermatologist. He said "sure I'll be happy to give you that jar." He said "when did you have your physical last?" I said "about a year and a half ago." He said "check in, stay overnight and you can fly back in tomorrow morning, and you can have your physical." I checked in to this little room. Then I went down and had an X-ray. They took blood and the rest of the stuff. About a half hour or an hour later I'm sitting there reading and this Lieutenant Commander in the Navy comes into the room looking very solemn. I looked at him. I remembered this was the guy in the radiology room. He said "Lieutenant, we've got a problem." He said "you have pulmonary tuberculosis."

Rule

Good God.

Jones

Yes. There started a saga which lasted 22 months

during which I almost got killed by the Navy medical people. I was in good health. I really was.

Rule Was it misdiagnosed?

Jones No it wasn't. It was an accurate x-ray diagnosis, but I was asymptomatic. I didn't have any symptoms: no fever, no coughing, nothing. I was in really good physical condition. What they undertook to do was they applied the Bureau of Naval Medicine which was a looseleaf thing.

Rule Page by page?

Jones Page by page. In it for the treatment of tuberculosis it prescribed that they use, what was then called, pneumothorax. I think that was it. I may be mistaken on that word. In any event, it was the injection of air into a lining between the lung and the pleura. What they did was inject it with positive pressure. That's an absolute no-no. You have to have a negative pressure in this part of your body. What they were trying to do was compress the lung. The theory was that if you compress it and hold it down it'll cure, you will

get better quicker. What it did with me and 85 others -- the others were Navy officers and I was the only Marine as it turned out that had this --

it gave each of us acute pleurisy. I damn near died in a period of about six weeks from acute pleurisy. My temperature ran up to 106. I was wasted away. I went in there probably weighing about 145 or something like. I was down to just above 100 at the end of that six weeks. They moved me up into the surgical theater of the hospital for the last three or four weeks of that period because they figured they were going to need to get at me instantly to give me what's called a tracheotomy because I was having great difficulty breathing. The pleurisy was pumping out, the liquid, and the liquid was compressing the lung. I still don't know how a tracheotomy would help that because it's below that rather than above that. In any event, I recovered from that and I stayed nine months there at that naval hospital. The Navy being confronted with this type of thing throughout the world established a unit at the Fitzsimmons General Hospital in Denver, Colorado which was the Army's chest center where anybody who got hurt in any way or sick in any way involving the chest was sent. They had combat wounds and stuff like that there.

They also had tuberculosis specialists. The doctors that I had been dealing with were general practitioners in Navy uniforms. Not that that was necessarily bad, but they were going by this book.

Rule

They had to, they had no choice.

Jones

That's right. I was sent out there. A Navy corpsman took me up in an ambulance to Washington D.C. from Quantico. I took the train out to Chicago. In Chicago we had to transfer from one train station to the other to go west. We went west on the Rock Island Rocket, as it was then called. In the station where we were to pick up the Rocket I was in a wheelchair. I really didn't have the strength to do much walking. A red capped porter loped up to me and literally pushed the corpsman out of the way and said "I'll take you." This poor devil. It turned out he had been in the Army and he got Parkinson's disease. He was at a rather advanced stage of Parkinson's disease and wouldn't live a year. He pushed me. We got on the Rocket. About 60 miles, or so, from Denver -- because you could see up there in that area -- it fizzled out. The Rocket stopped. This was an eight or nine car train Pullman. We had to get out

and walk a couple of miles to the train that came out to pick us up. I'm wearing a Marine Corps green winter uniform and this is around noon under the Colorado sun. By the time I got on that other train I was just bathed with sweat. Anyhow, we got into Fitzsimmons General Hospital and they put me in an area where they introduce patients: the new people coming in. They do a work up on them and it takes several days to do it. Although this doesn't impress me one way or the other because by that time I had collected some impressions of doctors who weren't too reassuring to me. This doctor in an Army Major uniform came in and he was a tuberculosis specialist. He said "Lieutenant, we have gone over all of your extensive records, nine months worth." He said "you have had criminal treatment."

Rule

He said that?

Jones

He said "don't feel too badly because there are 84 other people who all have had the same treatment." They were all Navy officers. The same thing had happened to them. One guy came from Philadelphia. At Philadelphia he had been subjected to surgery. What do we call it? What's the removal of nine

ribs? They caved in his chest actually. Before that happened he had this acute pleurisy thing. Right in the middle of this acute pleurisy he developed appendicitis and they couldn't give him anesthesia. This is back in the 1500's Navy of the British. They had people strap him down, a piece of rawhide and the whole thing. They just held him down, cut him open and removed his appendix. While he did whatever he did. That was the bitterest guy I have ever met in my life before. He was my roommate. He found out I was a Catholic. He had a radio. I didn't have a radio. There was a program in Colorado in Denver called Pillar of Fire. This was a ranting raving anti-Catholic program. That's all it was, just constantly all day long. He played that for me. I didn't get very uptight about that. Actually I thought that it was kind of amusing. In any event, I stayed there for nine months. Then the Navy announced that they were going to withdraw from this Fitzsimmons General Hospital. I think they were being pushed out for lack of space because this was coming towards the end of the war and more and more people were coming back to this chest center from overseas: combat injuries. The Navy said we're giving you your option to Coronado, the old hotel, or to Sampson,

New York up in the Finger Lakes. I said "no, thank you. I do not want to be repossessed by Navy medical doctors." I sent a telegram to the Marine Corps headquarters which said that I want to be put out. I want to be retired and discharged from hospitalization. I didn't hear after about twelve hours, so I sent a second telegram. Then I got back a telegram. It did exactly what I wanted. It really complied, a very thoughtful kind of thing. I got released. I still ^{had to} have hospitalization. This doctor that I had there told me that I could look forward to maybe ten or fifteen years of treatment for this because I had bilateral pulmonary tuberculosis, which was very much complicated by this pleurisy thing. I applied to, having been told about it, Trudeau Sanitorium which was located at Saranac Lake, New York. It was the American Center for Treatment of Tuberculosis. They did it on a different basis then people were accustomed to doing it at the time. They accepted me on what they called a "scholarship." They didn't charge me anything.

Rule

Fantastic. Because of the Service?

Jones

Yes. I was the only veteran in the place when I

arrived there. They once again did the work up. I was out on the porch area while the did the work up. This doctor came in who was the director of it. He had been a tuberculosis specialist for about 30 years. He was renowned world-wide as a tuberculosis specialist. He said "well Lieutenant, we think you can be out of here by September." I said "give me that again, slowly." He said "you seem to be in ^{an} arrested condition." "We think that you will be safely releasable by the end of this summer." I had been engaged to be married for four years.

Rule So you were engaged to this woman this whole period of time?

Jones Yes. Right. Rather quickly that led to my release and we planned our wedding which took place in September 1945. We stayed up in Ontario for a year. Nine months actually, just doing nothing. I was living on my disability retired pay as a First Lieutenant. By that time I was a First Lieutenant.

Rule Which certainly wasn't very much at that point.

Jones No, it was \$150 a month. The exchange then was eighty percent to the benefit of the american dollar, so we got a little bit more. It was adequate for two young kids to live on. Shortly enough we then went on from there to law school at the University of Virginia taking with us a twelve day old daughter.

Rule The first of the group.

Jones Yes. Right. It was in fall of 1946.

Rule What motivated you to law school? Had your father been in?

Jones No, my dad was not a lawyer, but he always regretted that he hadn't become a lawyer. He kept pumping me what about law. He introduced me to the general counsel of the railroad who gave me a law book and that sort of thing: Blackstone Volumes I and II. I didn't have any great motivation for it. At the time I just didn't know what I wanted to do. So there's something to do. That's what we did. I got out of the University of Virginia and got hired out here at U.C.L.A.

Rule You went straight from graduating to U.C.L.A.?

Jones Yes, right. Well I stayed a year after graduation to work with Charlie Gregory, Charles O. Gregory, who wrote a book called Labor and the Law. He was my labor law professor there and I got to know him real well. He was the one that really turned me on to the idea of teaching and to the idea of arbitrating, and to the idea of labor law. He was really a refreshing "off-the-wall" kind of person.

Rule Was he a member of the Academy?

Jones Yes. He was one of the founding members of the Academy. Largely because of him I was able to get hired at U.C.L.A. where I immediately started to teach labor law. I got into arbitration maybe two years later. My first case was in 1953.

Rule You got out to U.C.L.A. in 1951 then?

Jones Yes. I went there in June 1951. I spent the previous year going around with Charlie Gregory. He didn't like to drive. I volunteered to drive him in our vehicle if he would let me go to the

hearings. I attended about ten to twelve arbitrations with him. Of course we spent a couple of hours on the road each way since this is the middle of Virginia.

Rule So really way back then there was really no question you were going to become an arbitrator?

Jones I wanted to, yes. I was fascinated by that. I thought, what are these guys doing? It had nothing to do with law. They're making these decisions. How? It was fascinating.

Rule You can still raise that question.

Jones Yes, right. Just absolutely fascinating. That gets me into 1953 and then we had a mild catastrophe in our family because after two years at U.C.L.A. all of a sudden the tests I was having every six months turned positive. I once again had active tuberculosis going. Hellen was now expecting our sixth child. I had to go into a hospital in Los Angeles down where the Dodger Stadium is now. It was right adjacent to it called Barlow. The stadium of course wasn't there at the time. That was '53, '54. This was after I had a

couple of arbitrations. I was there for eleven months in the hospital while Hellen managed this family out in the Pacific Palisade. So meanwhile I was being carried on a full paid leave by the university. The finances were taken care of fortunately. For a while there it looked very spooky. Anyhow, they had developed -- fortunately for me and all the other people in the world who have had tuberculosis ever since -- chemotherapy, which effectively killed tuberculosis as the great white plague. It put Trudeau Sanatorium out of business. They had to close the doors. This chemotherapy was so effective at knocking out the tuberculosis. I had that treatment. When I came out, it was just a question of getting my strength back. I was teaching six months after I got out of there. My next arbitration was in 1955. No, I'm sorry, 1954; virtually right after I got out of there.

Rule

You had a couple before you went in and then you picked it back up?

Jones

Yeah. The one that I picked back up was the Douglas case, Douglas Aircraft. I've been arbitrating with Douglas Aircraft time to time ever

since. So, as arbitration gradually grew, I was full-time teaching. I entered the Academy in 1960 on the occasion that the Academy met in Santa Monica. I'm sure I got expedited in along with some other people they were trying to gather. They gathered some Southern Californians together into the academy on that occasion.

Rule What case volume do you think you did at that time?

Jones In 1960, I probably had more than 50 cases a year.

Rule Were you in the F.M.C.S. and A.A.A.?

Jones I got into the F.M.C.S. Gregory was a very close friend of Edgar Warren. Ed Warren was the Director of the U.S. Conciliation Service during the War and during the War Labor Board years.

Rule And one of the instigators of the Academy.

Jones And the instigator. Actually, he was the one who flicked the spark which caught. When he was in Washington, they came to this meeting that he set up to suggest that maybe they should think about this. The Congress that was elected in 1947, the

80th Congress -- Truman's worst Congress ever -- ran a line in the budget which eliminated Warren's salary. They would not allow him to be the Director of the U.S. Conciliation Service because they figured he was a wild-eyed Communist.

Rule And then they agreed with Labor Unions.

Jones So U.C.L.A. hired him as the first director of the Institute of Industrial Relations. And he recruited Ben Aaron and Irv Bernstein as his associates. And they joined in 1946; maybe it was 1948. I may be wrong on my dates here, but I know that that happened to Ed Warren, but I am not sure exactly which date. Well, Charlie Gregory said "now the minute you get out there," he said "go see Ed Warren." It turned out that Ed Warren's office was right next door to a law school. I didn't know anything about the law school. Except that I had a job there, now. It turned out, it was a hornet's nest, unbeknownst to me. Gregory knew it, but he didn't tell me about it because "why tell him?" you know. I went to Ed about two or three weeks after we got in. It was in the summer. He looked at me kind of quizzically and he said "do you know very much about the law school and the Dean?" I didn't

know him really but he seemed like a real nice guy though. He hired me.

Rule He showed good judgment in that respect.

Jones Warren didn't fill my ears with any malice or anything, but the questioning caused me to start fishing for some answers to the questions which seemed to be lurking behind the questions. I pretty shortly found out that we had a real rough situation at the law school, which ultimately got resolved only when the faculty - en masse - went across the street to the Chancellor and said "there's a big problem in this university." That came in 1956 or 1957.

Rule Removal of the Dean.

Jones Yeah.

Rule That sort of thing isn't done anymore.

Jones He was an anti-semit^e blatantly. He was a General McCarthy reactionary. He was a very decent human being. He really was. When I got knocked on my can June 1953, he immediately, very

compassionately, reacted to my plight; set me up for sick leave, a full-paid leave and all the rest. Just a marvelous one-on-one human being, but he had these disabilities. You call them sort of mental disabilities, perspective disabilities.

Rule That's probably a kind way of phrasing it.

Jones Yes. So it led to his ouster as the Dean. After he was ousted, I was the only Assistant Professor. Everybody else was a full chief. I was told I was volunteering to be the Assistant Dean in the interim period because we were going to have an acting Dean from outside. I am the one that is going to be the assistant Dean. I held that for about a year and a half. In the meantime, I was arbitrating. Not extensively.

Rule How much could you do, one a week at that point?

Jones No, I wasn't even offered that. But Warren, when I went over to see him, said "now do you want to arbitrate?" I said "Yeah." I told him I went around with Charlie Gregory for the year. He said "Well you've had a lot of exposure to it." Then he said "I'll write a letter to the, it had then

become, the F.M.C.S." He said "I'll write a letter there and recommend that you get on a panel." Bingo, I am on the panel. Well I didn't get an F.M.C.S. case for two years. And then after I got the Douglas case, I found out why I hadn't gotten any cases. That was because on the curriculum vitae, the notation said of course that I graduated from the University of Virginia Law School. The Industrial Relations Director over at Douglas, El Sekundo, who was a marvelous man. He was Tom Roberts' boss. Tom was working there. Tom went to work for Douglas in '52 out of college. This fellow's name was Barry Jones and had gone to law school in Denver before the war. He had been drafted although he was about thirty-five years old. They got the numbers screwed up. He went through basic training and the whole bit. Finally, somebody discovered his age and they kicked him out. He went to work for Douglas. But he had a law degree. So he said "you know," in sort of a droll way because they aren't exactly sure what you are like as a person, you the arbitrator. So you don't want to give too many things away, or you might get some kind of a backlash or something. He rather interestingly, sort of casually, worked it into the conversation that he had stricken my name

many times before finally selecting me. And why? "Well" he said "I saw that University of Virginia and I figured you must be a racist."

Rule I'll be doggone. We seldom know why we get rejected from those things unless you just happen to have a conversation with somebody.

Jones So, I may have been tagged as a racist elsewhere. That takes me into the Academy in 1960. I've been to all the annual meetings except one. I got the flu when they met in Cleveland. From everything I heard, it was a disaster meeting anyhow.

Rule I was going to say, you picked a good one to miss.

Jones Yes. Blizzard and I don't know what happened.

Rule It says what were the greatest hurdles of developing an arbitration career? Aside from your health, I don't know if there were any great hurdles.

Jones No, in 1958, I began to get rather involved in terms of scheduling because I was the Assistant Dean. While I was the Assistant Dean, Evell

Younger, who later became the Attorney General and tried to be governor, was a municipal court judge in 1957. ABC channel 7 television was managed by a Harvard Law School graduate who had come into it through Paramount Pictures. A very able man who concocted the idea, when he got it from something that happened in Detroit, of having a program called traffic court on television. A weekly program, evening, Friday evening, 6:00 to 6:30. He went down and persuaded Evelle Younger to appear on this program as the judge. And it said "Evelle J. Younger, Judge." His bailiff was there, Tim Spurrell, who later became the Marshall, and all kinds of problems, unfortunately. He was a nice man actually. The clerk was the Deputy Chief Clerk. No, he was the Chief Clerk of the Municipal Court: Sam Witson. They were on the tube, and it rapidly became very popular. It turned out to be the highest rated local live television program in the United States. It got the attention of the judiciary very rapidly. Our judiciary in California being elective. He having all this exposure. Apparently, some of the judges complained to the Judicial Council about it. It was a program sponsored by the Southern California Chevrolet Dealers Association. How many times has

General Motors ended up in Municipal Superior Court of L.A. County? Dozens I assume each year. So, there was a potential -- maybe it wasn't even potential -- it was a conflict of interest. He wrote a letter in February of '58 to the Judicial Council outlining what it was he had been doing, and the awards the program had gotten from the Safety Council and so on. He did it very well. It was well done. He did it with dignity. There wasn't any of the hambone stuff in it. He was looking for an approval rating. They wrote him back saying we'll give you two weeks to get off it. If you get in the head of ^{the} ^{Seligman} lawyer[^] who has this wonderful high rated program going, his very first creation in television production, and it's being kicked off. He's losing the guy that's doing it. He cast around trying to find replacements. He had two weeks to do it in. One of the channels they took was to telephone all the law schools in the area to try and get the Deans perhaps to be the judge on Traffic Court. The theory was they wanted to get somebody who would be beyond the reach of the California Bar and of the Judges. Someone who wouldn't be subject to advertising claims or conflicts of interest of any kind. So he couldn't be a California Bar member.

Seligman was the producer, the lawyer. He was very shrewd. I mean he figured "if we could get an academic, we've got it ached; or an actor." But an actor wouldn't be able to do it because this was not verbatim scripted stuff. The person who functioned as the Judge had to be pretty knowledgeable of the law and the ways of the law. When he called U.C.L.A. the Dean was the acting Dean, who had retired from the University of Illinois after thirty-five years. A marvelous old gentleman. I say old but he was probably my age now. He said whenever anything came through with any uniqueness at all, he said "talk to the Assistant Dean." So I got this call routed to me. One thing led to another. What this guy was proposing on the other end of the phone was that I come down and audition. Audition? I'm not an actor. "No, no, no," he said "we have to replace the Judge." He said "we're trying to find somebody with enough knowledge of law and presence and what not, to take this over, and would you please come down. There are going to be other people there being looked at and we need to look at you on the camera." He said "you might find it interesting." I figured what the heck; so I said "Okay, sure." I went on down there, but I hadn't read the script.

They immediately sent a script out. You know how in show biz how they work: special messenger. The guy walks up to the door with the brief or your case or whatever. But I hadn't read the script. They sent it out on a Monday or Tuesday and I didn't have time because I was really over my head in Assistant Deaning. In that context, I had to keep talking to students all the time plus teach my classes. So I just grabbed the envelope on Friday afternoon and went down there and we weren't allowed to see the program as it went. We were to follow Younger when he went off the air at 6:30. The same cast was held for the audition taping. When I walked in this little area where they had these people waiting, there was a guy there about six feet four or five with white hair and black eyebrows, and the most handsome structured face I think I had ever seen. I thought "gee" the competition is over. This guy looked like he'd be the chief justice of the world. He had lots of command presence when you looked at him. As it turned out, he couldn't talk.

Rule

One of those silent movie stars that were unable to go on.

Jones

Yes. Anyhow, I got on there and I goofed from what they wanted, which is why I got selected. That was they had this first woman who was pleading guilty to doing whatever it was she had done and she had about two inches of uninterrupted dialogue in which she used the word "cop" repeatedly. At the end of it the ^{script} note said "judge cautions defendant not to use the word cop because it's derogatory and so on." That's what Younger had done. He didn't write that script, this is what he did. He followed the script. Well she got out the word "cop" the first time and I said "Wait a minute." If in fact I'm going to have an allergy to the use of the word cop, I'm not going to listen to it six times. So I said "just a minute." She paid no attention to me. She was an actress doing her thing. She got on the air and I'm just some dumb idiot up there. I said "You are not listening to me!" She stopped. I said "don't use the word cop in this court because . . . " Then I gave the reason. She was very bright. These people are. You know you've done some of that stuff. She started out again, she said "well the co . . . police officer." That is exactly what they were looking for. They wanted someone to take charge and someone who would not be intimidated by the

situation. They asked me if I would do it. I went on the air then; that was live; that was not taped; that was in March of 1958. During the 1958 period, the traffic court program had gone on to being taped during the summer of '58. It played in all of the major cities in the United States in that approximate timeslot on Friday evening. It was very popular. The network decided they wanted a network program, a daytime network program, and still wanted to keep traffic court going. They called that "Day in Court." They asked me if I would do five days a week of that and one day a week of Traffic Court. I said "No I can't do that, I'm a full time law professor and I do arbitrate a little." I figured I could do three Day in Court programs if we bunched them; taped them on weekends and things like that and one Traffic Court. We did that. I was doing that in 1960. I was doing those four programs.

Rule Were you still teaching and still Assistant Dean?

Jones *Assistant Dean in 1960 but teaching and*
Not, arbitrating. I wasn't having any problems with that physically or mentally. I enjoyed it.

Rule Were you tremendously stimulated by that?

Jones Yes, and they are totally different things too. I came off the television program in 1964 having done over 2,000 half hours of network television. In the meantime the arbitration grew gradually.

Rule Back in those days did they do residuals and reruns?

Jones Yes, I had three-quarters base pay for eternity. The problem was that ^{Seligman} ~~a~~ ^{was} a very shrewd Harvard educated lawyer who was the producer. I was able to bargain all kinds of strictures on what the network could require me to do. We got into a big hassle. I don't know whether you remember this or not but there was a big blast that was fired off by Herman Selvin, a major appellate lawyer in California and a former president of the state bar and the local bar and all that. He and a committee of about ten former presidents of the state bar issued a report which condemned television courtroom programming. What they had been looking at was Divorce Court, which came along a couple of years after the Day in Court program when it became evident that there was money to be had in courtroom programming. Selvin and ^{his committee} ~~and~~ ^{used} words like salacious, ignorance, misinformation and all kinds of things.

At that time I was responsible for three-quarters of the courtroom programming showing on ^{national} television. They didn't mention what programs they were talking about or what companies. I really had to get on my horse and respond to that. We ended up with a big confrontation type thing before the State Bar Board of Governors, and a ^{luncheon} debate between me and Herman Selvin for the young lawyers of Los Angeles County and several hundred people there. I was able to say "You can't name one program -- I've done over three hundred fifty of these programs on the air and I defy you to name one single program -- on which one single of your charges can be substantiated. He couldn't do it. He couldn't do it because he really wasn't thinking about Day in Court. He was thinking about Divorce Court. That got a lot of publicity. It ended up with my drafting for a special committee of the State Bar Board of Governors a code for the production of television courtroom programming. I was the draftsman of it. Then I incorporated that by reference in my ^{ABC} contract. Meanwhile, however, Seligman was wiping those tapes at the end of four weeks routinely. I tried to bargain just to buy the physical tape, just the physical tape. The reason I offered ~~that~~ was he said we can't save

these tapes because they cost \$200 a tape. I said, "I'll buy it." "I'll pay you for it each week." "Each day, I'll pay you for the tape." The reason for it was he was using the cash flow, which was considerable, from the Day in Court program to finance the production of other programs. Do you remember the night time weekly program called Combat?

Rule Yes.

Jones Vic Morrow and Rick Jason. That came out of Day in Court cash flow. The soap opera General Hospital came out of the cash flow from Day in Court. It ultimately was the death of Day in Court. There are no tapes. I had the contractual right, but nothing ^{I could} do with it. Then I drifted away from that. Well I didn't drift, I rather abruptly left acting when the network said you had to change Day in Court to the same format as General Hospital: organ music and the whole thing. I said "no." I had the contractual right to sit on top like a dog in a manger. I had the contractual right but it would have been an impossible situation. I volunteered. I said "we don't need to argue about this, I'll leave it." ^{Day in Court} died within six months.

The people that watched it weren't interested in soap and organ music. They were really interested in what it was teaching. I had gotten law review students at U.C.L.A. to write briefs which were then used by the script writers to make the plots. They cast from those scripts. I had a pretty good line of authenticity and accuracy. I would get down there, get up on the bench, turn the script over and there was my brief. I would read the brief and then they would go through the dress rehearsal so I could see if there were any problems. Then we would go on the air thirty minutes after that. We would cure problems in those thirty minutes. Then I no longer had to fuss with that. I began thinking I'm not working very hard anymore.

Rule

Let's shift for a minute into your career in the Academy, which of course has been fantastic. You came in as a member in '60. What jobs or where did you first start doing what, do you recall?

Jones

No. I really don't. Well Yes I do. I take that back. I'm trying to remember when it was. I guess it started pretty soon. I was on the Law and Legislation Committee. Fairly soon, and I don't

know why and I don't know by whom, I don't remember when Ben Aaron was President, but I think it was '62.

Rule It was back somewhere in that period of time.

Jones He might have put me on that committee. Whoever was President in '63 or '64 made me Chairman of the Law and Legislation Committee. I produced . . .

Rule Ben was president in '62.

Jones Alright that was probably when it started. I was able to use third year law review students, who had just graduated, to produce the reports. They would be graduating out of the law school into a one year stint to produce this annual report. I basically edited it, outlined it and put it together, but they produced it and stuff. The 200 cases were on 200 index cards which I had used to write the report. Or the 80 cases as it happened one year, or whatever it was. I did that for six straight years, produced that report. That's what really got me launched into doing things in the Academy.

Rule Did you have the fun of the regional chair job too?

Jones No. I was never regional Chair. I was amply busy at that time. When David Miller was President, I think it would be something like '72 or '73 . . .

Rule Miller - '74.

Jones Okay. We then had just a little ^{one-page} eight by ten blue colored newsletter, which had nothing of anything in it. I think it was fairly awful. It was just one sheet of paper. Then maybe it was folded into four pages. It was nothing. We were burgeoning in membership. He asked me if I would undertake to do something about that newsletter without any particular idea what should be done about it. What I did was turn it into a newspaper: The Chronicle. That was during his Presidency, and indeed the first issue was out before he died. He died of a heart attack, not a heart attack but a heart problem which developed. He got a heart attack and ultimately in several months died.

Rule Well, you really gave birth to The Chronicle?

Jones Yeah. That was my baby.

Rule You were still doing that I think when I came in in

'76. I don't know how long you did it.

Jones

It went on I think until 1980 or something like that. I did it at the ^{UCLA} Daily Bruin's plant. The reason I was even interested in doing it and did it was because when I was in college I was the editor of the college newspaper, which was a twice a week paper. Then when I went to law school -- because I was having problems adjusting to the fact of being out in public as it turned out was kind of a weird experience -- I stood up the first day in law school in 1946. I was the first person called on at 8:00. I stood up after having read the case ^{at home} a dozen times. I went totally blank, I mean literally blank. I couldn't say anything. Standing up which you had to do and I could not get one word out. This professor just lacerated me. He said "have you read this material?" I was just looking at him. I couldn't say anything.

Rule

Couldn't even say you read it or anything?

Jones

No, I couldn't say a damn word. It scared the wits out of me. Well it turned out that this was a common phenomenon that was happening around the country to people who had my experience at being an

isolated -- I was in the hospital room by myself for nine months. In Denver another nine months. The phenomenon was that if you stood up in a large group, some dynamic happens and you just blank out. That scared the wits out of me. I had been a very gregarious guy in college and in the Marine Corps. Boy, I got to do something about this. I decided the way for me to do it is to do what I know I could do and had done in college.

I got twenty-five percent of the student body working for me. I rapidly lost the disability of not being able to say anything. ^{The Virginia Law Weekly} went 30 issues in that year. That's what was in the background when I did The Chronicle for the Academy. I knew I could do that. I had a strong sense about it. The idea of having a newspaper at Virginia came from there being 750 students there, and none of them identified with Jefferson and the tradition of Virginia and all the rest of it. The place reeked with history. None of it was being generated somehow. The experience that I had had in college taught me if you really want to get students into things, it's the college newspaper that can be the channel. So that's what I did in the Virginia thing. I got about twenty-five percent of the student body doing things. We had a lot of stuff

in there: cultural stuff, etc. I felt that the same problem existed in the Academy. Everybody is out all over the place. By then there were I think probably about 350 people. There was no effective way for anybody to talk to these people. It was evident right then. In '73 - '74 about half or more of these people just simply weren't coming to the annual meetings.

Rule Was the region active at that stage?

Jones Yes, it was active, but not nearly to the extent that it is now. We've had a great region for the last couple of decades. I'm not sure exactly when it started but it sure has been marvelous.

Rule Did you have other Academy jobs? I've forgotten what you did after The Chronicle. Did you got on the Board of Governors?

Jones Yes, I got on the Board of Governors.

Rule Membership committee?

Jones No, fortunately.

Rule That seems to be the cycle for a lot of former presidents.

Jones That's true. Mine was basically The Chronicle. Now we are back into The Chronicle again trying to figure out what to do with it. I noticed they asked the question, "While you were President what do you think you brought?" Mine, in my mind is the Future Directions Committee, which I set up with the commission to study the prospect of having a midyear education meeting to which only the members would come. I seduced Jack Dunsford, Bill Murphy, Tom Roberts and some others into working on that. That brought into being the midyear meeting.

Rule There's some suggestion that it is interfering with regional meetings and perhaps it should be held only every other year. It was not acted on by the Board, it was deferred for study or something.

Jones I would hope they would never do that.

Rule I don't think they will.

Jones Who knows.

Rule No one ever knows what the Board will do. But that certainly was a major, major accomplishment of your term, no question about it.

Jones But only because these guys put their muscle into it.

Rule Well maybe you got them to put their muscle into it. I guess that's probably the thing you think was most important.

Jones Yes, definitely.

Rule Let me ask you a question because I've heard other presidents comment on it, that is the process of making committee assignments. I heard one president say he spent three months doing that.

Jones I'm sure there is a character defect somewhere in me because I didn't spend a lot of time, temporal time doing it. The problem with the committees in the Academy has always been we've had to rely on a chairman who effectively does the work. More recently when we've had more funds, when committees could get together and have meetings, then it is more of a democratic process. But while I was

President, it was still, and I think to a great degree still is this way, you put people on a committee and it is cosmetic. The work is essentially done by the committee chairman and maybe one or two other helpers. The other folks on it, although they are ready, willing and able to do things, it just isn't feasible functionally. It doesn't work functionally because we are all so damn busy. I tried to find out who wanted to go on what committee and the rest. I tried to accomplish that, but I didn't spend a lot of time trying to make matches other than the chairman. Principally, because of this, it isn't really going to resolve it.

Rule I know you put in a special phone when you were president, separate from other things.

Jones Yes.

Rule How much of your time was spent on the telephone?

Jones A lot of telephoning. For every phone call that I made or received I had a yellow piece of paper, 8" X 10", on which I wrote the date, time and substance. I had a stack of about seven inches.

Rule You didn't record them? You don't have them here for Rosemary and the taper?

Jones No, no. But I had six inches of yellow pages there. It was just about every day of the week you would get some kind of an inquiry or had to make some kind of a contact.

Rule Did that result in you having any cutback on your arbitration load?

Jones No. That's why I said, I take this to be evidence of a character defect. I know other presidents, Byron Abernethy quit arbitrating for a year. That was after I was President. That made me feel guilty almost. But no, I didn't change my pattern of arbitrating or life or whatever. I kept up with what I was supposed to do, but it didn't impede things. I think the reason for this, Bill, is I had gotten used to a rather frenetic existence while I was on television. I would work on arbitrations when I was sitting on the bench down on the T.V. set because there was a lot of drag time. I would just sit there and write page after page on arbitration without being disturbed by all the clutter and the banging around and getting my nose

powdered or whatever was going on; simply because I had to do it. I had to use that time. I think that flowed over still. I can sit in an airport and work without being bothered by the bustle. I think a lot of people probably do that.

Rule I sure do, but you've had a very busy life. Has your arbitration practice changed as a result of your presidency? Has it affected your arbitration practices?

Jones No, I don't think the presidency affected it one bit. Either prior or during. I don't think it affected it at all, either in terms of cases that I've gotten or the amount of cases I've heard.

Rule Are the same people striking you off before striking you off now?

Jones Yes. I think the old bit about giving your name rank and serial number and no more to the enemy is basically counsel that is wisdom to full-time arbitrators. I've done some writing and the writing that I've done is the sort of writing that does not persuade people to name me an arbitrator.

Rule True, you sometimes feel it is important to develop some different issues than maybe those that are absolutely acceptable at the moment. That is certainly a wonderful function to have, but it doesn't necessarily make you an acceptable arbitrator.

Jones That's right, but I feel as an academic, where I'm really being sustained, that I have an obligation to do whatever I think is appropriate. Hopefully it is appropriate; sometimes it isn't despite the impact on acceptability because acceptability is not going to kill me. If I lose total acceptability, I don't lose livelihood.

Rule What kind of a case volume now do you have roughly?

Jones I hear between forty and fifty cases a year.

Rule But you're still teaching?

Jones Right now I'm in a delightful posture. I've heard maybe forty, forty-five cases a year for maybe about ten years. It seems to have its own clientele. I don't turn cases down, but it has just sort of stayed on that plateau.

Rule What about the teaching situation?

Jones Yes, I'm sorry. Two or three years ago I went into -- it's a total of six years it ends in 1991, so I guess maybe four years ago -- what U.C.L.A. calls, or what the U.C. system calls, "Phased retirement." Because I've been there so long, it turns out that I don't teach the fall semester but I don't lose a nickel in pay. This ends in 1991 when I turn seventy.

Rule Then you have to retire?

Jones Yes, full retirement.

Rule So you will just arbitrate a little more?

Jones No, I won't arbitrate a little more. I fully expect the plateau to stay pretty much the same, not apt to grow. It just seems that is the extent of my acceptability.

Rule I'm sure you are much more acceptable than that, but that may be the people who are use to using you in terms of your teaching date availability and also because in this point in time I think we've

got a whole downswing of the volume of arbitration, which is noticeable in most people's practice. Back to a subject we didn't talk about, maybe it's worth talking about for a minute because it is on the agenda, that's the president elect process and how you felt about being a President Elect and what you did during then?

Jones Fifth-wheel.

Rule That's what I think the purpose of having it on the interview statement, whether you felt like that and was there anything you could suggest or recommend that might help?

Jones No, because we are such a small organization, we don't have any kind of executive director. The Secretary's functions really cannot supplant the President's, the need for the president to do things or make decisions or get the executive committee which includes the secretary to make decisions. A President Elect is a lot like the Vice President of the United States.

Rule Could the president elect travel the circuit and visit all the regions?

Jones Yes. But that was out of the question when I became President Elect or President because we didn't have any money. I didn't get to go around. I did at first, but then it became obvious we just didn't have the bucks. I did go to Ann Arbor once and I went to Ottawa once, but we just didn't have the money for me to go around. Tom has been going around. I think it is excellent to do.

Rule Tom has gone around. I'm not aware of whether Al has or hasn't because I haven't been that updated.

Jones Well not as President Elect. There is no expectation of that, but I think this is a good idea.

Rule Is there anything else that you would want to suggest for President Elect or for the Academy in general. You're sitting back now, it's been several years since you were President.

Jones No. I do think that the major problem for the Academy remains somehow reaching out and involving all of its members. I don't mean necessarily that they have to come to a meeting or something like that. The original idea of the Academy was

actually two-fold in a very basic way. One was to give the opportunity for *camaraderie* from which we could learn. But also it being a very lonely kind of profession, it does at least gather people together from all over the United States so that one gets a perspective about what's happening around the country. The other major premise for it was education. To the extent that we are unable to reach people to come to the annual meetings, we are not doing the education job that I think is very important for us to keep trying to do. The idea of having the President or the President Elect or something like that move around throughout the regions, I think is a very important thing.

Rule Yes, but is the possible greater emphasis of regional activities a better way of reaching some of these people.

Jones It could very well be. Anything thing that we could do by whatever mode we can come up with by way of innovation that will reach out and involve these people who are not presently being involved . . .

Rule In our southern California region which is I think

one of the more active regions, we pretty well just have about the same people who come to the annual meeting and come to the educational meetings.

Jones It's true. It's a large group.

Rule It's a large group. We have a good percentage of active arbitrators because we have a number who aren't active.

Jones I have been very impressed with how active we have been as a group of Southern California to coming to the annual meetings and the mid-year meeting and our own regional meeting. I get a lot out of that. It is such a shame I think for the people who do not come. They miss so much; it's just appalling what they miss. When we were talking to Louie Zigman down in San Diego when he was sounding off and I asked him when he'd been to the meeting. ^{Never.} _^ I really felt sorry for him. Not because he was mouthing off about it, but he's missing so much. These guys miss so much.

Rule And of course, he is a very active arbitrator.

Jones Yes, he is widely acceptable. But he is a lesser

arbitrator for lack of this kind of exposure, just as anyone is, it seems to me, that misses it.

Rule I guess I'm suppose to ask you an interesting question, what do you consider the most important qualifications for Academy president.

Jones Acceptability by the members.

Rule The same problem an arbitrator has all the way down the line. Any suggestions particularly that you want to suggest?

Jones No.

Rule The last question there has to do with the environment during your arbitration career, changes that occurred, national policy on labor relations, economic conditions, specific labor problems.

Jones I'll leave to other more . . .

Rule There's no question that national politics have affected labor relations in the country but you can pretty well go back and see which side was doing what.

Jones I regard myself as a journeyman arbitrator. These are questions really, which as a law professor I'd be responsible for talking about in various contexts, but not in the context of what we're talking about here, it seems to me. I see myself as a journeyman arbitrator. That's what I've always tried to be.

Rule That's a pretty good thing to see yourself as.

Jones Well, I've tried to be. Maybe it's self infliction.

Rule Anything else that you want to talk about?

Jones I don't think of anything. I will say I just enjoy the hell out of being a member the Academy.

Rule You're stimulated by the arbitration process of the people I think.

Jones Yes.

Rule Most of us are that get involved in it.

Jones Yes.