

TWO BY TWO ALUMNI COUPLES WHO PRACTICE TOGETHER

In a world in which the relations between the sexes change every day, and in which women in ever-greater numbers are choosing careers in law and other professions, it is interesting to realize that, in individual cases, some profound changes in the traditional relationships took place years ago.

There has usually been a few women enrolled in the Law School ever since Belle Case LaFollette (Mrs. Robert M., Sr.) graduated in 1885. It is not easy to learn what happened to all of them. Did they practice law? Did they retire to raise families? Did they enter other employment fields?

The *Gargoyle* has found it fascinating to talk to three couples—Wisconsin alumni—who practice law as partners. All are well established partnerships, although all have been marriage partners longer than they have been law partners.

All are old friends of the *Gargoyle*. They are Hilbert and Norma (Goldstein) Zarky of Los Angeles; Conrad and Mordella (Dahl) Shearer, Kenosha; Philip and Marjorie (Loomis) Marshall, Milwaukee.

Hilbert Zarky and Norma Goldstein met when they were both students in the Law School. He grew up in Madison; she came from New York as an undergraduate transfer from Barnard College. They had both always intended to be lawyers. They were married after graduation (both members of Coif and Law Review) and settled in Washington, as did a great many of the members of their law school generation. Hilbert worked for the Treasury Department, and in 1943 joined the Department of Justice, where he became a Special Assistant to the Attorney General, preparing and arguing tax cases on appeal in the Circuit Courts and the U.S. Supreme

Court. In 1957, he and his family moved to California, where he has been a partner in Mitchell, Silberberg and Knupp, practicing exclusively in the tax field. He does spend some time on cases brought by the American Civil Liberties Union and is at present a member of the Executive Committee of the Lawyers Division of the ACLU.

Norma Zarky's years in Washington began as a lawyer in the Children's Bureau of the Department of Labor, dealing with violations of the Child Labor laws. She also served as a lawyer for the Railroad Retirement Board, and during the war she was employed by the Office of Price Administration, enforcing price regulations in the clothing industry. For some of the time after her family arrived, she was not employed. Then she went into private practice, engaged in what she looks back on as a most enjoyable part of her career. She was a "lawyers' lawyer", working on drafting of legislation and the preparation of briefs for other lawyers, particularly the famed Washington lawyers, Joseph Rauh and Arthur Goldberg.

After the family moved to California in 1957, she was associated for a time with a small Los Angeles firm. She joined Mitchell, Silberberg and Knupp in 1961, and was made a partner in 1968. Her practice is largely devoted to the negotiating of contracts in motion pictures, television and play production. She has, as a result, become an expert in the field of copyright law, and in the practices of the entertainment industry. She works closely with the agents and business managers of stars and writers, but gets what she describes as "a chance to deal with interesting, creative people as well."

She has been active in recent years as *amicus curiae* in the challenges to the abortion laws in various states. The most notable victory in this field was in the California case which resulted in the invalidation of the old California law. She has just filed briefs in the U.S. Supreme Court in two appeals from the decisions of three judge U.S. courts in

Texas and Georgia. Her briefs were filed on behalf of several womens' organizations, including the YWCA and the AAUW, as well as a number of prominent individual women and are addressed only to the right of women to determine when and where to bear children.

Norma Zarky, self-described as the "organizational one" in her family, is a member of the Board of Trustees of the Exceptional Children's Foundation, and has been active in the affairs of the Beverly Hills Bar Association, of which she is Treasurer. Her legislative interests through the Bar include many social questions: the death penalty, drug laws, abortion, etc.

They are partners—but they have 48 other partners. Their professional lives coincide, when there are tax problems in the entertainment industry.

Their leisure is spent with the family. Their sons, Alan and Michael, are sailing companions of their father. Their daughter, Judy, is 15 years old.

During June, 1971, they paid a sentimental visit to the Law School, coincidental with Hilbert's participation in the ALI-ABA Course for Young Lawyers.

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Hilbert and Norma Zarky

In a technical sense, Philip and Marjorie Marshall are not an alumni couple, since Phil was an honor graduate of Marquette Law School. But he spent the 5 years before going to Washington in 1942 as the Librarian of the Wisconsin Law School, so he has a deep association, which makes him all but an alumnus. His wife, Marjorie (Loomis), graduated in 1936, also an honor student, elected to Coif in her senior year.

Theirs is a true partnership; they keep joint books and file a partnership income tax return.

They occupy a spacious suite on the 12th floor of an old building in the center of Milwaukee. But they seldom see each other during the day. He walks to and from the office, she takes the bus. The day of our meeting gave them a rare opportunity to have lunch together.

Each is a specialist. Phil Marshall in recent years has devoted himself exclusively to arbitration, mediation and fact-finding in labor disputes. Marjorie Marshall serves full-time as the Standing Trustee under Chapter XIII of the Federal Bankruptcy Act, serving the entire Milwaukee commercial area. As such, she administers about 700-800 wage earner plans annually.

Their professional separation has developed gradually during their 25 plus years of practice in Milwaukee. Although Phil has always had an interest in labor law, he formerly devoted only about 25% of his time to that phase of his practice. The rest of the time they worked together in the general practice of law.

Marjorie Marshall was named Standing Trustee about 7 years ago, and the volume of these proceedings has increased so much that she has no time for other practice, except the continuing assistance which all lawyers must provide to long-standing clients.

Phil Marshall travels all over the United States in his work. He tries to maintain a ratio of two days of hearings, to three days of study. He works in Los Angeles, Denver, New York and other farflung places. He has mediated all kinds of disputes—

from the discharge of chorus girls in Las Vegas to disputes over class size between the teachers association and the Board of Education in Greeley, Colorado, to the dispute between the Teaching Assistants Association and the University of Wisconsin.

He had his first arbitration case in 1937, when he was the Law School Librarian. Dean Garrison recommended him as arbitrator in a labor dispute in Northern Wisconsin, and he has been in this business more or less ever since.

During the War years, he went to Washington with Dean Garrison and Professors Rice and Feinsinger, where he served as a Conciliation Officer for the War Labor Board. He became Vice-Chairman of the Regional War Labor Board in Chicago in the last years of the war, and returned to Milwaukee in 1945.

But he was first—and for many years, foremost—a librarian, a graduate of the University of Wisconsin Library School. He began shelving books at the Milwaukee Public Library (where he became a good friend of the Law School's present librarian, Maurice Leon) before he attended Law School. While in law school, he had two jobs, being the Librarian for the Milwaukee Sentinel and, for a time, a night police reporter for that paper.

Dean Garrison made him Librarian in 1937, after his graduation from Law School. He credits his early and continuous association with library books with a much greater part of his education than his years in school. He served for many years on the Milwaukee Library Board.

He has been active politically, but never as a candidate. Recently he has assumed the Chairmanship for the Committee to promote the reelection of Mayor Henry Maier. He did serve for several years as Chairman of the Milwaukee Plan Commission, and claims the "distinction" of being fired by the Common Council during one of the many disputes between the Council and the Mayor.

Mrs. Marshall began Law School during the summers, when her teaching job required that she go to summer school. She chose Wisconsin because it was known as a nice place

to be in the summer. It took 3 summers and 2 years for her to earn her degree. During the early years of her marriage (in 1937), she practiced law, associated with Albert Michelson, who had offices in Madison and Mt. Horeb. She served, during the war years, as an attorney for the War Manpower Commission, and, when her husband was transferred to Chicago, she became Counsel for the Immigrants Protective League.

As with the other wives in this group, Marjorie Marshall had a brief time in which she did not work, and several years when she worked only part-time, when their daughter was very young. After Mary Marshall began school full-time, she returned to her career. Neither she, nor Phil, nor—most importantly, Mary—has regretted it.

Now that Mary is grown — a teacher and wife — her mother is glad to be busy. Wage Earner Plans are instituted in proceedings in bankruptcy court. The Standing Trustee arranges each plan for the payment of the creditors. She must withstand pressure from creditors and loan companies, and be ready to help those whose finances are in her hands as circumstances change. The great bulk of her clients are factory workers, who have over-extended their credit through installment buying. A recent survey of her files showed that in less than 15% of the active cases can the causes of financial difficulty be traced to ill health or heavy medical expense. She has some sharp words for the credit card, and the credit union.



Phil and Marjorie Marshall

In a year, her office dispenses approximately \$600,000 to creditors.

In addition to her taxing career, Mrs. Marshall is at present a member of the Milwaukee Police and Fire Commission, an embattled volunteer post.

Both Marshalls believe that separateness has enhanced their marriage and their partnership. For them, too much "Togetherness" would not work.

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Not so with Connie and Mordella Shearer. When they were asked, during their interview with the *Gargoyle*, whether they felt constrained by the fact that their lives are completely interwoven, they exchanged a puzzled glance which said clearly that such a preposterous notion had never occurred to them.

Theirs is a general practice, in which they do all kinds of work for their clients. They consider themselves negotiators, not trial lawyers. They work together constantly, and seem to be completely harmonious in their professional relationship. She calls him the "Boss". He complains mildly that she undervalues her time, and her bills are too low. They both complain a little, in lawyer-like fashion, that the pressures are heavy.

Theirs is also a true partnership, in the eyes of the Internal Revenue Service as well as the public generally.

Our visit with the Shearers took place at lunch time in their unpre-

tentious, but well furnished and interesting home. They come home every day for lunch. Present for part of the time were the Shearer sons, one a high school senior and the other a sometime longshoreman, who is also a senior at St. Olaf College.

This has been the pattern of their life in recent years. They settled in Kenosha at the time of their marriage in 1950. For a number of years, when her children were very young, Mrs. Shearer worked in the office only a half day a week, and at home on special assignments from the "Boss". This has gradually changed as her sons grew, so that she is working full time. While for years she was a helper, she now has enough business of her own to keep her busy.

Although they are both Wisconsin natives—in fact, Connie is the son of the long-time State Senator from Kenosha County—the road for them to Kenosha was a round-about one. Connie graduated from college and Law School at Wisconsin, a member of the class of 1940, and of the staff of the Law Review. He joined the staff of the Solicitor in the Department of Interior, as part of the office of the Consumer Counsel, under the Bituminous Coal Act. From there, he was sent by the Department of Interior to Puerto Rico, where he was "lent" to the Puerto Rican Reconstruction Authority. Under the supervision of Rexford Tugwell, he drafted legislation for a number of statutes which established

development corporations.

While in New York to float a bond issue for the Puerto Rican Water Resources Authority, he accepted a position with Donovan, Leisure, Newton and Lumbard where he spent several years defending the A & P Co. and RKO pictures in government anti-trust actions.

He came to teach at Wisconsin in 1948. And there he met Mordella, a native of Chippewa Falls.

She was at that time a recent graduate, working as Assistant Law Librarian and as an instructor in Legal Bibliography and Legal Writing. Like Marjorie Loomis, she was a teacher—who started law school in the summer. It was Mordella Dahl's great good fortune to hold a position as secretary-clerk with Justice Edward T. Fairchild from 1946 to 1948, when she graduated. Since it was a full-time job, she went to Law School part-time. She nevertheless had time also for Law Review, and was elected to Coif.

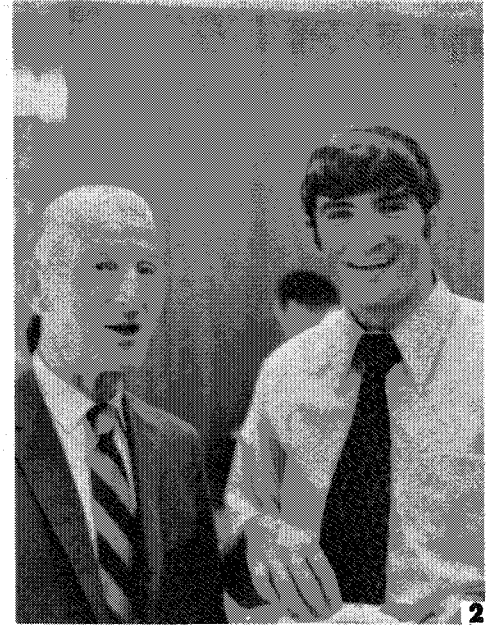
After their marriage they went at once to Kenosha to establish their home. They have been deeply involved in that community ever since. Connie was soon elected to the City Council, which he served as President for one term. He served on the Library Board — as President for many years. He is at present on the Board of the United Migrant Opportunities. His years in Puerto Rico have qualified him to be the Spanish-speaking lawyer of the County. He is co-sponsor of an Art Store, and a prize-winning amateur painter whose works, along with the paintings and pottery of his sons, decorate every room of their house. He is a gardener who raises vegetables, a carpenter, who built his own garage, and a bicyclist. His political participation is now limited to letters to the Kenosha News signed "Concerned Taxpayer."

His wife uses her free time at home, although she is active in the League of Women Voters, the American Association of University Women and her church's social action committee.



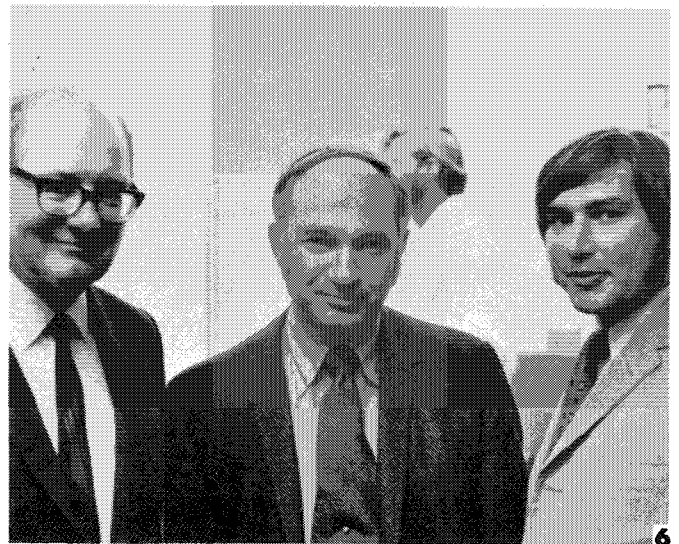
Conrad and Mordella Shearer

INTRODUCING SOME OF THE NEW ALUMNI--



1. Ken Bowman, Lawyer, also of the Green Bay Packers, shown with his wife, mother, brother, and children.
2. Jim Clark, recent Editor-in-Chief of the Law Review, and Prof. Conway.
3. Cheryl Rosen, with her mother and grandmother.
4. Rene Burkhalter and his father, Rudi.

COMMENCEMENT DAY, JUNE 14, 1971



5. David Grams, his wife, son, and parents-in-law, Mr. and Mrs. Schuler.

6. Stephen Brown, with the Dean and his father, State Rep. Manny Brown, Racine.

7. Earl Hazeltine, his wife and family.

8. Hector DeLaMore and his mother.