Finding Aid for the Sheldon Portman Papers (Coll. 54)
NEJL.054

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April 04, 2014
Describing Archives: A Content Standard
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### Summary Information

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<tr>
<th><strong>Repository</strong></th>
<th>National Equal Justice Library</th>
</tr>
</thead>
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<tr>
<td><strong>Creator</strong></td>
<td>Portman, Sheldon</td>
</tr>
<tr>
<td><strong>Title</strong></td>
<td>Sheldon Portman Papers</td>
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<tr>
<td><strong>Date [bulk]</strong></td>
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Biographical Note

Sheldon Portman was born in 1929. He spent his childhood in Cleveland, Ohio. He earned a B.A. from Kent State University in 1952, and an LL.B. from Case Western Reserve University in 1954. Portman was admitted to the State Bar of Ohio in 1954, and the State Bar of California in 1960. Early in his career, Portman participated in the first trial of Dr. Sam Sheppard, the suburban Osteopath accused of murdering his pregnant wife. As a result of that experience Portman was inspired to pursue a career in criminal law. Portman opened a private law practice in Cleveland in 1954; however, he left his practice the next year when the U.S. Army appointed him Counsel in Special Courts-Martial. In 1957 Portman resumed his practice in Cleveland. Portman first went to work for Santa Clara County, California in 1961. He began as Deputy District Attorney, and in 1965 he became Chief Assistant Public Defender for Santa Clara County. In 1968 Portman became the Public Defender of Santa Clara County. He remained in that position until he was fired in December of 1986. After leaving the Santa Clara County Public Defender's Office, Portman taught as an adjunct professor at Santa Clara University School of Law and ultimately resumed his private practice of law. Portman has been active in several professional organizations. He is a member of the Criminal Justice Section of the American Bar Association. He has also served on the Executive Committee of the National Legal Aid and Defender Association, and as President of the California Public Defenders’ Association. Throughout his career Portman has received several awards including the Justice Byrl R. Salsman Award (1973) from the Santa Clara County Bar Association for outstanding services on behalf of the county bar, particularly in the area of criminal justice; the New County Achievement Award (1973) from the National Association of Counties for maintaining an outstanding public defender program; and the Reginald Heber Smith Award (1983) from the National Legal Aid and Defender Association for contributions to improving delivery of indigent defense services.

Sheldon Portman was the Public Defender of Santa Clara County, California, from 1968 to 1986. In 1985 Portman claimed that his office was so understaffed that it could not fulfill its constitutional obligation to defend indigent criminals, and therefore was at risk of being sued for legal malpractice. The County complied by giving Portman more lawyers, but likewise reprimanded him for his statements, because they were made in a public forum. Later in 1985 Portman received a very meager pay increase as an additional punishment for his comments. By December Portman filed suit against the County on the grounds that the County Board of Supervisors had violated his civil rights by trying to stop him from exercising his First Amendment right to free speech. The case was finally resolved in 1994.

Scope and Contents note
The bulk of this collection consists of the papers of Portman's lawsuit against the Santa Clara County Board of Supervisors, which ensued just before he was dismissed from his position in December of 1986.

The collection also contains the papers of Branson v. Winter (1981), a case concerning jail overcrowding, and papers related to the Sentencing Resource Project, a project that sought to use paralegals to develop alternative plans to incarceration in appropriate cases in order to reduce the jail population.

Other materials found in the collection consist of papers of professional organizations and professional activities in which Portman was involved.

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**Arrangement note**

The collection is divided into three series: 1) Lawsuit Materials; 2) Jail Overcrowding Materials; and 3) Pamphlets and Miscellaneous Documents.

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**Administrative Information**

**Publication Information**

National Equal Justice Library

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**Controlled Access Headings**

**Personal Name(s)**

- Portman, Sheldon
Subject(s)

- Public defenders--United States
# Collection Inventory


### Scope and Contents note

This series contains the papers of Portman's lawsuit against the Santa Clara County Board of Supervisors. The series is divided into ten files: 1) Miscellaneous Lawsuit Materials; 2) Appellate Materials; 3) Summary Judgment Pleadings; 4) Federal Court Orders; 5) Plaintiff's Discovery Materials; 6) Defense Discovery Documents; 7) Attorney Communications; 8) Briefing Book; 9) Depositions; and 10) Defendant's Motions.

## Miscellaneous lawsuit materials

### Scope and Contents note

This file includes articles written by Sheldon Portman, memorandums written regarding the Public Defender's Office and the lawsuit itself, financial reports, draft motions, press releases, and newspaper clippings dealing with the lawsuit.

## Appellate materials

### Scope and Contents note

This file includes the Notice of Appeal filed by Sheldon Portman and the briefs that were subsequently filed both in support of the appeal and against it.

## Summary judgment materials

### Scope and Contents note
This file includes a file binder containing both the plaintiff's opposition to the defendant's motion for summary judgment and the plaintiff's motion for a partial summary judgment.

Federal Court Orders

**Scope and Contents note**

Federal court orders are those orders filed by the court dealing with the motions before the court in the lawsuit from 1986 until 1991.

Plaintiff's Discovery Materials

**Scope and Contents note**

This file includes documents gathered by Sheldon Portman and his attorneys in preparation for trial and given to the defense in response to discovery motions. They are Bate stamp numbered 0001-1403.

Defense Discovery Documents

**Scope and Contents note**

This file includes documents gathered by the defense in preparation for trial and given to Sheldon Portman and his attorneys in response to discovery motions. They are Bate stamp numbered 00001-01110.

Attorney Communications

**Scope and Contents note**

This file is an indexed compilation of all the notes and communications from Sheldon Portman to his attorneys during the lawsuit.
Briefing Book

Scope and Contents note
This file includes a notebook plus supplements and addendum which were prepared by Sheldon Portman for his attorneys explaining all of the relevant facts, issues and points of law in the lawsuit.

Depositions

Scope and Contents note
This file includes depositions of Sheldon Portman, Zoe Lofgren, Rod Diridon, Thomas Legan, Patricia Fierro, Dianne McKenna, and Susanne Wilson.


Scope and Contents note
This series contains documents dealing with Branson v. Winter, the jail overcrowding case filed by Portman. It also contains documents related to the Sentencing Project which arose from that case.


Scope and Contents note
This series is composed of the remainder of Sheldon Portman's papers. The series is divided into three files: 1) Internship Program; 2) Pamphlets, Articles, and Briefs; and 3) Closing Memoranda of California Legal Services.

Internship Program files
Scope and Contents note

This file contains documents related to the Public Defenders Internship Program that was established by Sheldon Portman.

Pamphlets, Articles, and Briefs

Scope and Contents note

This file contains various pamphlets, articles and briefs that Sheldon Portman collected during his career.

Closing Memoranda of California Legal Services

Scope and Contents note

This file contains the Closing Memoranda of California Legal Services for the hearings regarding the refunding of California Rural Legal Assistance, Inc. before the Office of Economic Opportunity Commission.