

Interview with Robert L. Callahan – 8/8/01

Interviewed by Elizabeth Strenio

Is it alright with you if I record this interview?

That's fine.

Alright, I'd also like to remind you that you're going to have the opportunity to review any notes.

Oh, good.

So I guess my first question is, how did you learn about the Prettyman program?

Okay, I went to Georgetown law school, and I was the magister, or president of Phi Delta Phi fraternity, and Ken Pye was the faculty advisor, and I had told him I was applying for the Justice Department honors program that year when I was graduating, and he told me that he had something better (*laughs*) that I was to think about. It turned out it was the Prettyman program, so I applied for that and got it.

What about the fellowship program appealed to you?

Well the opportunity to get a master's degree and also to get trial experience.

Going into the program, did you have any expectations of what it was going to be like?

I thought it was pretty much as it turned out; you know, they briefed us pretty well. Ken and I had talked about it a lot, you know, before the program started, so I had a fairly good idea of what was going on.

You probably had a leg up on a couple people.

Yeah, right, just because I was fairly close to Ken for quite awhile.

Okay, can you tell me about any funny or sad incidents that happened during the program?

(laughs) Well, this happened during the program, but it really didn't have anything to do with the law. There was a restaurant – a hotel up the street from the law school at the time called the Dodge House, and they had an all you can eat roast beef lunch, and because we were all on fellowships, you know, it was pretty popular, and we used to go up there a lot. But Dick Coleman, who was one of our members, I think he's still out in Los Angeles, Dick was banned from the hotel because he ate too much!

They banned him because he was abusing the all you can eat privilege!

(laughs) I think so, yeah, exactly. The hotel told him he wasn't welcome anymore.

I have one interesting little sideline on the program. During the years that we were on there, my oldest daughter was born, in March of that year, and Ron Carlson, you know was on the program with us, and in later years...and Ron was there, you know, we had a pretty good social life, and he was there at her baptism and all this other business, and later, he was her professor at the University of Georgia Law School, and she's now a judge down in Columbus, Georgia. And then I have another son who was also a student at the University of Georgia and had Ron in class, and he and his wife are partners down at a law firm down in Columbus. You know, it's funny, the connection with Ron, that two of my kids went to class with him, and one of them became a judge.

Now, had they grown up knowing him?

No, they had never met him until... Well, you know, I knew Ron was over there, and when they went over I said, go over and introduce yourselves, and they did, and Ron was really great with them.

That's great. Going into the program, did you have any role models in trial law, or just in general?

Yeah, actually there was a fellow who taught at Georgetown named Joe McCarthy. He was a professor of civil practice and he was...you know, I was in evening school, you know, so Joe was an adjunct professor, practiced during the day. I thought he was the greatest thing...Because I also had Edward Bennett Williams for criminal law, was a role model.

Can you talk a little bit about Ken Pye?

Well, I'm prejudiced; I just loved Ken Pye. He was a fantastic person and a great lawyer and a tremendous professor.

What was he like as a professor?

He was very good, *(laughs)* I mean, he could be tough, and if you weren't prepared, he could be a little sarcastic. But, you know, he really knew his subject, and I thought was a very wonderful professor. My father was a professor at St. John's University Law School in Brooklyn, and so I knew a little bit about what professors were supposed to be like *(laughs)*. And Ken was just great, he really was. He was a good teacher, and friend, and mentor.

Did you know Bill Greenhalgh?

(Laughs.) I did. I was surprised in later years that Bill became director of the program, and I understand he did a wonderful job, but that first year, he was in the US attorney's office, and I guess, you can talk to some of the other guys, but Bill was the enemy. And I

always had the sense that he really didn't care much for us, you know, that...of all the people over there, he was the least cooperative with us.

Yeah, well he was on the opposition, right?

He was, he was, you know, he was the prosecutor. Actually, I think he was the assistant, you know, to the guy who ran the office.

Did you ever come up against him in court?

To my knowledge, he didn't try cases. He was the supervisor administrator.

Okay. How about Dean Dean?

Yeah, I liked Dean Dean a lot. He was around there and I thought, a very nice man, on top of everything else, and I thought the law school did well under him. I have a lot of respect for him.

And what about Oliver Gasch?

Judge Gasch? He was still with the US attorney's office at that time, and he was...I hate to contrast him to Bill Greenhalgh, but he seemed to understand and appreciate more what the program was all about than Bill did.

Yeah, I...from what I understand it was actually largely Oliver Gasch's idea, the whole program.

Yeah, that's right. He and Senator Hines, they chipped in on it, money and so, this all stuff we were told later. But Oliver Gasch, I liked him a lot.

How about Judge Prettyman, did you work with him at all, or...?

I really didn't, he came over and spoke to us several times, and you know, I knew him by reputation, but...

Not really personally?

I really was not very personally close to him, no.

This is an interesting one. What can you tell me about the attitude towards women and criminal law at the law center at that time?

At that time? There was Sylvia Baken, I think, who later became a judge, was in the, I think she was in the US attorney's office at the time, and uh, what's her name, Katherine Kelly was a judge over in the court we tried cases in, and you know, I don't think there was any prejudice against them at all, we, I had gone to the, I had mentioned, to the

evening school, and we had several women in our class. I don't know if that was true of the day school or not; of course, we had Helen Steinbinder was a professor. So, you know, you didn't see a lot, there *were* not a lot of women around at the time, but the ones that were there, I think, got along with everybody and everybody respected them. *Okay*. Remember, we had several women in the classes in the evening school, or the late afternoon school, as they called it. *(Laughs.)*

What was a typical week like with regards to free time? Because you said you had a good social life but how did you have time?

Well, we would make time, to be honest with you. On weekends, we would get together, and when someone won a case, we'd always find a way to celebrate. *(Laughs.)* And, we were in court – well, either in court or preparing – virtually all day and then going to class at night, but we found time to socialize. And I guess, you know, a lot of the fellows came to our house. I was married, had a couple of kids, lots of guys used to come out to the house, you know, informal types of stuff and things of that nature.

So I guess you guys didn't get much sleep then.

Um, I can't say that. *(Laughs)*. We, uh, you know, when we had cases...the thing was, we weren't always involved in cases, we were waiting assignments, and doing research, and things of that nature, I really can't say that, it wasn't like being a medical intern, as I understand what medical interns go through. But it was ... you know, I'm not trying to minimize it, but I didn't consider it a hardship, I guess I'll put it that way, because we were really enjoying what we were doing.

Well, that makes all the difference.

Yes, it really does. You know, there were nine of us...pretty close, and it was a great group of guys, and of course there was Ken, and Dick Gordon involved too at the time. I guess another thing, you know, I think one of the questions you had about I think it's a two year program now? *Yeah*. It was only one year, so you can do, take, put up with a lot for one year, maybe two years it might get to be a grind.

Yeah, that's actually what I was going to ask you about next. Do you think it was a good amount of time when you were there?

I think that we could have used more. I only had one case in the district court. I had one in the juvenile court, and the rest of them were all in the, what they call now, the superior court, which I guess, in those days, was the municipal court. I would have liked to have more felony experience, and it would have been nice to have gotten some civil experience too, but you know, packing all that into one year, and actually, I guess it was less than one year, but again, I don't know whether the grind would have gotten to us, I don't know.

Are you a trial lawyer now?

No, I'm not. As a matter of fact, you never know how your career is going to go. I left the Prettyman program recruited by the solicitor's office at the Department of Labor, because they were getting ready to take over trying their own cases from the US attorneys office had tried, the justice department had tried their cases before. So they wanted to develop a trial group over there and so I was recruited to go over there for that and actually, I got into court a few...we never did have a trial; all of our cases settled, so ...and then I went from there to, I spent about 3 or 4 years there, and then actually went into corporate law, where you spend all your time trying to stay out of court! *(Laughs.)*

I read that in court you would also have someone go along to observe. Do you remember this?

We had a...if one of us was trying a case, someone else would be along just to see what was going on. As I recall, I may be wrong on this, but we were a little concerned in the beginning that we weren't going to get a square deal from some of the judges, and we had someone along just to be a witness, I guess, but to my knowledge, that really didn't become a problem, at least, not in my case, it didn't.

Okay, that makes sense. So, was most of the work you did individual, then?

I'm sorry, I don't understand.

I guess I'm asking if you would all research together or go off on your own.

Pretty much each guy handled...but we did have some help. There was a fellow in the law school named Dave Fitzgerald, who – he was not a Prettyman fellow, he was just a regular student, a law student – he helped me a lot, and I still stay in touch with him. He *did* become a trial lawyer. *(Laughs.)* He's out in St. Paul, Minnesota. You know, he helped a lot on research. But we did a lot of the research ourselves. Actually, the investigations...I remember going out to some pretty rotten neighborhoods to talk to witnesses, stuff like that, you know.

Do you remember the telegrams that President Kennedy sent over?

Oh, yeah, right, yeah, right, yeah.

Oh really because I spoke with Mr. Rhyne and also Mr. Drogula and both of them said that they had no recollection of them.

Oh, no – it was from Bobby Kennedy, wasn't it?

Well, yeah, actually I found one from JFK, one from RFK, and one from Whitney North Seymour.

Yeah, I don't remember the Whitney North Seymour one, you know, but I do remember the Kennedy's ones.

What was that like, receiving them?

It was great! I thought it was, I guess we were all flattered, felt we'd done something worthwhile. The idea that the president would take notice of nine guys at Georgetown, you know, it's kind of nice.

How has the experience from this program affected you?

I think it was a great experience. I thought it gave us a sense of maturity, and also stressed the need for preparation. That was one of the reasons I liked this fellow, Joe McCarthy so much, the one I mentioned earlier, because that was his big thing, and Ed Williams too, was preparation, preparation, preparation. We went in there a little bit cocky, I think, and I remember particularly, there was a group of lawyers who took these defying cases on a regular basis, called them the E Street bar or something like that. We really didn't have, going into the program, have much regard for some of these guys, but I got to be co-counsel with one of them in a case, and I was really, he taught me some lessons. But you know, we got...two years, I think, would have been a better experience.

From what Mr. Drogula was saying, you guys only had a \$4000 stipend or something?

Yeah, but in those days, that went a long way.

Oh, yeah?

Oh, yeah, that was ...

How much would that be, kind of the equivalent today?

Oh, well, I hate to, I couldn't even guess, to be honest with you. I remember, I was working, when I left there to go to the labor department in the solicitor's office, I was pretty high, I was 13 or 14 at the time, and I was making, must have been, \$10,000 a year. I mean, we all used to think that to make \$10,000 a year we'd have it *made*. I mean, that was then, and of course, I also had the GI bill I was a veteran, but I also had, by the time I graduated, four children! *(Laughs.)*

Oh, so you kind of needed that. Yeah. So, did you take the bar right after law school?

Yes, we did, matter of fact, that was *(laughs)* I was a little nervous about that because my original intention had been to go up to – well, you see, I come from Brooklyn, New York – my original intention was to go to Brooklyn; my father had, in addition to teaching, had a law firm up in Brooklyn. So I was going to take the New York bar and hadn't done anything to prepare for the DC bar, and when Ken came up with this suggestion, I took, there was a fellow named Jonah Crowey, taught a bar review, so I took Joe's short

course, which was...he'd given a long course, and then he had a sort of a summary at the end, and that was all the preparation I had, so I got a little nervous! We did take it right after we graduated; it was three days of written exams.

I guess everyone must have just passed it then...what would you have done if you hadn't passed it?

Well, I think one guy didn't. I think there were originally ten of us that were selected and one guy didn't pass the bar.

Oh, that makes sense. Yeah. Are there any cases you remember specifically from your days with the Prettyman program?

I was trying to think, you know, there was a lot of them, you know, that we won, and...my first one, of course, was an attendant at a gas station that was, at that time, was down at the Greyhound bus terminal. He was accused of robbing it. And the chief witness against him was a fellow worker who said he'd heard the cash register going off and we demonstrated he couldn't possibly have heard it because of all the buses and trolleys all around it. And then, I had one in the district courts in front of Judge Holtzsof, who was a great expert on procedure and stuff, and it was a drug case, and the guy who was the assistant US attorney, a man named Trucksol, was hoping to become AR attorney, and decided he ought to try a case, he was an older man, and he went in and he tried the case against me and unfortunately, we didn't win it, but we came very close, mainly because Trucksol didn't even know what he was doing, Judge Holtzsof really was all over the man, but in the end helped him correct his errors, but the defendant got off pretty lightly, as I recall, as a result of all that. There were no dramatic cases; I didn't have any of the really big ones.

Did some of your classmates have some really...?

Some of them had some really interesting cases, I wish I could remember who the cases were, but some of them were pretty interesting. Did you talk to Dick Coleman at all?

I haven't talked to him yet, no.

One of the little side lines of the program was, and some of the other guys have told you but, I think it was either Dick or Andy McEvoy was back in the cell block interviewing a client he'd been assigned to one day, and a couple of other guys, defendants, were standing around, talking among themselves, and discussing their cases, and who they'd got assigned and all this other stuff, and I think it was a funny comment, one of the guys said, 'What ever you do, make sure you get one of those Georgetown cats.' (laughs.) Coleman or McEvoy, I can't remember which one of them it was who overheard that comment. We all got a big kick out of that.

Yeah. Was it difficult attending the program while starting a young family?

Not honestly, really, no. I really wanted to be a lawyer, and you do what you have to do. I was a veteran, I guess that helps a little bit.

I guess you must really love your job if both your kids have headed off to law school.

Well, actually, I have three sons, three kids who are lawyers. Yeah, I did, well, my father was a lawyer, my brother's a lawyer, my father-in-law's a lawyer.

Well, I think that's all the questions I have for you today, unless, do you have anything else you'd...

No, I really appreciate it and hope that you can use some of that.

Yeah, thanks so much for agreeing to interview, Mr. Callahan.

Yeah, well, thank you.

And I'll be in touch with the quotes that we want to use. Thank you. All right, have a good one. Okay, thank you. Bye.