

PROFILES

CONSUELO MARSHALL



Implicit in the concept of a responsive legal system is the notion that among its vital ingredients are jurists that bring with them to the bench not only technical proficiency in the law, but also dedication to upholding the individual rights granted by our Constitution, proper respect for the procedural rules through which those rights are secured, and sensitivity to human suffering. An interview with United States District Judge Consuelo Marshall leaves one with the impression that the Ninth Circuit is fortunate because it has in her a jurist who possesses this unique combination of legal expertise, respect for constitutional rights, and profound humanity.

Contrary to the stern and reserved veneer that marks the stereotypical portrayal of jurists in caricatures and the entertainment media, Judge Marshall is outgoing, eloquent, and capable of displaying an almost contagious enthusiasm for the work she does. "Exciting" and "challenging" are but two of the adjectives the Judge uses to describe her work on the federal bench which includes overseeing patent, antitrust, Title VII claims and admiralty cases. She especially enjoys the variety of subject matter that comes before her court and the process of continuing education it entails.

Judge Marshall was born in Nashville, Tennessee and spent a significant part of her childhood there. She was the first member of her family to become a lawyer and recalls that hers was a family that "emphasized education, not hobbies." Her family's teachings bore early fruit, for by her ninth grade year Consuelo Marshall had decided to become a lawyer. Thurgood Marshall and Constance Mobley are two people she cites as role models whose battles for civil rights also inspired her career choice and shaped her view of attorneys as "fighters for peoples' constitutional rights."

Following her initial decision to become an attorney, Consuelo Marshall steered toward the career path she had chosen. However, the route she took differed from the standard graduation from a four year college followed by law school that characterizes many of today's law graduates. After moving to Los Angeles during her high school years, she obtained her A.A. degree from Los Angeles Community College. She spent her junior year at Pepperdine University before transferring and graduating from Howard University. It was at Howard University that she met George Marshall, and together they attended Howard Law School sharing that experience first as fellow law students and later as a married couple.

Judge Marshall was one of only four women admitted with her law school class of sixty and, while there, she served as Notes Editor on the prestigious Howard University Law Journal. She speaks warmly of her years at Howard Law School. She recalls that Howard law students often

worked closely with the faculty, and the professors provided students with a truly supportive environment by showing "a real strong interest in seeing you succeed." Judge Marshall graduated in the top ten percent of her class in 1962.

Judge Marshall was admitted to the California Bar in 1962 and joined the Los Angeles City Attorney's Office that same year as a Deputy City Attorney mainly handling civil and criminal trials. She was the first woman ever hired in that position, and the circumstances of her hiring were very unusual. Following the interview, she was told that the City Attorney's Office did not hire women, but she returned home just in time to receive a telephone call informing her that she had been hired. During her five year tenure at the City Attorney's Office she became an expert in child molestation cases.

In 1967 Judge Marshall entered private practice with the Los Angeles law firm of Cochran and Atkins. She and her husband had decided earlier to raise a family as well as pursue their individual legal careers, and she chose the pre-school years as the period she "didn't want to miss" in her childrens' development. Private practice with the small firm of Cochran and Atkins afforded her the opportunity to enjoy a flexible work schedule which, in turn, enabled her to maintain her career and also spend more time with her small son, the first of her two children. Drawing on her own successful blending of career and family life, she notes that such success is facilitated by two things; "employers who will accept the fact that two women can share a job," and "having a [marital] partner who not only understands what you want to do, but also wants you to do it." She left private practice in 1970 to accept an appointment as a Los Angeles Superior Court Commissioner assigned to the Juvenile Court Division.

It is evident from Judge Marshall's discussion of the insights she gained from her six years as a Superior Court Commissioner that she is a jurist who recognizes the limitations of the courtroom as a setting for the resolution of social problems, but also deeply appreciates the positive outcomes which that forum is capable of producing. She describes the Juvenile Court as "probably the most difficult place to sit from the standpoint of the social issues you see" because, she explains, there "are not enough educational and psychological programs to help the kids who come through the court system." Nevertheless, she is quick to stress that even so simple a thing as helping to shape a reconciliation between parents and a runaway child who might otherwise undergo a stay in Juvenile Hall made her own years as a Commissioner a worthwhile experience.

Judge Marshall was appointed to the Inglewood Municipal Court by Governor Edmond G. Brown, Jr. in 1976, and the Los Angeles County Superior Court in 1977. An indication of the high esteem she was accorded while serving on the Superior Court is her election to the Executive Committee of the Superior Court by her colleagues in 1977. She served on the court until 1980 when former President Jimmy Carter appointed her to the United States District Court.

Judge Marshall acknowledges that some litigants and student visitors to her courtroom are noticeably surprised to see a female judge. However, she views her position as "an example to society that black women can and do

fulfill such roles." As she is prone to do throughout a discussion, she punctuates this statement with an example. It is with genuine enjoyment that she recounts how one day her presence on the bench stirred a visiting black girl to exclaim aloud to her mother, "I can be a judge, too!"

During her legal career, Judge Marshall has received numerous community service and law-related awards including recognition from the Constitutional Rights Foundation and recognition for community service from the Urban League Guild. However, she discourages any interpretation of her own achievements as the feats of a superwoman. Instead, she cites as invaluable boosts to the progress of not only her own legal career and education, but also to those who aspire to become attorneys and jurists, extensive litigation experience, participation in bar activities, and community involvement. Her own progress over the two decades since her graduation from Howard Law School perhaps best exemplifies the soundness of her advice. When queried about her original decision to attend Howard University, she explains that "everyone you heard about attended Howard." Judge Consuelo Marshall can undoubtedly be added to that school's list of distinguished jurists.

REGINALD ALLEYNE



Unlike many black scholars who have had to overcome economic, racial and social adversities to succeed, Professor Reginald Alleyne believes that for him these problems were comparatively minimal. Alleyne was the oldest of two children born to a father who was a union shop steward and a mother who was a Registered Nurse. As a result, he grew up in an economic environment he describes as "comfortable." This economic position is not uncommon for many blacks of his generation who have attained "success." But, unlike many of those successful individuals who, despite economic comfort, also give great deference to their individual struggles against racial and social barriers, Alleyne attributes his success largely to luck in timing. While not minimizing the obstacles blacks faced during the 1950's, Alleyne says of himself, "I seem to have come along just when things were being integrated."

Alleyne feels that had he been born just three or four years earlier the same opportunities would not have been available to him even if his qualifications had been identical. He gives several examples of the importance "timing" played in his life: the Executive Order integrating the armed forces came just two years before Alleyne entered the Reserved Officers' Training Corps (ROTC) as a freshman in college; he happened to finish law school just in time to be the first black ever selected as a law clerk for a United States Court of Appeals judge; and his desire to teach just happened to coincide perfectly with the national drive to recruit qualified black professors.

The only thing wrong with Alleyne's "timing" theory is that it undermines his intellectual ability, scholarly achievements and self determination—all the things which enabled him to be qualified to take advantage of

opportunities. Alleyne truly believes that there is nothing exceptional about his accomplishments; yet, a look at his accomplishments to date will disprove that belief.

Having won several awards in chemistry and State track championships, Alleyne had a choice of universities he could have attended. For financial reasons he opted for Tufts University. Alleyne feels that his having attended what were excellent public schools in his native city of Boston was good preparation for his admission, competitive scholastic successes, and other achievements while at Tufts.

Although Alleyne won several debating awards and first place in a freshman English composition essay contest, he elected to major in chemistry. Chemistry came "naturally" to him, and Alleyne felt that this field was more likely to "open up" to blacks than any other. Although Alleyne began to think about a legal career during his Junior year in college, he graduated with a B.S. in Chemistry. Alleyne now admits, however, that had he known himself better, and had it not been for the "racial angle," he might have majored in political science, government or English instead.

ROTC training in college enabled Alleyne to enter the Navy as an Ensign following graduation. He describes his Navy career as a "maturing experience" because, as an officer, he had the opportunity to exercise leadership responsibilities. He said that even though he saw only one other black officer the entire two years he spent in the Navy, he experienced no more racism than he did in the general public. Alleyne concedes, however, that his status as an officer probably prevented many individuals from being openly racist. The opportunity to travel to Europe and the Caribbean Islands, and the resume value of the experience, were other positive features of his naval service. Alleyne attained the rank of Lieutenant Junior Grade by the end of his service.

After the Navy, Alleyne attended Howard University Law School. After graduation he clerked for Judge Henry Edgerton on the United States Court of Appeals. Prior to his clerkship, no other black had ever clerked or sat on the bench of either the Court of Appeals or the Federal District Court in Washington, D.C. Alleyne's selection as a law clerk was but one example of Judge Edgerton's political ideology. According to Alleyne, he was also known as "a great liberal judge in matters of criminal procedures, civil rights, school integration and excellent in communist 'witch hunt' issues." Alleyne recalls both positive and negative experiences while at the Court of Appeals. But, although his "presence as a law clerk just shocked some people," he says others went out of their way to be nice.

After the clerkship, Alleyne took a position with the Federal Contracts Compliance Office in Seattle. While in Seattle he also served as chairman of the local chapter of the Congress of Racial Equality (CORE) where he participated in a number of activities designed to bring an end to racial inequalities.

A few years later, Alleyne moved to Albuquerque, New Mexico to work as an attorney for the National Labor Relations Board. His interest in labor/management relations emanated initially from his father's position as a union shop steward. Because of his father's ambivalence about the union (due mostly to the extreme racial practices of both unions and management

at the time), Alleyne grew up wondering who was right—the union or the employer. This uncertainty helped Alleyne to develop the ability to be a genuinely neutral arbitrator with no preconceived desires to see either side win before the case is heard. He has been successful in maintaining his neutrality over the eleven years he has been an arbitrator.

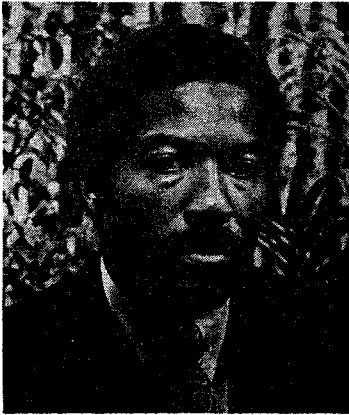
Alleyne received a LL.M. degree from Columbia University in 1969. Shortly thereafter, Alleyne accepted a faculty position with UCLA School of Law where his concentration was, and continues to be, in the area of labor relations. Again attributing his teaching position at UCLA to “timing” Alleyne says, “I was just born at the right time. Anyone born when I was, who did the things I did, would have been ready for the things that happened to come my way. Today, all the things I did are now easy for anyone remotely qualified. On the other hand, the people I feel sorry for are those just a little older than I am who never . . . had anything but doors closed to them no matter how qualified they were.”

Alleyne leads a very active life. In addition to teaching at UCLA, he is currently involved in several community service organizations. He is a member of the Citizens' Advisory Committee of the Los Angeles Police Commission. He is the Chairman of the View Park/Windsor Hills Homeowners Association. Mayor Bradley appointed him Chairman of the Blue Ribbon Civil Service Reform Committee. He is one of seven members appointed by Governor Brown to serve on the State Public Employees' Relation Board. He also continues to be active in the National Academy of Arbitrators and hears approximately 20 to 25 cases per year. In addition, Alleyne is the author of two books and numerous articles in the area of labor relations. Besides all of this, Alleyne and Delores, his wife of nearly 22 years, are raising four children.

When asked what things, if any, he would have done differently, other than having changed his college major he adds: learned how to ski earlier, learned how to play backgammon better and continued with his music—he plays the violin, saxophone, flute, and soprano recorder.

When asked about future goals Alleyne says, “I just can't imagine what would give me more independence, fulfillment and satisfaction than what I am doing now” (i.e. teaching, arbitrating and active involvement in several community service organizations). He has no ambition to become a judge, or to become any more entrenched in the legal system than he already is. “My only goal is to improve the quality of the work I do.” This is perhaps the most difficult goal he has set to date; for how does one improve on excellence?

J. STANLEY SANDERS



In the novel *The Red and the Black*, Stendahl illustrates the drama of a young man struggling against the odds to succeed on the personal as well as social level. Attorney J. Stanley Sanders, partner of the law firm Sanders & Booker, views his climb to success in similar terms.

Born and raised in Watts, California, Sanders credits his close knit family for providing a supportive environment and strong foundation for his later accomplishments. Inspired by the success of one of his brothers who was an Olympic athlete, Sanders set his goals high. Demonstrating academic excellence at an early age, Sanders was encouraged by his family and teachers to use his intelligence to get ahead. Upon graduation from Jordan High School, Sanders was rewarded for his hard work and diligence and received a four year academic scholarship to Whittier College in California.

Sanders continued to excel scholastically at Whittier and in 1963 earned a Bachelor of Arts degree in Political Science. A recipient of the prestigious Rhodes scholarship for his collegiate achievements, Attorney Sanders spent the following two years studying politics, philosophy and economics at Magdalen College, Oxford University, in Oxford, England. He completed his studies at Oxford in 1965 with a Master's degree in his course of study.

Upon his return home prior to enrolling in the Class of 1968 at Yale Law School, Attorney Sanders found Watts in the middle of the riots of 1965. He had not realized that the economic and social injustices which characterized the struggles of southern blacks equally pervaded his own community. The struggle of the black community for civil rights left an indelible impression upon Attorney Sanders which reinforced his decision to pursue a career in law.

Interested in assuming a leadership role within the black community, Sanders felt that his knowledge and skills would be best utilized in one of two capacities—as a preacher or a lawyer. He decided to enter the legal profession while in high school and consequently focused his academic talents toward achieving that goal.

Upon graduation from Yale, J. Stanley Sanders spent his first three years as a staff attorney for the Western Center on Law and Poverty and then as an associate for a Beverly Hills law firm. After gaining initial legal experience, Sanders decided to venture out on his own and became a founding partner of the firm Rosenfeld, Lederer, Jacobs & Sanders. That partnership led to the formation of Sanders & Tisdale in 1972, and to Sanders & Booker in 1978. Attorney Sanders specializes in corporate law in the areas of acquisitions and mergers of corporate reorganizations and international trade. He also represents several community organizations, including the Watts Health Foundation and the Sons of Watts.

Today, J. Stanley Sanders views himself as a problem solver. "I am seen as a guy who can be called on. I like to use the resources at my disposal

to solve other people's problems whether it means going to court, picking up the telephone or engaging in political activism."

Attorney Sanders has been very involved in political and civic affairs. He currently serves as the President of the Los Angeles Recreation and Parks Commission and is a member of the Los Angeles Memorial Coliseum Commission. He has been the co-chairperson of the California Democratic Party Rules Committee and was a co-founder of the Watts Summer Festival.

Attorney Sanders plans to get even more involved in public affairs in the coming years and has not ruled out the possibility of a future in politics. "Black lawyers need to take a more active role as spokespersons for the black community. We as blacks have to advocate our own interests."