



# The Resource Page



## NEW BOOKS

BRUCE ALLEN MURPHY, *WILD BILL: THE LEGEND AND LIFE OF WILLIAM O. DOUGLAS*. Random House, 2003. 694 pp. (\$35).

The story of Justice William O. Douglas has elements of interest to just about anyone. Appointed to the U.S. Supreme Court at age 40, he wrote 1,164 full opinions, including 486 dissents, along with 32 books. While serving on the Court, he found time to seek to join Franklin Delano Roosevelt's ticket as the candidate for vice president in 1944, to gain a reputation as a great outdoorsman (with many of his books recounting his travels), and to marry four times, cheating on each of the first three wives with the woman who would be next.

As Bruce Allen Murphy demonstrates in his book, however, Douglas was also something more—a liar. And not just to his wives. No, Douglas lied about his background in ways that today would get any college football coach fired. He claimed to have served in the military and was buried in Arlington National Cemetery. His military service actual consisted only of service for 10 weeks at the end of World War I in the Students' Army Training Corps in Walla Walla, Washington. He claimed to have suffered from polio as a child, but never had the disease. He claimed to have graduated second in his class and to have just missed out on a clerkship with Justice Harlan Fiske Stone. His law school classmates, who knew he was neither second in the class nor a close runner-up for the clerkship, gave him the moniker "The Approximate Mr. Justice Douglas" after he told that tale, with one of them noting that Douglas was "always a little general about the facts." Murphy shows, through painstaking research, that Douglas was not just a little general—he was intentionally deceptive about matters large and small.

Despite the disclosures of Douglas' lies and bad behavior, Murphy is not judgmental and presents a balanced biography,

full of detail about events that captivate interest. For example, he recounts the circumstances leading up to Douglas' issuance, as a single justice, of an order effectively requiring President Nixon to halt bombing in Cambodia during the Vietnam War. A federal district judge had ruled that the bombing must stop, but the Second Circuit had stayed the order and a congressional end to funding for the bombing was to take place within two weeks. Justice Marshall, the circuit justice, had already denied a request to set aside the Second Circuit's stay order. But neither that nor the looming congressional deadline kept Justice Douglas from agreeing—even before Marshall had ruled—to hear the matter if Marshall refused to lift the stay. Douglas scheduled a very public hearing in the courthouse in his hometown of Yakima, Washington, then dictated his opinion on a Friday evening to his entire staff (two secretaries and two law clerks who were all trying to take it down together) from a series of pay phones along the road, fearing government wiretaps and some action to thwart issuance of his decision. His opinion was reversed by the full Court a mere six hours after it was issued.

Murphy's book has generated many reviews, with the most interesting perhaps penned by Judge Richard Posner (and available online at <http://www.law.uchicago.edu/news/posner-antihero.html>). Posner notes that he met Douglas when Douglas was 64 and Posner was a clerk for Justice William Brennan: "Douglas struck me as cold and brusque but charismatic—the most charismatic judge (well, the only charismatic judge) on the Court." Posner concludes from Murphy's evidence that "Douglas turned out to be a liar to rival Baron Munchausen" and that Murphy's book is a "riveting biography of one of the most unwholesome figures in modern American political history." If you don't have time or sufficient interest to read the full book, a quick read through Posner's review will leave you entertained and provide greater detail of the book than we have room for here.



## WEBSITES OF INTEREST

**National Ad Hoc Advisory Committee on Judicial Campaign Conduct**  
<http://www.judicialcampaignconduct.org>

This website provides information that would be of interest to judges involved in elections, as well as others concerned about the interplay between the election of judges and judicial independence.

The ad hoc committee was established by the National Center for State Courts, but reflects the combined efforts of the American Judicature Society, the Constitution Project, the Justice at Stake Campaign, and a number of individuals concerned about judicial election issues. The website brings together a great deal of material on judicial elections, including journal articles, court opinions, and even video clips of TV ads from recent elections.

**Self-Help Practitioners' Resource Center**  
<http://www.selfhelpsupport.org>

This website is a new, online resource center that can help any court in which there is a desire to provide more effective assistance to pro se litigants. The site is still under construction, but already has a great deal of valuable information.

The site includes full text of a new book on how to help pro se litigants: Richard Zorza, *The Self-Help Friendly Court: Designed from the Ground Up to Work for People without Lawyers* (2002). The book addresses differences in handling truly uncontested cases from those with issues actually in dispute, how to handle cases in which only one side has an attorney, and the need for pro se access to the courts to achieve full public trust and confidence in the judiciary.

The website is being prepared by several organizations supported by a grant from the SJI. Participating organizations are the National Center for State Courts, the American Judicature Society, Legal Services Corp., Pro Bono Net, SJI, and Zorza Associates.