

**LAWYERS  
OF  
LOS ANGELES**

**1950 TO 2020**

**KATHLEEN TUTTLE**

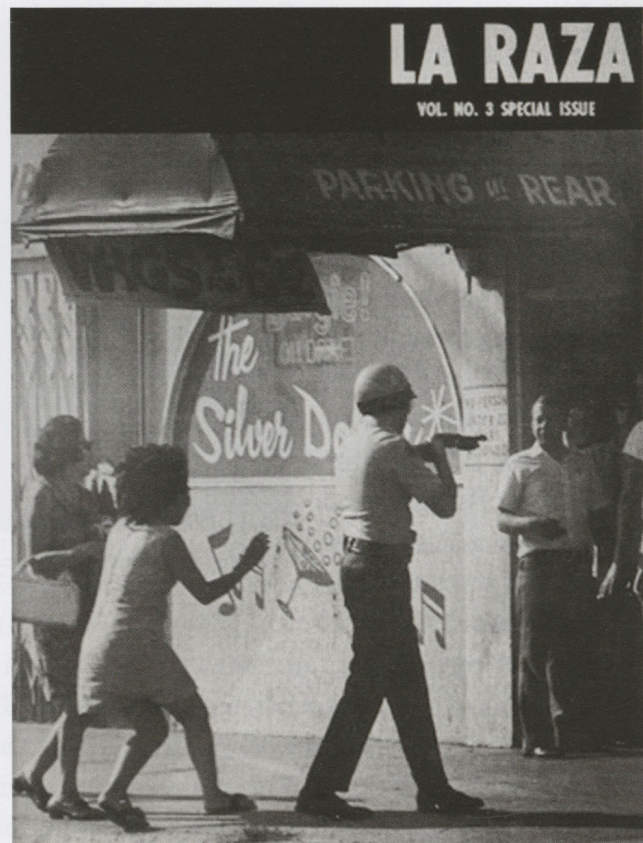
president of the State Bar (2009–2010), and is a mediator with JAMS, the largest private provider of such services worldwide.

Forty years hence, *L.A. Times* columnist Sandy Banks would ask teens who had been bused from Watts to a Van Nuys high school what busing meant to them. One said: “freedom from fear and danger and violence.”<sup>55</sup>

## ACCESS TO JUSTICE— MORE THAN A PIPE DREAM

While the busing controversy raged in the L.A. courts, anti-war demonstrators marched in the streets. In August 1970, 30,000 protesters from across the country assembled for a demonstration along Whittier Boulevard in East L.A. The Chicano Moratorium Committee sponsored the event. Some 170,000 Latinos were serving in the Vietnam War, and the demonstrators’ message was: “Our struggle is not in Vietnam but in the movement for social justice at home.” Protestors contended the march was loud but peaceful, but L.A. sheriff’s deputies responded by declaring the event an “unlawful assembly,” and shot tear gas into the crowd. A riot erupted, a number of stores were set on fire, several hundred were injured, 150 were arrested, and four killed, including the award-winning *Los Angeles Times* journalist, Ruben Salazar.

Against this backdrop, the first several LACBA presidents in the 1970s struck a different chord than past presidents in their first statements to the membership. Sharp Whitmore of Gibson, Dunn & Crutcher became president in July 1970 (new slates of officers took over in July). Among other things, he wanted to address the legal needs of



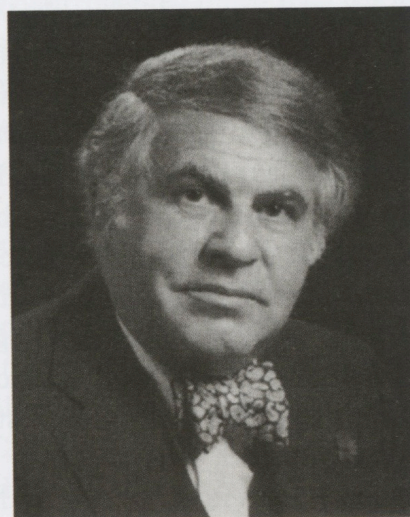
*L.A. Times* reporter Ruben Salazar, who took refuge in the Silver Dollar Café, is one of several casualties during the 1970 Chicano Moratorium in East Los Angeles that drew thousands of young activists from across the country. Sheriffs use tear gas on the crowd, causing panic and rioting. Salazar, renowned as the first Mexican American journalist from mainstream media to cover the Latino community, is instantly killed when a tear-gas projectile blindly fired into the Silver Dollar Café by a sheriff’s deputy went through his head. August 1970.

***Too many lawyers . . . have almost closed their eyes  
to the legal needs of the poor and to . . .  
[those] who cannot meet their fee standards . . .***

—Sharp Whitmore, LACBA president, 1970

the poor: “Too many lawyers . . . have almost closed their eyes to the legal needs of the poor and to . . . [those] who cannot meet their fee standards] . . . [t]he system cannot continue forever without shoring up these near-voids . . .”<sup>56</sup>

Stuart L. Kadison, of Kadison, Pfaelzer, Woodard & Quinn, who was LACBA president in 1971, urged the Bar not to simply react to change, but to “originate change, with a primary focus on the improvement of society and the administration of justice.”<sup>57</sup> Kadison continued to stress that “Ameliorat[ing] the evident dissatisfaction of large segments of our society with the way in which our society functions” was a goal, and it would include building a relationship with minority groups and their separate bar associations.<sup>58</sup> Kadison met with minority bar associations to urge their participation in LACBA. In 1972, the Langston Law Club (later, Langston Bar Association) formally affiliated with LACBA.



Stuart L. Kadison. 1978.

Donald K. Hall, of Darling, Hall, Rae & Gute, LACBA president in 1972, struck a similar theme: “When I started practicing, the Association seemed to be primarily a ‘trade organization.’ [N]ow . . . it’s gratifying to see the Bar Association becoming involved in policy matters.<sup>59</sup> That year, he also wrote to *Bar Bulletin* readers, “There is so much to do, so many pressing social problems with a legal tint calling for solutions . . . [W]e must improve the administration of justice and . . . provide meaningful public service . . .”<sup>60</sup>

O’Melveny’s Warren Christopher, president of LACBA in 1974, said: “[W]ithout diminishing the importance of services to our members, it will be my intention to accord a high priority to finding new ways to serve our public constituency.”<sup>61</sup>

Francis M. Wheat, of Gibson, Dunn & Crutcher, LACBA president in 1975, said: “I

***[W]e must improve the administration of justice  
and . . . provide meaningful public service . . .***

—Donald K. Hall, LACBA president, 1972

hope that alertness will be our motto for the next year.”<sup>62</sup> He spoke of increasing the association’s potential impact upon the law . . . propos[ing] legislation . . . the filing of amicus curiae briefs in important cases.<sup>63</sup> He sought to better respond to community needs. A special clemency committee was appointed, chaired by David Rothman, that included Terry Amdur, Robert Talcott, Michael Nasatir, and others. It would facilitate applications for clemency for men convicted of draft offenses, and “in a small way heal the wounds of war.”<sup>64</sup> Wheat was most passionate about LACBA actively considering sponsoring a public interest law firm or foundation which might get involved in handling environmental cases, and to think about ways to hasten the . . . bar in playing a bigger role in financing public interest law.<sup>65</sup>



Francis M. “Frank” Wheat, left, with Shirley M. Hufstedler, and Samuel L. Williams at a LACBA function. 1978.

Given the outpouring of such sentiments, it is clear that LACBA was seeking to institutionalize a program that would provide members of the public—particularly the indigent and recent immigrants—legal assistance in an organized, well-funded, sustained way. What follows is the story of an organization that would do just that, and which continues to be, by far, the nation’s largest nonprofit public interest law office. It came to be called Public Counsel.

L.A. lawyers Frederick M. Nicholas and Ira E. Yellin were prominent among those deeply involved in creating Public Counsel. Yellin explained, “The [Robert] Kennedy era was very much a part of my psyche. There was an enormous movement among the younger lawyers in Los Angeles County—downtown and the Westside—to get involved in *pro bono* issues, and there were stirrings of efforts to formalize the commitment within the bar for *pro bono* service.”<sup>66</sup>

Fueled by idealism, a lawyers group called the Lawyer’s Council began talking about an alternative bar association, one that would focus on *pro bono* service. Yellin recalled that during early discussions about a *pro bono* entity, “It was very important for me and a host of younger attorneys. It was sort of a passion of the time . . . We believed deeply in the perfectibility of man, and that you could make a difference in the world.”

The Beverly Hills Bar Association heard about the idea and decided to hold an all-day retreat, which generated even more interest. Fred Nicholas’s spur to action came in 1968 when that bar association hosted a luncheon featuring Ralph Nader, who spoke on the “failure of lawyers to meet their responsibility to society.”<sup>67</sup> As Nicholas recalled, Nader’s remarks “touched a tender spot in my psyche as I had long felt that lawyers, as a group, did

***It was sort of a passion of the time . . . .  
We believed deeply in the perfectibility of man,  
and that you could make a difference in the world.***

—Ira Yellin, 1990

not give back to the community.”<sup>68</sup> That year, the Beverly Hills Bar Association president named Nicholas to chair the Committee on the Future of the Bar.

The stirrings of an idea emerged: The Beverly Hills Bar proposed forming a *pro bono* group under the auspices of a foundation within its organization. It was the first bar group to do so in the U.S. “It was bitterly debated and was a very controversial move. The whole concept seems so clear and easy to us today, that a bar association . . . should have a formalized commitment to *pro bono* activities, [but] it was very, very radical to the Bar at that time,” said Yellin.<sup>69</sup> The largest concern was that the new entity would take business away from the established firms, odd in retrospect, given that the indigent likely could not afford the legal fees of those firms.

In 1967, the newly formed *pro bono* law firm—the Beverly Hills Bar Association Law Foundation—had modest beginnings. The Beverly Hills Bar made a financial commitment of \$15,000 for the first year; the large law firms there gave small gifts. Fred Nicholas made a substantial loan of \$20,000 and became the first president. The organization had one staff attorney, Stan Levy, a paralegal, and operated out of a small space in Nicholas’s law office.

After the *pro-bono* firm was officially named Public Counsel in 1970, there were endless struggles for funding. Hosting an annual fundraising dinner beginning in 1976, in honor of U.S. Supreme Court Justice William O. Douglas, became a hugely successful solution. But out of necessity, soon the Beverly Hills Bar Association made overtures to LACBA to join with them. The new entity would organize and coordinate private bar *pro bono* public resources, rather than bring litigation on its own. Staff would oversee a large caseload, and the established law firms—eager to devote resources to *pro bono* cases—would actually do the legal work.

Yellin recalled meetings with LACBA that would forge the idea into reality. “We literally had almost a year of discussions, and a series of private meetings with the senior leadership of the County Bar going late, late into the night.”<sup>70</sup> Nicholas, too, spoke of lengthy efforts to secure LACBA’s approval, including hosting at least ten dinners at his house.<sup>71</sup>

As Yellin noted,

Many senior members of downtown law firms felt that it was not the function of a bar association . . . appropriate for individuals . . . but not the role of the organized bar to make these kinds of formalized commitments . . . . It was a very emotional, climactic decision when the board of trustees of the County Bar [on May 11, 1977], adopted a proposal which we crafted to formally sponsor jointly with the Beverly Hills Bar a newly named organization: Public Counsel.<sup>72</sup>

## The Making of Public Counsel

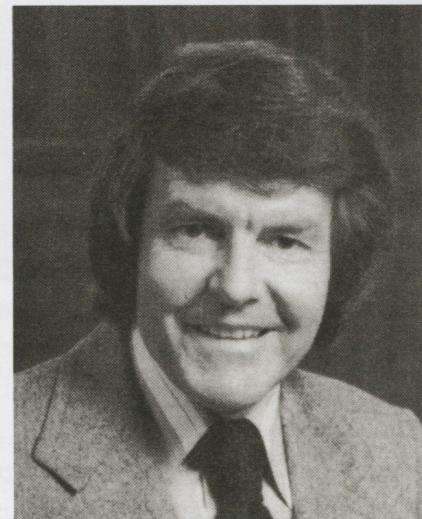
Concurrent with that vote, LACBA leadership committed to contributing \$25,000 from the general funds for the balance of 1977. All future contributions were to be made by means of a specific assessment in an amount determined annually by the trustees.<sup>73</sup> “The structure took hold and has been extraordinarily successful.”<sup>74</sup>

In subsequent years, LACBA contributed by way of a check-off incorporated into the annual member dues statement. First it was \$5 per person; in 1981, \$8; in 1990, it was \$10.<sup>75</sup> By 1990, the dues check-off method generated approximately \$1.2 million for Public Counsel.<sup>76</sup> Between 1995 and 2014, LACBA contributed to Public Counsel through annual grants, totaling \$3,191,000.<sup>77</sup>

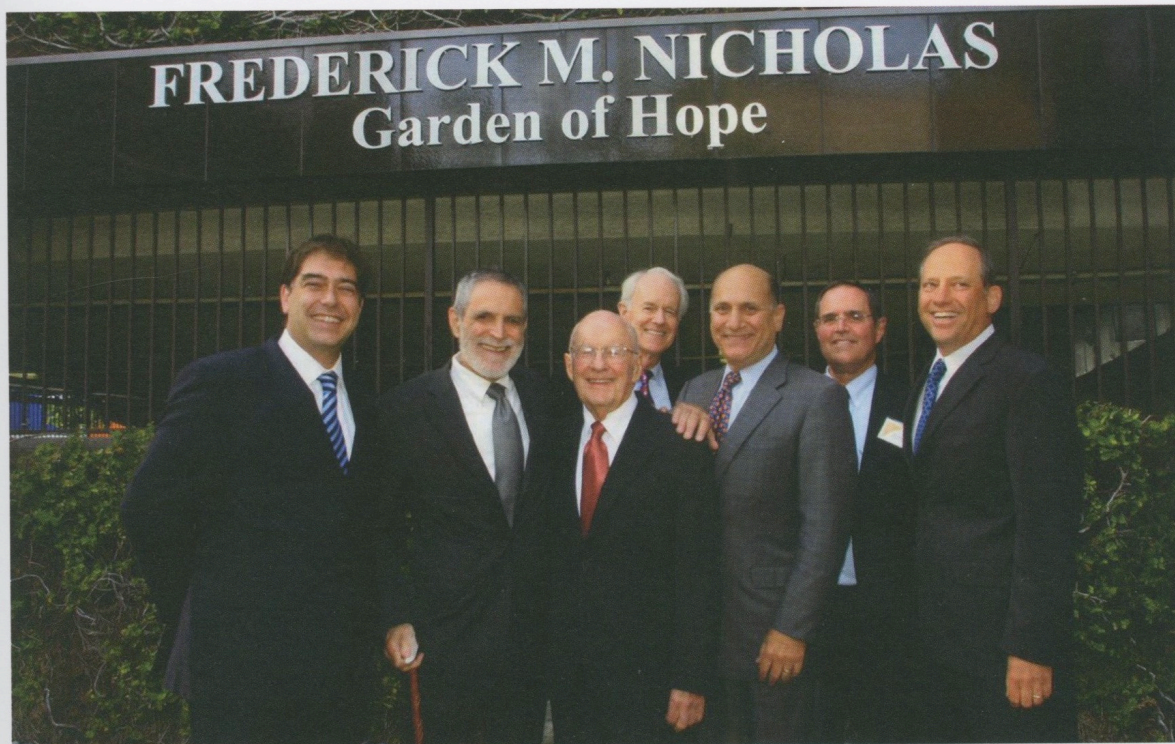
The lawyers who participated in this historic LACBA meeting were: John J. (Jack) Quinn (president), Samuel L. Williams, John D. Taylor, John H. Brinsley Jr., James H. Ackerman, M. John Carson, Max A. Goodman, Oliver F. Green Jr., David A. Horowitz, Joseph C. Hurley, Marvin Jabin, Barbara Jean Johnson, Richard J. Kamins, Lionel B. LeBel Jr., Joseph D. Mandel, Betty Bryant Morris, Richard T. Morrow, Ronald L. Olson, Martha S. Robinson, William W. Vaughn, Robert S. Warren, and Harold W. Wax. A number of guests were present, including Judge Irwin J. Nebron, Bayard F. Berman, Robert Farmer, Joe Cummins, Kent Warner, Patricia Phillips, Dan Jaffee, Gary Feis, Andrew I. Schepard, Stuart Tobisman, Ira E. Yellin (who would go on to serve three consecutive terms as president of Public Counsel), John Phillips, Jerry Peek, and Burt Pines.<sup>78</sup> Others instrumental in propelling LACBA toward this moment included Francis M. Wheat and Harry L. Hathaway, chair of LACBA’s Public Interest Practice Committee.<sup>79</sup>

Public Counsel has become a premier legal institution in Los Angeles. The region’s largest and most prominent law firms have attorneys on its board of directors, regularly make sizable financial donations, and devote substantial lawyer hours to handling cases. The executive directors of Public Counsel have been widely respected members of the profession and have included, in chronological order: Stanley W. Levy, Charles F. Palmer (who became a superior court judge), Cheryl White Mason, Steven A. Nissen, Daniel Grunfeld, Hernan D. Vera, and Margaret M. Morrow (former federal district court judge; president and CEO of Public Counsel).

By 1999, Public Counsel had its own office space, twenty attorneys, and more than 2,500 volunteer lawyers, paralegals, and law clerks. Ten years later, it had a staff of seventy-one attorneys and fifty support staff (including five social workers), along with more than five thousand volunteer lawyers, law students, and legal professionals. It focuses on



John J. “Jack” Quinn Jr. 1978.



Public Counsel dedicates a garden at its main office to honor Frederick M. Nicholas, center. The organization's executive directors since its founding are, from left: Hernan D. Vera, Stanley W. Levy, and from the right, Daniel Grunfeld, Charles F. Palmer, and Steven A. Nissen. Behind Nicholas is actor Mike Farrell, event host and longtime donor. 2009.

nine practice areas, including appellate law, children's rights, childcare law, community development, consumer law, education rights, homelessness prevention, immigrants' rights, and veterans' advocacy. It provides a range of services, from one-on-one legal assistance, to addressing systemic poverty and civil rights issues through impact litigation and policy advocacy.

Public Counsel's free legal services to the community translate to more than \$45 million annually. Fred Nicholas has asserted, "Public Counsel is what is best about the legal profession, Los Angeles, and ourselves."<sup>80</sup> More relevant to this volume, Nicholas also said, "LACBA was one of the *very best* things to happen to Public Counsel."<sup>81</sup>

A few words are in order about Fred Nicholas and Ira Yellin, the two visionaries behind Public Counsel.

Nicholas was admitted to the California Bar in 1952 and began his career at Loeb &

***Public Counsel is what is best about the  
legal profession, Los Angeles, and ourselves.***

—Frederick M. Nicholas

Loeb in downtown L.A. He “worshipped Herman Selvin” who was his “first idol,” but “he was gruff, and I was scared to death of him all the time.”<sup>82</sup>

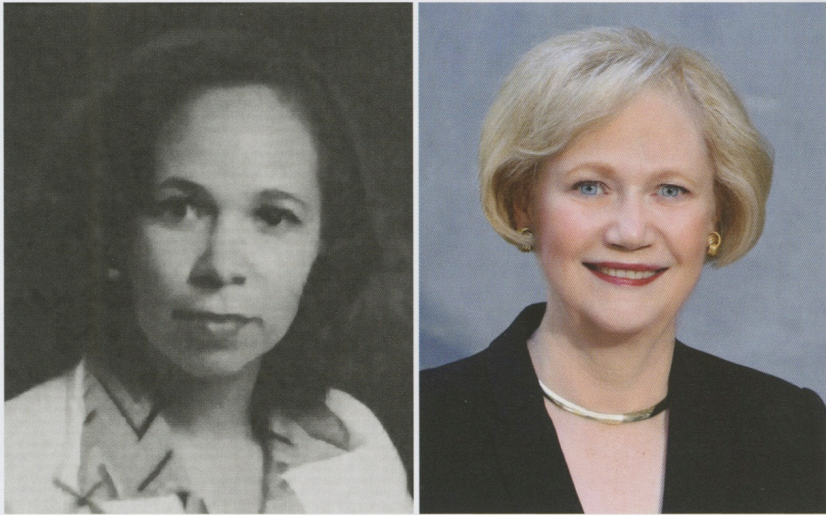
Nicholas’s law career would change after a serendipitous meeting at Loeb with Maurice O. (“Hap”) Smith, a real estate broker who needed a lawyer to prepare an option agreement for real property in Northern California. Smith

wasn’t able to pay the firm for the work, so Nicholas agreed to help him in his free time, without charge. They became great friends. Nicholas also helped Smith raise the money for the down payment on the option agreement. In 1958, they formed a partnership called the Hapsmith Company.

By 1962, Nicholas had his own practice, focusing on real estate law and development. He gradually became a full-time real estate developer but always kept his law license. The Hapsmith firm flourished, starting with shopping centers in small towns, and grew to have a substantial interest in an office tower in Honolulu, shopping centers in larger cities across California, and projects as far away as Washington, D.C. They built the Ronald Reagan Building in the Federal Triangle, which took ten years to complete and is the largest building in that city, next to the Pentagon.

By the 1980s, Nicholas’s real estate development prowess was well-known. In 1987, Dan Frost, chairman of the Music Center, approached him to head the Walt Disney Concert Hall Committee. Nicholas agreed. The project was an eight-year endeavor in which Nicholas worked pro bono and chose the architect Frank Gehry and acoustician Yasuhisa Toyota. At that time, Nicholas was also the newly elected chairman of the Museum of Contemporary Art.

An appreciation for the arts and a deep well of human compassion came early to Nicholas, through life experience. In 1950, during his first year at the University of Chicago SOL, Nicholas and his first wife, Eleanore Berman, lived in Chicago, where he would often visit the Chicago Art Institute. He also began collecting and representing artists and art galleries.



**Named executive director in 1981, Cheryl Y.W. Mason, left, was the first woman to lead Public Counsel since the organization’s inception in 1970. In 2016, Margaret M. Morrow became the second woman to head the pro-bono firm.**





Frederick M. Nicholas. 1978.

Nicholas had arrived in Los Angeles with his parents in 1934, from Brooklyn. During his senior year at USC School of Journalism, he was drafted into the U.S. Army and assigned to a military police squad in San Francisco responsible for rounding up and confining people of Japanese descent in a relocation camp known as the Tanforan “Assembly Center,” formerly a racetrack in San Bruno. “We went from house to house . . . to deliver orders for them to vacate . . . We had to round them up, corral them and guard them.” During his three months there, he saw many detainees sleep in horse stalls or barns that were full of mice and smelled of hay.

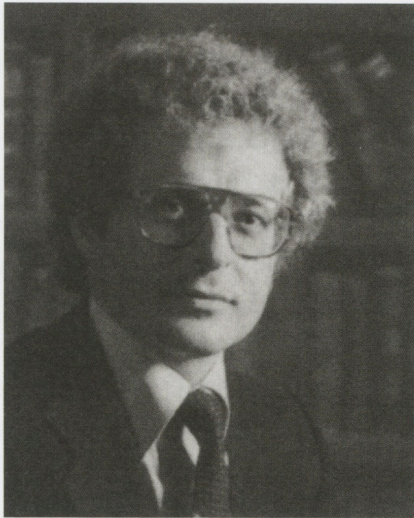
A total of seven thousand men, women, and children had been incarcerated at Tanforan. Nicholas was a private and “twenty-one years old . . . I was very, very upset about it. It looked like a prison.”<sup>83</sup> While guarding the perimeter at night with a loaded rifle, he spoke with detainees—befriending the “enemy”—and would run errands and buy things for them not available in the camp.

In 2017, Nicholas attended Tanforan’s seventy-fifth-year commemoration program, “Journey to Tanforan,” honoring those interned there. A former internee said, “Fred was chastised for talking to me. He didn’t tell you that, but it was true.”<sup>84</sup>

The other searing experience in Nicholas’s youth occurred after his rapid promotion to second lieutenant, when he and other top officers were sent to Arizona to supervise Black divisions. “It was the worst segregation I’d ever witnessed.” Soon, the Army had an issue with *him*. “As soon as [his superiors] found out I was Jewish, they shipped me off to Africa.”<sup>85</sup> He would serve overseas for more than two and a half years, first in northern Africa, then Sicily, Italy, southern France, and the Philippines, where he was assigned to join the troops designated to invade Japan, but for the U.S. dropping the bomb. Nicholas rose to the rank of captain and was awarded the Bronze Star Medal and Purple Heart for wounds suffered in Italy.

Ira Yellin, too, left an indelible mark on Los Angeles in his relatively short life—he died at sixty-two in 2002.<sup>86</sup> Born just outside Boston, Yellin came west with his family in 1948 and grew up in the Los Angeles area. He had memories of frequently visiting downtown L.A. with his father, a Talmudic scholar who had a fondness for urban life. That early exposure to L.A.—its “historic core”—was to figure prominently in Yellin’s later pursuits.

In his youth, his family stressed academics, so he attended Princeton University where he was Phi Beta Kappa, earned a law degree at Harvard, followed by a master’s degree in law at U.C. Berkeley SOL. Shocking to those who knew him at the time, he then spent a year in the Marines, “to prove that his ideas of public service were not just talk and to show that



Ira E. Yellin. 1978.

a small, Jewish man could bear up under the toughness of the Corps.”<sup>87</sup>

He began law practice at Rosenfeld, Meyer & Susman in Beverly Hills, primarily an entertainment practice. In 1975, he joined Fred Nicholas at the Hapsmith Company, where he was directly responsible for many of the company’s major construction projects throughout the state. Like Nicholas, he soon formed his own real estate development firm, the Yellin Company.

Finally, on his own, Yellin followed his heart. If Fred Nicholas graced L.A. with the *new*, Yellin—never enamored with glossy high-rises<sup>88</sup>—reimagined and restored the *old*. Those long ago walks with his father through downtown developed in Yellin a lifelong attachment to the historic core “because I love architecture, I love the

mix of people and place and history that you feel on these streets.”<sup>89</sup> He strongly believed that L.A. could be “a world-class urban center.”<sup>90</sup> Buildings were the key, because “structure affects the sense of well-being.”<sup>91</sup> He advocated creating the infrastructure that would reshape downtown so that a certain density could happen there.”<sup>92</sup> “Yellin realized then, as few others did,” that “downtown’s got to become a residential city, a 24-hour living city.”<sup>93</sup> “Downtown is a wonderfully exciting place” and urged city officials to really understand what was at stake and make the right decisions.<sup>94</sup>

Yellin’s restorations, with architect Brenda Levin’s design sensibilities, brought back an impressive collection of buildings that had been vital to downtown life. In 1985, he and other investors bought the historic Grand Central Market to restore and develop it. He envisioned the market as the centerpiece of a resurrection that would reverse the inner city’s decline.<sup>95</sup> Historically, the market was the place where new immigrants—Germans and Italians in the beginning, then Japanese and Armenians, later Mexicans and Koreans—pursued the American dream by translating their culinary traditions into a decent livelihood.<sup>96</sup>

It was a multimillion-dollar project that received substantial financial help from the Community Redevelopment Agency and the Metropolitan Transportation Agency.<sup>97</sup> As many Angelenos who frequent downtown know, the Grand Central Market, located directly across from Angel’s Flight, dates to 1917 and is still one of the most hallowed food destinations in Los Angeles. It is a star attraction for old-school Angelenos and hipsters alike. Having celebrated its hundredth birthday in October 2017, a century during which it had been in continuous operation, the market held a gala party at lunchtime with one hundred multi-colored helium-filled balloons and a trampoline-sized, multi-tiered birthday cake.

Yellin next formed a partnership that purchased the adjacent Lyons Building and the twelve-story Million Dollar Theatre for \$6.5 million. Altogether, it was a project called

Grand Central Square. The theater was also built in 1917, by the entrepreneur Sid Grauman, as one of the first movie palaces in the U.S. and the first of many that were built downtown.<sup>98</sup> Its style is Spanish Colonial Revival with splashes of Churrigueresque decoration. He also bought the old Metropolitan Water District headquarters (where William Mulholland had his offices), and other properties contiguous to Grand Central Market. Yellin was involved in the purchase of the Bradbury Building, across the street—with its soaring sky-lit interior—at a time when the architectural treasure was in a sorry state. Upon his death, the Los Angeles City Council named the intersection of 3rd and Broadway “Ira Yellin Square.”

Yellin was a catalyst for the metamorphosis Angelenos have seen in metropolitan Los Angeles. The late California historian, Kevin Starr, praised him as “an urban pioneer . . . [a man] unique for what he wants for the city.”<sup>99</sup> It took extraordinary vision in the 1980s to see beyond L.A.’s neglected and abandoned past, to a brighter future. “If Ira didn’t show the beauty that could be uncovered,” said L.A. City Councilman Mike Feuer, the remarkable transformation of L.A. wouldn’t have happened.<sup>100</sup>

Times indeed change. In 1984, only 3,000 people lived in the historic core; by 2020 there were more than 54,420 residents.<sup>101</sup> The infusion of affluent young professionals into downtown brought renewed economic vitality. L.A. can thank Yellin for that.

Yellin was a liberal man, who believed society was obligated to help the poor. But he was a realist and said: “I don’t feel any shame or guilt in saying that the derelicts and Skid Row have to move out of that area . . . It is too important to the city. There are too many important resources, history, culture [that we need to protect and maintain]. . . .”<sup>102</sup> Yellin beseeched civic leaders to “make a commitment to build a downtown,” and to be bold in “what we want out of this place.”<sup>103</sup>

Yellin’s passion for art and architecture led him to serve on the boards of some of the city’s premiere cultural institutions, including the Skirball Cultural Center and the J. Paul Getty Trust, which oversees the Getty Museum.



Million Dollar Theatre. 2015.