

**An Interview with**  
**DEANELL REECE TACHA**

**Conducted by**  
**Calder M. Pickett**

**Endacott Society**  
**University of Kansas**

**Honorable Deanell Reece Tacha**  
**Chief Judge, United States Court of Appeals**  
**for the Tenth Circuit**

Positions at the University of Kansas:

Vice Chancellor for Academic Affairs  
University of Kansas, May 1981 - December 1985

Associate Vice Chancellor for Academic Affairs  
University of Kansas, 1979-81

Associate Dean, School of Law  
University of Kansas, 1977-79

Professor of Law  
University of Kansas, 1977-85

Associate Professor of Law  
University of Kansas, 1974-77

Director, Douglas County Legal Aid Clinic  
Lawrence, Kansas 1974-77

Education and Degrees:

University of Kansas  
Lawrence, Kansas  
B.A.  
Honors in American Studies, 1968

University of Michigan  
Ann Arbor, Michigan  
J.D., 1971

August 18, 2000

Interviewer - Calder Pickett

I've been doing these interviews now off and on since 1989, and I've done a great many of them. This is one I really looked forward to because it's with someone I still think of as a young lady I first knew when we were on the University Centennial Committee back in '66 or '67. In fact, a number of years ago when she was still Vice Chancellor, I called the office and said I'd like to talk to Deanell Reece and the secretary said, "Who?" and I was really *perplexed*, and then suddenly I remembered and this was in the '70's or 80's and because I guess that I still thought of you as the bright, vivacious little college girl who was on that committee with me and that's how we got to know each other. I will want to talk with you in a while about your college days.

Q: Deanell, I would like you to start with some basic kinds of things. Tell us your date of birth, place of birth, the names of your parents, what your dad did for a living and so on to get us started.

A: Okay, well I was born in Goodland, Kansas, on January 26th, 1946. My grandparents lived in Kanorado and my mother had been with my father at ports while he was in the Navy. She had gone back because she was pregnant with me. My dad was off the coast of Morocco during World War II on a Navy destroyer so mother was alone and went back to Sherman County. Her brother had just died the previous year. He was a pilot over England and died in a plane crash during the war so she went home to live with her parents in Kanorado. To diverge a little bit, my grandmother, her mother, was the surgical nurse for the elder Franklin Murphy when she was at the medical center and used to baby-sit with young Franklin Murphy, who ended up, of course, being the chancellor here. My grandfather, to the contrary, was a land man, rancher, banker, one of those kind of western Kansas cowboys who had a ranch in Sherman County between Goodland

and Sharon Springs and then ultimately ended up in Kanorado. So, I was born at Goodland. My dad got back by the time I was born, but just barely. He had graduated from the School of Business here. His name is H.W. (Bill) Reece and my mother's name is Marynell Dyatt Reece, and her mother was Nell Dyatt. She was in the first nursing class from Bell Memorial. When dad came back he didn't know what he was going to do. He had worked as an efficiency expert for *Better Homes & Gardens* before he went off. He went off to be skipper of a destroyer and, the story goes, had never seen the ocean. When he came back, it was just when they were beginning to look at paving roads and trying to get a highway system through the state of Kansas. The post-war years were the years in which really all of the Midwest became so dependent on the automobile to get people from one place to the other as opposed to riding trains. Dad and his father (his father had been in the highway construction business right after the Model T Ford) and his brother formed a construction company in Scandia, Kansas, where my dad grew up, and started building paved roads and were among the pioneers really. You can still today go across roads in Kansas where dad will say, "We put the first pavement on here or build the first bridges."

Q: Well now, Scandia, I don't think I've been there. I've been through Kanorado many times and I've been to Goodland, of course, many times. The part of the state that a lot of people like to put down, you know. I always kind of liked it out that way. But Scandia, where is it?

A: Scandia is in the north-central part of the state. If you went to Salina and went directly north to within eight miles of the Nebraska line to Highway 36 and go nine miles west, that is where Scandia is – right along Highway 36 west of Belleville. The closest real town is Concordia.

Q: So, if sreally central Kansas. We came down through, not that way, we were up on Interstate 80 because the construction on 70 had been driving us crazy. We like going across Nebraska and we came down through Red

Cloud, Willa Gather's town, and got onto Highway 24. I was determined to stop in Cawker City and take a picture of the ball of twine. I had never done that. I had to have that for my collection. So actually you were brought up mainly in Scandia?

A: Yes. We moved for a short while to Topeka before we moved back to Scandia because dad and his brother also thought they'd build houses, but that didn't last long. I moved back to Scandia when I was about 4 years old and grew up my entire young life there. I went to a very, very small high school where I like to say I was the top 10% of my class because my memory is there were 11 people in my high school graduating class.

Q: It was that small?

A: Yes.

Q: Tell me a little bit about your parents. They were college people, both of them?

A: Oh, yes. Mother graduated from the Journalism School and Dad graduated from the Business School and, of course, that was right during the war.

Q: You know most of the people I interview, their parents didn't even go to high school.

A: My parents were very unusual for the time from those small towns. Both of them had been to college and both of them had degrees. And, interestingly, Mother's parents both had degrees. We were in this small town where my dad ran a construction company. He was out traveling a lot while I was growing up because he was building roads and building a construction company. My mother early on became involved in politics – not as an elected person but she started working in the Republican party as long ago as I can remember. One of my first memories, I always hesitate to say this but people get quite a laugh, when I was in about fifth grade, I think, was when she was the campaign chairman for Bob Dole when he ran the first time for the House of Representatives. I was a "doll for Dole" at all the grocery stores and little places around what is now the 1st District.

It wasn't as big a district as it now is. I guess it was the old First and we have the new First. We went all over that part of western Kansas campaigning for Bob Dole for his election campaign. My mother was always actively involved in politics as well as the United Methodist Church. My vision of my mother is that she was always the fire that was lit underneath me and never thought there was any boundary to what a woman could do. It never crossed my mind that there were any limits.

Q: Of course, you know when you're in Kansas I guess you had become a Republican. I told someone I was going to ask Deanell why she's a Republican.

A: I was born one.

Q: I've been tempted to drop a note to Sandy Praeger and ask her why she is because she sounds like a Democrat to me and which is often the case.

A: Of course, I don't do politics any more but I always think Kansas Republicans defy all the stereotypes. I always thought for example Nancy Kassebaum and Bob Dole fit the Kansas model. Really, we're much more populist than those who I would call stereotypical national Republicans.

Q: Yes, of course, there's a rather extreme wing that's developing. My daughter lives over in Johnson County. She was saying that Greg Musil should have been a Democrat and she has a strong dislike for Phil Kline and I think maybe I do too. I don't know him personally. Do you have brothers and sisters?

A: I had three sisters. I was the oldest of four girls. All of us went to KU. All of us pledged our mother's sorority. We were all very active in our school and in our church and our various things. In a small town, as you know, Calder, you don't just do one or two activities. You do them all! You're the cheerleader, you're in the band, you're in the plays. I've always thought that was a tremendous asset for me because I wasn't afraid to try anything.

Q: Tell me about your home. Now obviously from what you've said it would be different from a lot of homes I've heard about, but did you have a lot of books and newspapers, radio, and television?

A: Oh, yes. Well, we never had television. I never had television the whole time I was growing up. My mother, even after TV was very popular, refused to have a television in the house, so I didn't grow up with any television. We had a radio though. I wasn't really interested in sports at the time so I didn't listen to the radio either. We did have lots of books. I had a great aunt who has a Ph.D. in history who had taught at William and Mary and during the depression came back to Kansas to the family farm in Harvey County. I spent a lot of my summers with her. She was quite a Charles Dickens scholar and English History scholar. I remember very distinctly the summer year after 7th grade she made me read every single work of Charles Dickens.

Q: That was a good one to read.

A: Oh, it was wonderful and I'm still a huge fan. That whole tradition was very strong in our family. I now reflect on it with my own kids. My parents made me read the newspaper every day. Our dinner table conversations would almost invariably include some current events.

Q: Did you take the *Salina Journal* or what?

A: We took the *Salina Journal* and the *Topeka Daily Capital*.

Q: Well, you read someone else that I used to bug, and say, "Whitley, why are you a Republican?" And he would just grunt because he and I agreed on almost everything and he knew I was a Democrat.

A: The Austins were very good friends of our family. My sister's first husband was a brother of Dan Austin's wife, Gayle Davenport.

Q: Oh really?

A: We have been friends for a long time.

Q: I still have a lot of contact with Dan.

A: I do too actually. Once in a while I hear from him and drop him a line about something I've read.

Q: He was kind of a spoiled kid but he's turned into a great human being. I think the world of him.

A: He's a great guy. I might add to that question. We also had music in our house all the time. All of us took piano lessons. I played the organ all four years that I was in high school at my local little Methodist Church. I used to get up at 5 in the morning. Now I think about that and can't believe I did it. I'd get up at 5 in the morning and practice two hours before I went to school. I have just always played the piano and organ.

Q: When our daughter lived in Parsons, she was working for Clyde Reed and she played the organ in two different churches and organized theatre in the town. They put on several different plays while she was down there and so on. Partly because if you don't do something like that in some towns, it can be a pretty static life and she wanted to get out and get involved in things. Now you went to grade school there in Scandia?

A: I did, and to high school. One of my predominant memories of that is that we had just moved into a new school in November, it would have been about the first of November 1963. We were preparing for the first event in the auditorium in that new high school when word of Kennedy's assassination came. I remember it because it was the afternoon of the big dedication of the school. Everyone always remembers, but for me it's forever connected with my high school.

Q: That was a very vivid day. Did you have teachers who, as you think back on them, motivated you, gave you, helped to shape you to become what you are?

A: Oh, yes, there's no question, the litany is actually long. I had excellent teachers. Even though it was a very small high school, they were dedicated and there were several things that I remember vividly. When I was in 3rd, 4th, 5th, 6th, and 7th grade, there was a teacher (it was a multi-grade grade



school because there were no kids for single grades) who stayed with me every day after school for at least an hour and my memory is even more than that and we spelled through the dictionary many times. I was always in the state spelling contest and Hilton Hodges got to know me well. I never won it. I went out next to last on "vacillate" my 7th grade year.

Q: Are you still a good speller?

A: Oh, yes. I'm better than spell check on the computer.

Q: I'd like to challenge you. When I was in the 5th grade a couple of us went down to the junior high, we had triumphed over everybody in the 5th and 6th grades. We went down to the junior high and had a big long spelling match but these two 8th graders finally put me down. They got out the 100 spelling demons for adults. One of the kids on the *Kansan* used to say that I could walk past the *Kansan* newsroom and look through a window and see a misspelled word on somebody's paper and that was almost the case. I would go in there and change their spelling and fix up their semicolons and all their grammar and so on.

A: The other thing I valued was that I also had at least two English teachers who made us diagram sentences. I loved diagramming and I make my law clerks, once in a while, diagram sentences because I don't think we understand the structure of sentences as well anymore.

Q: When I taught reporting, I used to go to the blackboard and show them, especially with speech stories, how you should put a speech story lead together and I would show them that and they didn't know anything about parts of speech. But this was one of my passions; I took a whole class of it when I was in college. College Grammar, that's all we did was diagram sentences and I loved it. How you then went clear through school there. When did you graduate from high school?

A: I graduated from high school in 1964. May of 1964.

Q: Did you graduate with honors?

- A: Oh, yes. I was valedictorian of my class.
- Q: I'm not surprised to hear that.
- A: I did well but I had some classmates who were very competitive with me, so it wasn't as if I was the only one. There were several people who did really pretty well. Very few of them went on to college. One of my friends, actually a couple did for a while. One other I think in my class graduated from college eventually.
- Q: You know, virtually all of my high school friends went to college. This was a little town out in Idaho. What did you like in high school? What did you like that would have meant sometime you were going to go to law school?
- A: Oh, I suppose now that I reflect – I loved World History; I loved American government. I tell you what I loved the most though, and if I had thought I could have made a living at it I'd have done it. I won the state one-act play festival. I did all kinds of drama work. And, in fact, one of my one-act play partners came in to visit yesterday. He lives in Topeka. We were reminiscing about that. If I could have done it, still as I look back, I would have gone to the theatre.
- Q: The last two weeks I've interviewed Bob Findlay and Ron Willis and boy, have we gone through all the plays. I think Ron was rather interested to realize that I had heard about most of the plays he was talking about. 1964, that was a pretty important year. That was the year of the Johnson/Goldwater campaign. We were feeling the effects of the Kennedy assassination. You came right to KU?
- A: I came right to KU. All my life I thought I wanted to go to KU. We jokingly say my dad told us we could go anywhere but he'd help pay our way to KU.
- Q: You were in K-State country though.
- A: We still are. My hometown is K-State country. My parents were both KU graduates and my grandparents, so there was never any question. My

parents always, all through school, came to KU for football games. We saw many of Wilt Chamberlain's basketball games. They made sure we didn't feel uncomfortable at all on the KU campus. Now I will say, though, I thought I was going east to college when I came to KU. From my little town going to KU was just unheard of. There had been virtually no one come to KU other than my own family.

Did you ever give any thought to going to one of the girls' schools in the East?

I did. In fact, I applied to Bryn Mawr and got in. But there were probably two factors, one was I didn't have sense enough to know there might be advantages to going to those schools that I might not have here. The other was it was just so expensive and at the time my dad was a struggling contractor, so I felt very lucky to be coming to KU.

Now did you ever have to get out and work yourself?

Oh, yes. I worked all through high school. I was a janitor in my granddad's office. Then I worked at my dad's office all the way through. I was a waitress for a while. I worked up there at KU. But mostly I did student affairs work. I worked at KU Previews, worked as counselor, worked at things like that. I worked in law school. I was a resident director in a huge dorm when I went to law school.

Well, I think that's good. I don't know, both of our girls worked all the while they were in school. They didn't have to, but it was just something that we all understood was that they would get jobs. You don't go into a sorority right off though, what is it, second semester?

At that time it was, I think, second semester. My story is a very interesting one because my mother had been a very active sorority person and she felt very close to her sorority. I happened to be in a freshman class here with some just outstanding women. It was the only year that Carruth-O'Leary was a freshman women's hall and, though she will deny it until the end of her time, Emily Taylor, I am absolutely sure, hand-picked the people who

went into Carruth-O'Leary because it was small. All of my friends ended up being the people who excelled. We had an incredible experience. I lived next door to Sara Paretsky. I lived within two to three doors of Nancy Gallup. Cindy Harden was on my floor. I could go through the list but you could simply list all these people who were very bright, very active - the kinds of women that Emily was interested in making sure they did well at KU - so I ended up with the most fabulous group of friends. But there is a very interesting story about that group. During rush, almost all of us went through rush. Now, not quite, Sara didn't go through rush. Actually, Sara ended up in a scholarship hall as I recall.

Sara would have probably run into trouble in some sororities.

I don't know but I loved her. I still love her.

I mean, I don't know. I know that my college fraternity definitely would not have had Jews.

Oh, well, I hadn't even thought of that. Sara had such a brilliant mind.

There was a woman named Martha Quaid. Anyway, those of us who went through rush that were in that group ended up doing very well. On the last night, I can remember exactly - I can see it as if it were yesterday - we gathered in that old women's restroom in Strong Hall when we had to fill out our preference card. We decided it would not be smart for all of us to try to do the same thing. We would be a bit better off scattering out and we did. We each pledged different houses. Cindy Harden pledged Pi Phi, Nancy Gallup pledged Theta, I pledged Gamma Phi, there was a Chi Omega among the group; anyway, we literally spread out and it turned out to be wonderful because we then ended up in the various offices and positions in Panhellenic and in houses. My view is it probably helped the whole Hill at the time.

Did you like sorority life?

I loved it. A lot of the women weren't like me, '64-'68 was just an amazing water-shed time around KU. I might just say when I came in, of

course, there were closing hours; there were all the standard boards. My senior year the seniors finally had keys to their houses. We were beginning to question the fairness of the standards board arrangements and then, of course, the three years after I left, KU was sort of the cauldron in which many of these issues boiled.

Q: Did the sororities go through all of that controversial upheaval? I was the faculty adviser for SAE. I finally got fed up with it. I remember having lunch with the advisers of the Beta's and Sigma Chi's; they were all having the same problem. Drinking, drugs, playing cards all night and wanting to get out of the house in the senior year into an apartment. The seniors all wanted to get out. I'd get up at meetings and plead with them but it got where I was finally glad to get out.

A: I know. I think most of that happened after I left. I certainly know it's true now. My son was a Beta. At that time, nobody could live outside the sorority houses so that just wasn't an issue. In fact, you really looked down your nose at people who did. But '68 was my last year. I think a lot of that happened later. Now, my memory, drinking yes, there have always been lots of good beer drinkers at KU. I don't remember much, but it might have been my naivete, I don't remember much hard liquor drinking. I don't remember drugs at all. Now that might have been I was outside the loop, but I also think it was a little before that hit as hard as it eventually hit.

Q: Were you one of the officers?

A: I was president of my house.

Q: Did you ever have any feeling because of the attitudes that were growing on the campus, maybe I shouldn't be in a sorority? Nola was a Chi Omega, but we could not get either of our girls to go through rush. Carolyn became a little sister of Minerva and she hated it. She just dropped right out because she didn't feel comfortable with the sorority girls.

A: I never got to that point. You know, I think it's fair to say I've always felt a little different from a lot of the people I was around, but I never felt uncomfortable so when some things would happen –like petty reasons for not pledging somebody –I resisted those efforts. I did begin to question the standards boards. I began to wonder about the fairness of that – of a living group making some judgmental decisions that they may or may not understand. Now, in retrospect, there were probably some good things about that, but I never felt uncomfortable. I now feel that there was some exclusiveness I wasn't as aware of at the time. Some exclusiveness and some less than merits reasons for not letting people in or taking this action or that action. But by and large, it sound naive, but I thought the women in my house were pretty fair. My daughter is at a school where there are Greek houses and she didn't go through rush. It would not have been right for her. I'm not sure now, in my adult knowledge, whether I could be involved; I don't think I could be involved in a process like that but I found it a wonderful place to live.

Q: Being in a fraternity shaped me. I think it was a very important thing for me. We were awfully democratic and we rushed very much out of the so-called independent ranks and that's how we got some of our best guys. What bothered me as I talked to some of the fraternity and sorority people on this campus is that they didn't think that way. The guy's an independent, he's an independent and that's where he's going to be. How did you happen to be the student on the Centennial Committee?

A: You know, I don't know the answer to that. I got appointed to it; was Wescoe the chancellor? I suppose Clarke Wescoe. He was still the chancellor. I would guess that that's how I probably got appointed. I was Mortar Board. I was president of my house. I was active in student government. I'd had a lot of experience across campus and also worked for student affairs so I assume he appointed me. I do remember that experience. I remember many anecdotes about it, but the one I remember

the best, which you may or may not remember, is that each member of the committee had the duty of introducing one of our major speakers and I was given Jules Feiffer. For a young woman from Scandia, Kansas, who had never looked at the *Village Voice* but sort of knew who Jules Feiffer was that was an eye-opener! I decided I would start subscribing to the *Village Voice* long before this speech was to occur so I would have some sense of his work. Well, of course, this was in '66, I think, and New York was a bit ahead of where we were in Kansas in terms of turmoil and sort of looking toward what was to become the Vietnam conflict and everything, so I began to subscribe to the *Village Voice*. It came to my mailbox in the sorority house and I read it assiduously every time it came so that by the time I introduced Jules Feiffer, I knew so much more about the milieu in which he was working. I think it was a life-changing experience. Through his sardonic, sarcastic wonderful comedy, but great social critique, I began to look around me a lot more than I think I had prior to that time. For me, that experience, to say nothing of all the other speakers, was quite an experience. As you remember, we had dinners and things like that

Q: Yes, that was a fine experience. I can't remember who most of the people were. George Anderson was the chairman, wasn't he?

A: Yes, it was George Anderson, you and I, I think Bill Conboy was on it.

Q: Were there any other students?

A: One other man but I don't remember who it was.

Q: I don't remember. You came through loud and strong. That's how I got to know you. Now, you were in college. You went into American Studies?

A: I did, and I started to say that there were a couple of very important influences on me. One was, of course, George Waggoner, who I recall going in to see very early when I came to KU. But, by the luck of the draw, in what I think was his first year here, I got Norm Yetman for an adviser. Of course, at that time I thought he was a very senior faculty member. Now that I've returned, I realize he probably came the same year

I did or roughly the same year. But he opened in me some horizons that I had never thought about. He wasn't afraid to absolutely challenge me to keep working, keep thinking, keep going to different levels. There were several others. I took courses from Eldon Fields in American government and American politics that I'll never forget. I took Stitt Robinson's Cultural and Intellectual History.

Q: You may have been in the same class as me. I don't know. I was picking up credits I could use. Oh, lord, that was a decade before, Deanell. What's the matter with me?

A: Well, I loved those cultural and intellectual history classes and there is a funny story on me, I don't know if Stitt Robinson remembers or not. At the first exam of my freshman year, I flunked it. It was the first time I'd ever even gotten anything lower than a "B" and I called home. I told my mother I was never going to make it in college, told her I was flunking out, I had to leave, crying my eyes out. Of course, my mother said, "You're not leaving and you are going to study and you just didn't know how to take the test. You knew the material, I feel confident," and she said, "You go in and see that professor." So, I did, because I had to stay, my parents weren't going to let me throw that tuition money down the drain. I went in to see Stitt. He was so helpful. Well, I ended up getting an "A" in the course.

Q: Well, you know I was part of that program. I finally parted company with them – American Studies. I taught the graduate seminars. I taught that for several years. They shifted too much away from what I thought was the basic thing and when they dropped American Literature and American History as requirements, I had a feeling it was becoming an adjunct to the Sociology department.

A: I think there was a great deal of worry about that during a period of time.

Q: I dropped out. There was a time I was teaching not only that but Western Civ. on top of my twelve hours of journalism. I loved American Studies.



That was my degree from Minnesota and I guess I thought the program here should be more like the one from Minnesota. Geoff Steere and I talked about this. Geoff understood how I felt about that. I don't know about Stuart. Stuart Levine and I.

A: I don't know either. Norm, I know, is still active and David Katzman.

Q: But anyway, that was a good place to be. You graduated in '68. What did you do next?

A: Well, I went to law school, but I need to back up a little bit because, even in 1968, I think it's fair to say the women around me, particularly in my house that I knew the best, really weren't going on to any kind of post-graduate education. Indeed, I had a very serious pin mate at the time. In those days, you could take the LSAT and the MEDCAT and everything in your senior year and get into places. Now that's no longer true. You have to take them earlier. Well without telling my pin mate or my parents or anyone who knew me, I took the GRE, the MEDCAT, and the LSAT late in the first semester of my senior year. I saved my pennies and took all three tests. Why, I don't know, because my pin mate was no doubt convinced I was going to Johnson County and get married and do all those things. Well, for some reason, for me that just didn't feel quite right. I did far better on the LSAT than I did on the MEDCAT. Well, I did pretty well on the GRE but far better on the LSAT. I'd never even known a woman lawyer. I'd never even met a woman lawyer. I went to see Charlie Oldfather and Jim Logan and Paul Wilson. I had known them in various ways around the campus and not one of them blinked when I said, "I'm thinking about going to law school." Every one of them not only encouraged me but said I'll help you with whatever you want to do. I still hadn't told my parents this, of course, or my pin mate, so I start applying to law schools, again taking money out of my allowance so nobody would know I'm doing this. I got in everywhere I applied -to a lot of the great law schools in the nation. Then came the day of reckoning and I can

remember it so well. I got into several private schools and to the University of Michigan. I finally get up my courage and, on a Sunday night in March, I called my father and said, "Dad, I think I'm going to go to law school." There was this quiet at the end of the line and he said, "Oh, that's very interesting." Then he kind of hung up. I thought, well now, that was easier than I thought. Well, exactly 6 hours later, in the middle of the night, my housemother came up and wakened me and she said, "Your father's at the door." He had gotten in the car from where he lived and driven to Lawrence, took me out for breakfast at what was the old Holiday Inn down south, and for several hours tried to talk me out of this crazy decision.

What did he want you to do?

I don't know. But to his credit, for all the right reasons looking around him, he said to me, "Why, when you could do anything in the world, would you pick a profession where you can't succeed." In 1968 in the state of Kansas or really in the legal profession, there were just a handful of women. Not many at all. I've been interested in Al Gore's mother, Pauline, because she obviously went to law school long before there were any women. In later years, I've come to know some of the real pioneers.

It wasn't happening in the '60's?

Oh, no, in fact, even then, well there's the rest of the story. After he saw he couldn't talk me out of going to law school, he said, "Well, at least you're going to KU, aren't you?" And I gritted my teeth and I said, "Dad, I've talked to a lot of people and I've been told it would probably be wise to go somewhere different from where I did my undergraduate work and get some new experiences. I'm into some of the best law schools in the country so I need to give myself a chance." Well, he fought that for a while, then finally he said, "Okay, but if you're going to go to law school away, you have to go to a state university." So, I said, "Okay, I'll go to the University of Michigan." That's how I decided where to go to law school.

Q: Before I get you in Michigan, I want to drop back to one other little thing. How did you respond to the student protest movements? Were you ever in them?

A: Well, yes, but it was when I was at Michigan, not here. You see, in 1968 Martin Luther King was assassinated in April of my senior year. And so really even the height of the Vietnam conflict didn't come until slightly later than that, and certainly the student protests didn't occur until later. But I'll tell you what did happen to me, and it happened at Michigan. I was never a part of what happened at KU, though there's a story about what I used it for, but then I went to Michigan and just like I had been here, I got very active. In my sophomore year, which would have been in the fall of '69, I had been appointed to the Student Admissions Committee as the student representative on the Law School Admissions Committee for the University of Michigan Law School. Now I need to remind you that all across the country the Black African Movement was making a demand out for a ten percent quota of minority admissions in the professional schools. They had made that demand at Michigan and there were only two students on the admissions committee. You may also remember that the University of Michigan closed down for three days, I think it was. There were bombings. At the law school, there was this beautiful Gothic quadrangle with these gorgeous stained glass windows. Etched in my memory is the day that we had to go to one of the admissions committee meetings on a day the university was closed. There were no lights and it was like a battleground. The other person on the admissions committee was a black woman from Georgia, another student. The halls of the law school were lined with protesting students. It was not really safe. They had cherry bombs and all kinds of things, but there was an admissions committee meeting up on the third floor to make a decision about this 10% quota. I called my friend, the other student on the committee, and I said I can go to

this because I can walk through those halls and they will recognize I will go to it because I have a white face, but I urged her not to go because it was so dangerous for her to walk through those protestors and go to that admissions committee meeting. I will never forget her words. I have forgotten her name but her words were, "If I ever stood for anything I will go to this meeting." So she and I met about a block away from the law school and walked through those halls together and I can still see how scared I was. People threw things at you, they knocked your books out of your hands, and there were no lights so it was dark. It was a very frightening experience.

Q: Michigan and Wisconsin were two of the stormiest places. I had colleagues and friends at both of those places. They almost aged in those days. It got bad enough here.

A: Absolutely. Now I will tell you that for my senior thesis I thought I was going back into higher education administration which, of course, I did for a while. I wrote my senior honors thesis at the law school on "Due Process at the University of Kansas" during those years and did a whole paper on the student judiciary. Anyway, Martin Dickinson was involved in it. There were a lot of people in it who held hearings around those days. I did a whole paper on it and got all the original materials. I still have a lot of that material. What did they call it? Judicial council, that's what they called it, so I did my senior honors thesis on how KU dealt with those years.

Q: At Michigan, who were the people there? Who were the professors? Okay, I'm just curious about what your experience there was in terms of the faculty that you had and influences that might have marked you at this time.

A: The faculty, there were several who marked me considerably with whom I worked. They are names mostly known in the law, not probably known as broadly. A guy named Yale Kamisar was my criminal law professor. He is

the one who is credited with bringing Miranda warnings into the jurisprudence of the United States. He was so upset by police tactics that he had observed in some police departments that he was very much involved in the original Supreme Court decision on Miranda. In this last term, he was one of the debaters on the side of keeping Miranda, which ultimately prevailed in the Supreme Court. A fellow named Theodore St. Antoine was the dean. He was quite a labor lawyer and a great gentleman, but also a very fair person. I credited him a lot with how those very turbulent times were negotiated. I watched him very carefully in his administrative style because he was a labor negotiator and he knew how to do that. It served him in very good stead in higher education administration. There were two people whose names I'm going to totally blank. The president of the University was Robben Fleming. There was a person who was essentially the provost who was on the law school faculty. I did a lot of work with them because I was so interested in higher education administration and so it turned out to be a great place. But my flippant way of describing what happened to me was that I went from being Miss Pillsbury Bake Off to being very close to one of the radicals of that period because your eyes just got opened, your consciousness raised as you thought about it. Now I never was really part of the protest. I've always been a sort of an orderly-change-from-the-inside type person, but I learned a great deal. I was also never very involved with feminist activities and really very radical people on the campus at the time. I never was really terribly involved in any of that. I gladly would call myself a feminist but never was involved. I was too busy.

Q: Where did you live? In a dormitory?

A: My first year I lived in an apartment with some other women, and after that I was resident director in South Quadrangle. Which, anyone who's ever been near the University of Michigan knows, is an enormous residence hall. At that time, the university, for some reason, thought it was smart to

put both Bo Schembecklers' football team and the freshmen women in the same dorm -with steel doors between them. Frequently the steel doors were knocked down. Michigan, though it is a great national university, has many of the same elements that other state universities have. Many young people come from the Upper Peninsula or more rural areas, and so for them coming into this giant state university, which is very sophisticated in a way and quite radical at the time, was a terrible shock. I remember trying to work with these freshmen women who had come in. My experience at KU was invaluable to me. At the same time, I was working with all these people to develop appropriate hearing processes and procedures for various kinds of protests. Those athletes, though they were very good football players, paid little attention to anybody else's rights, so my job there was to design a judicial council system for them. I designed it. I assume some parts of it may still persist. It was during the earliest days of understanding procedural due process in legal terms in the higher education context.

Well, tell me something. Did you ever have any fun? Did you ever go out socially? I haven't quite got that feeling from what I hear.

Oh, yes. In fact, I would have to say I probably was less social at KU than I was at Michigan. At KU, I don't know, I suppose people might today call me a nerd.

Did you have a boy friend when you were here?

Oh, yes. Oh, yes. I was pinned to a fellow. I did not end up marrying him. That kind of came to an end with my KU career. And then I had many friends, male and female. I had one very steady male friend in law school, but I played a lot at Michigan. In fact, I probably didn't study as much as I should have studied.

Well, it's probably just as well. You only live once.

That's right, and I had a great time in law school and it was in a way, the place the world opened up for me. I met people from all over the world.

- Q: How long are you in law school to get a degree?
- A: Three years.
- Q: Three years?
- A: I was there for three years.
- Q: Is the degree that you get considered equivalent of a Ph.D.?
- A: My friends in philosophy would say that it's not equivalent. It's more like a professional doctorate but you don't have to do the dissertation.
- Q: You didn't do that?
- A: No, but you do do three years of class work. Most people, or a lot of people, did a major senior writing project – third year writing project. I did my thesis on those judicial systems here. This was the debate that we frequently had when I was in the Vice Chancellor's office: which doctorates are valued, more or less, here.
- Q: Well, I think I know which. I know which are and which are not.
- A: I always felt somewhat honored to be thought to be competitive to be Vice Chancellor because there are those who would say that a law degree is what it is, a professional degree.
- Q: I don't know that that is so bad., especially as I see some of the people I've come to know over the years in the exotic disciplines of the college. I don't know.
- A: Well, I respect them but it's called a Juris Doctorate. Actually, I just wrote a foreword to a book gathering Paul Wilson's writings, and he refused the J.D. The law school used to give what is called an LL.B., which was proper form on these Bachelor of Laws. Then, at some point, right about when I came through, they changed to a J.D., but Paul Wilson refused to change his. He thought it was better for it to be an LL.B.
- Q: Let's see now, if you went there in '68 then you finished in '71. Was there an upheaval at Michigan because of Kent State?
- A: Yes, there was, but I tell you -it almost blended in because there was such upheaval over almost everything, all the time -obviously, Kent State.

Now I don't remember exactly when that happened.

Q: Seventy.

A: Yes.

Q: It was the spring of '70.

A: I do remember that. It was terribly volatile at Michigan at the time. It did blend in with all the other kinds of things that were occurring on the campus. It was, of course, just jarring for everybody. Although, I'll tell you, it did seem terribly unrealistic to people at Michigan because the atmosphere there had been so charged that the fact that that might have happened somewhere was not terribly surprising.

Q: Well, the biggest shock a lot of us had about Kent State was it happened at Kent State where things were not happening. I knew faculty people at Kansas State who were almost wistful wishing that we could send some of our rabble-rousers down there so they could have a little excitement on the campus. I remember we went to a football game down there right after Nixon had come to give a talk and the kids from KU got up with this great big banner and they started to walk around the track. It said, "K-State is Nixon's favorite high school." And man, did those KU kids get mobbed, you know. It was funny, we were down there with the Brinkmans and oh, my, that was really something when that happened. Now 1971, is that when you came back here?

A: No. I came to the end of my law school time in the spring and I had job offers. I was considering going to Pittsburgh, Pennsylvania, because the fellow I had dated in law school was from Pittsburgh and I had an offer from a big law firm there. I had a couple of offers in Kansas City. I just couldn't quite decide what I wanted to do and I went to see a faculty member named Terry Sandalow. He gave me an application. He said, "Deanell, I think you ought to apply for the White House Fellows program. I think you'd be a perfect candidate." I had never heard about it. I applied and looked at the list of people. There had been very few women in the



program and there had been no Kansans and no perceptible Midwesterners., but I applied. It's a competition much like the Rhodes. I got through the first interviews, got through the second interviews, and went to the national interviews right on the day of my law school graduation, so I missed my law school graduation to go. You went out to Airley House, an estate outside Washington, and were interviewed by this incredibly high-powered team of commissioners. At that time, General Earl Wheeler was on it, Tex Thornton, who was chairman of the board of Litton Industries, the guy who owned the Cincinnati paper and the Cincinnati Reds, Mercedes Bates, and Milton Friedman. It involved rigorous three-day interviews with these panel members. I think I got saved and got selected because I was so tired. I'd had to close out that Freshman Hall, stayed up all night, taken two exams early, done everything I could do to get out of Ann Arbor, and shipped my stuff home with my parents. I flew to Washington and hadn't had any sleep for about three days, so in between every one of my interviews, instead of stewing and worrying, I just went to sleep. I was selected. I think there were about 15 people in my class, among them was Henry Cisneros, Bud MacFarlane, and I don't know if you knew of John Grinalds, who was quite a decorated Marine, a guy that's gone on to be a CEO of a giant company, fifteen of us like that. There were two women. I was the first Kansan ever and I think I was the seventh woman in history in the program, so I went to Washington. In the White House Fellows program you get assigned to a cabinet officer and there's an education program along with it. You meet and match through the summer with the cabinet officers trying to decide to whom you'll be assigned. My last two choices (there but for the grace of God) were that I could choose between John Dean, the White House Counsel's office, or the secretary of labor, who was James Hodgson. I chose the secretary of labor because I decided I wanted to see an old-line agency.

Q: Is that why you stayed out of Watergate?

A: I stayed out of whatever troubles there might have been awaiting me. I had a wonderful year because, at that time, George Schultz was very close to the labor department. There was a guy named Mike Moscow who was just a wonderful economic mind. Jim was secretary, Larry Silberman, who is now my colleague on the D.C. Circuit was the under-secretary. I got to meet Bill Usery. I don't know if that name will mean anything. He was head of the National Mediation and Conciliation Service for a long, long time. Still today, it probably would be said that he is the best labor negotiator in the country.

Q: Now, what did you get paid?

A: Oh, my. I don't remember.

Q: Enough to keep going?

A: Oh, yes. They paid, I was like an administrative assistant.

Q: Now where did they house you?

A: You had to find your own housing. I lived with one of the women I had lived with in law school; we had a townhouse up in the northwest. The education program, which all the fellows did together, involved meeting almost every leader in not only American but international life -all the leaders in business, all the leaders in the military, all the international people. We met many heads of states. We went to Ethiopia. Henry Kissinger was head of the National Security Counsel. It was right before Nixon's trip to China and so we went to the Far East.

Q: You did?

A: Oh, right before Nixon's trip to China, we did a lot of, now I don't want to overstate what we did, but we did a lot of background work and some, I think, is still classified information prior to Nixon's trip to China. We went to Korea, Hong Kong, Singapore, Thailand, Vietnam. I was in Vietnam. I went to the DMV in the fall of 1971 at the height of the Vietnam conflict. We were entertained by President Thieu. We had

several briefings all over Southeast Asia. It was an incredible experience. We were meeting with military people, business people, both domestic American business and our partners. The real issue at that time was, of course, the allies around Asia were worried about what might have to be traded off for Nixon to go to China, so we did a lot of what I would call diplomatic work in our ally states around the border of China. It was fabulous. We had a private meeting with the Pope on our way home on Christmas Eve. It was amazing. We went totally around the world. I went from Scandia, Kansas, on Thanksgiving. I flew with the local undertaker and a body to Denver. I got on a plane, met the rest of the White House Fellows in, I think, Seattle, got on another plane, went all over southeast Asia and, because of the time frame from Rome to Kansas, I was back home on Christmas night.

I've never been in that part of the world and probably not likely to go there. How about Washington? Did you avail yourself of all of the opportunities there?

Absolutely everything. I loved it.

It's a wonderful city, isn't it?

Yes, and you know I saw it from the most incredible vantage point. Here I am working at cabinet level – in and out of the White House all the time.

The White House Fellows are a very natural group to convene where you need some younger fold around. We went to the White House Christmas party and we went to the Easter Egg Roll.

You met Nixon. What did you think of Nixon?

Oh, yes. Let me say first, I have the very highest regard for Henry Kissinger. I thought Nixon was really astute in terms of who he selected to do national security policy and how he dealt with international diplomatic relationships. He was a very difficult man to get to know on any kind of a personal basis because he was, I would say, a little aloof when you were around him. I can remember meeting with Henry Kissinger where I felt

like I was in a graduate school classroom and just learning, learning, learning.

Q: Had it not been for Watergate, Nixon, that was what destroyed him, that one thing because I think in many other ways he'd been a good president.

A: You know, it is surprising to people. I was in the Labor Department where one probably, at first blush, would not think the Nixon administration was terribly interested. They were very interested. They started occupational safety and health. They started, or at least were really the masterminds of, all the manpower programs. They did a lot of work with moving people into safe and healthy jobs. I found it a fascinating place to work.

Q: Okay, 1971. Was that when you came back there?

A: No. I stayed in Washington that year and stayed on. I was asked to stay on through the '72 election. Usually, White House Fellows end in August or September. I was asked to stay on because it was a transition year, so I stayed on through the election and was asked to stay then into the second administration because by then they had actually hired me into the manpower programs. I was working with a lot of administrative hearing issues and actually had a nice position, but I decided after the '72 elections I needed to get back and practice law. I had an offer from a law firm in Washington, a very good law firm, where some of my friends were, so I accepted a job at a Washington, D.C. law firm. I went there in January, but during all this time I was dating John Tacha, who was in Concordia, Kansas. He and I had started dating after my first year in law school. He was the high school basketball coach and the math teacher in Concordia. All this time I'm living this high flying life. We had been sort of long distance dating. He's saying "I love Kansas, I'm never leaving Kansas. My family's here and I want to stay here." Me saying, "I have this great life I love it. I'm on the way up. If I go back to Kansas, I won't be able to do all these things." So this goes on for several years but after I came back into law practice, reality sort of hit me. I loved the firm and loved the

work. I worked with some very big securities issues -ones that books have been written about. I worked with some great lawyers. I began to realize I had to take care of my personal life and that I wasn't really feeling like a whole person yet. And so John and I kind of went back and forth. Well, to make a very long story short -after I'd been there a year -I sent John a telegram, a singing telegram, when they used to do that, to his high school math class that said, "Yes, September 2." And so I came home and we got married. It was that year that I started commuting from Concordia. We lived in Concordia. I commuted down here and taught at the law school and taught with Del Brinkman a course on Law of the Press.

Q: Concordia, that's a long way from Lawrence.

A: It was forever. I drove three hours one way and three hours the other way.

Q: How often?

A: Once a week I taught that course in the law school with Del Brinkman.

Q: You did the law class with him?

A: Yes.

Q: You know, I did that one semester with him too. The law seminar.

A: I loved it. It was fun. We had many visitors. I think we had Whitley Austin in that class and we had Bob Wells, so we had a great time. That spring, I was pregnant with my first child. I got the chance to come full-time onto the law school faculty. Martin Dickinson was the dean and, to his eternal credit, he invited me down to interview. I did, and they appointed me to the full-time faculty that summer. It was a terribly wrenching time for John and me because he was a coach and you just don't change coaches. The year before, Lawrence High had changed coaches and he was a finalist -in fact, I'm told, one of the last two finalists for the Lawrence High job -but they picked somebody else. They picked Ron Lang, who I would come to know and like. When I'd accepted down here, he had an offer to coach at Turner High School in Kansas City. But at that time, the law hadn't changed and they required coaches to live in the

district. John didn't want me, having a brand new baby, driving back and forth, living in Kansas City, so he came to Lawrence with no job. We had made an agreement when we got married that we would take turns making the big decisions and we'd know them when they came. It turns out they've all been locations. I left Washington, gave it up (what I thought was giving it up) and came back to Concordia, Kansas. Well then, when I got the chance to teach down here, it was my turn, and so he left. As luck would have it, Guy Keeler was running the Bureau of Lectures and Concert Artists. Did you know Guy?

Q: No, I don't think so.

A: Well, he was quite a guy! He had what was essentially the KU Lyceum program for years and years. It had been a part of continuing education. Then it went interstate and, I think, started making a profit. The university spun it off and Guy ran it and owned it. He hired John to work for him and eventually to manage the business. This was in August when we moved here with a brand new baby. I'm starting a new job, so John started this job, and Thanksgiving weekend Guy Keeler died. So here's this business that Art Wolfe and his wife inherited. Art Wolf was Guy's son-in-law at the time. That was a tough situation. In any case, John ultimately bought the business and so that's what he's been doing ever since. Then, of course, the next turn came when I was on up in administration and I got a chance to go and be president of another major university. It was John's turn and I stayed in Lawrence.

Q: What was your job description in the Law School? I became pretty conscious of job descriptions when I was on the Promotions Committee with you.

A: Yes, that was exactly right. I was hired to be the Director of the Legal Aid program and, in addition, to teach two courses. Now the legal aid program is the clinical legal education component. At that time, we were taking

low-income clients and doing whatever work we could do for them with supervising attorneys.

Q: You were still in the old building, weren't you?

A: Yes, we were. When I was first hired, my office was over Owens' Flower Shop and over Joe's Bakery. That's where the Legal Aid Clinic was. The student interns came down there and we represented the low-income clients. We had some fabulous cases. In some ways, doing legal aid work was the best experience of my whole legal career because I learned what it was to have a client come in off the street who has terrible problems, personal and legal, and try to help that person work through the system. The experience was fabulous because you couldn't only be a lawyer, you had to be a little bit of everything, so I supervised student interns for about three years and taught Property and Administrative Law. I ended up teaching Oil and Gas quite a few times. Then, in 1977, I became Associate Dean. We were in old Green Hall, but it was the year we were going to move.

Q: How did you get to be the Associate Dean?

A: I don't know that. Martin was Dean.

Q: Don't you ever look back on your career and wonder how did this happen to me or why did this happen to me?

A: You know, though, I've always liked administration. I've always liked working with people. It's what makes this job actually ironic, but I really liked being associate dean, and the law faculty at the time was this fun wonderful, cohesive faculty.

Q: It was a fine faculty.

A: It was really a great faculty. But, then I become associate dean and I have to oversee the move to this new building: a library, getting faculty offices. I ran adraft for who got what faculty office that made the NFL draft look like kid stuff. It was hilarious. They only had an hour to decide and I went down the pecking order. It worked, and many of them are still in the

same offices. We moved into new Green and then in 1979, when Ron Calgaard left and Ralph Christofferson became Vice Chancellor, I applied to be Associate Vice Chancellor with Christofferson. I figured a scientist could use a lawyer, so I went up there and, of course, he didn't stay very long, and then I was picked to be Vice Chancellor. I thought I'd be there for a while and, you know, the honest truth is, I thought I'd be a president somewhere. But, it turned out it was too hard to move. We had kids, four kids in all levels of school. John had a business. Gene Budig was chancellor here and then I got a call in about April of 1985 from Bob Dole suggesting he thought that Kansas was going to get another circuit court position. We'd only had one before, which Jim Logan was in. He thought I ought to apply. I said, no way, plus there were other people who wanted it really bad. Some of them were my friends. I said, "No, I love my job. I'm too young. I'm not going to go do that when I'm 38 years old." I said, No, I'm not going to do that. I like my own job. I love the university. I'm not leaving." So this goes on for a couple of months, and the other two people who were my friends wanted this job very much, so I finally said to these people who were calling me, "You get me an absolute assurance that neither of my friends is going to get it; that for some reason it's not going to happen; then I might put my name in." It wasn't ten minutes before I got a call from a very high official saying, "You would be a candidate and others would not."

Q: I want to talk with you a little bit about the vice chancellor's job. As I listen to you, by the way, we've got a granddaughter who I think she's headed on the same kind of course in life you've had.

A: Really? I'd like to visit with her.

Q: She gets very angry when we say this, but Laura will not truly be happy in life until she's President of the United States. She's, of course, in the honors program (and when she was in grade school, the principal would get her to be the person to direct visitors around the school, show them the



school), student council, but also every sports event that comes along, and she tries for everything.

A: That's great. What's her name?

Q: Laura. Oh, yes, let me show you a picture. She's a lovely little girl. Her's Laura the basketball player.

A: Oh, is she darling.

Q: I told her, when the braces came off her teeth, I told her, "Laura, you're as beautiful as Julia Roberts."

A: I love it. She does look a little like that, she does.

Q: She's beautiful. Okay, you know I knew you when you, of course, I first knew you when you were a student in one of my classes but then over in the vice chancellor's office. How many years were you there?

A: I was there from '79 to '85 but I was vice chancellor from '81 to \*85.

Q: Were you there under Archie Dykes at all?

A: I was. That was when I was an associate, when I was Christofferson's associate, Archie was still there. I was hired actually when Gene Budig had just been named. We were at the end of the search process for the vice chancellor but they had waited for the new chancellor to pick the vice chancellor, so I really think it was kind of "poor Gene" was just stuck with me because, I think, as I remember this, the committee had made its recommendation and then Gene came down and interviewed me and I got hired.

Q: Were there any people you ever didn't get along with there?

A: No. I mean there were many people I had debates with but, you know, I can honestly say I can't think of a person I didn't get along with. We had some very turbulent things happen.

Q: Well, I want to ask you, did you ever have any problems with Dale Scannell?

A: No. Dale Scannell and I were friends. We had a couple of issues: I remember so clearly that he was such a proponent of the five-year teacher

education program. It took a little convincing for me because it seemed silly for us to go to a five-year program out of which you didn't get a master's degree. I was a College of Liberal Arts and Sciences person and I thought that if they were going to expand that program, they ought to expand the Liberal Arts and Science requirements.

Well, I guess I would think that anyway. I think four years is ridiculous. My position was that they should have expanded that. Now they did, to some extent, and Dale and I had our very strong moments over that issue, but I have to say about Dale Scannell, though he would be a very worthy adversary, he also understood the organization of the university and the interest of the university. He and I were friends.

He's one of my best friends. Did you ever work with Howard Mossberg?

Oh, I loved Howard Mossberg. In fact, if I were to name a senior adviser, Howard really was it. He was such a good Dean of Pharmacy. He knew exactly how to work with the entrepreneurial aspect of the university. He

had an excellent sense of timing about getting things done in that wonderful laid back style. So yes, I was lucky. I had great deans at the time. I had Dale Scannell. I had Jim Moeser. I had Howard Mossberg. I did have some challenges in the college. Still, that's an area I kind of agonize over. I selected Bob Lineberry, who was a great scholar and who was recommended by the committee. I think he had his rough times at KU. Yes, he was not one of the successful names in the college.

So that was a troublesome time for me.

Well, I remember some of the hassles we had on that committee, especially over the matter of research and what constituted great research and so on.

I was interested because, three weeks ago, I interviewed Dick Schowen.

Dick was one of the people who antagonized me the most on that committee; but I had a great interview with him. I understand his point of view to a certain extent and the biggest pain for me (I'll be blunt about it, I don't care whether it's on the record or not) was Frances Horowitz and it

will remain that way in my thinking, I think, until I fall over.

A: Well, now, you know I have to say Frances and I were very good friends and many people don't really know that. She and I used to work late at night in Strong Hall. I wish there were a picture of this because I was down there on first floor and she was up on second floor. I took my shoes off all the time and so we'd be batting around Strong Hall with nobody there and me barefoot. I'd go up and have a cup of tea with her or she'd come down. We didn't agree on many things and, I say this with all respect, she is a brilliant scholar and, in my view, was quite good for KU. I looked at things a little bit more through my professional school and, I guess, probably more pragmatic eyes of a university administrator, but I thought she had some good values and I liked her. I have felt bad because I think she was somewhat disappointed in the search when I left. I've always felt bad about that.

Q: Did you work with Heller much?

A: Oh, yes, Francis Heller. Again, there's another senior adviser.

Q: He's one of the people I respect most.

A: Oh, he is remarkable. In fact, a great story on me is that I'd been vice chancellor of the university and, all of a sudden, I have to go to an interview with the Justice Department and the Senate Judiciary Committee that would cover what's going on in the legal world and in the Supreme Court. Before I went to Washington for all of my interviews and, before I got this job, I called Francis and asked him if he'd do me a giant favor. I asked him if he would sit down with me on a Saturday for about six hours and just give me a big review of what the issues are. He did it and it was wonderful. In fact, it's still the best preparation I had for this job.

Q: I want to ask you something that is kind of personal. People told me I shouldn't ask questions like that.

A: Oh, I don't care.

Q: What kind of teacher do you think you were and what kind of a vice

chancellor do you think you were?

Oh, that's hard and, as judges always say, the person who writes the opinion knows least about what it says. But, I was, I would say, I was never a scholar. I will readily admit that. I did some pretty good written work, but it wasn't what I think most good scholars would term, even in the law, good scholarship. I think I was a pretty good teacher. I know I was a good legal aid teacher. I was a good on-the-streets-lawyer working with students. In the classroom, I think I was up and down. When I first started, I was pretty good because I had lots of time for preparation and did a lot of work. I think the students liked me, to the best of my knowledge, because, for one thing, I was pretty near their age. For another, I think I had a fair amount of empathy. I never was one of those really, really cross Socratic method types. I will say, though, that as I got all these administrative jobs, and as I went along, I felt like I wasn't as good a teacher because I didn't have the time for the students. I didn't have the time for continued preparation, that kind of thing. Then I ultimately tried to keep teaching when I was vice chancellor and I eventually gave it up because it just got to be too much. I kept on teaching Western Civ., I think a couple of years, but my evaluation would be mixed on how good I was. As I said, I'd be the last to know. As vice chancellor, we always think we're pretty good. I thought I brought some strengths to that office. Among them were I'm a pretty good listener and I tried to hear what was being said. There were some real cross-currents in the university at the time. In Gene Budig's early years, he was doing fine, but it's a big university and there was a lot to be done. I always thought we should move to the provost model long before we did. I was delighted when Bob Hemenway did that because there was always this tension between the research side and the academic side that I thought was an artificial tension and one that didn't allow for the kind of prioritizing and balancing that I thought ought to occur. But, given the constraints of where I was, I would

say I was okay. You know, when I was there I had to cut three million dollars out of the budget, out of the academic affairs budget. Now that was no easy task. You could have enemies everywhere. I actually think I didn't end up with too many enemies, but I spent an enormous amount of time –I just held meetings, did all this stuff trying to get everybody on the same page. I don't know what the deans would say about it. I had dean's retreats. I tried to listen as much as I could. I really honestly believe that a university administrator can have some vision and can take a university to some places, but I most believe that they only can do that if they are very good, skillful listeners and negotiators.

Q: Do you think you'll ever look back on your career and think of things that maybe you're kind of ashamed of and wish hadn't happened or anything like that?

A: Oh, yes.

Q: Did you ever do much compromising, do you think?

A: Yes. I've compromised, although those wouldn't be the things I look back and feel sorry about because when I've compromised it hasn't been those things that I felt were . . .

Q: It wasn't ever a compromise with your integrity?

A: No. I think I can say that with a great comfort. The things I feel the worst about are interpersonal. There are a couple of relationships that just broke totally down.

Q: Maybe it wasn't your fault.

A: Well, I don't know, but I take half the blame. Those I regret deeply because no matter what I do in my whole life, it's those personal relationships that just make all the difference to me. So, I regret that. I don't regret decisions I've made. I've never looked back. I've never looked back on any decision. That gives me very great comfort.

Q: Now, what year did you become a judge?

A: I became a judge, well, I went through all my hearings in 1985 and left the

university on the first of January of 1986 and was sworn in January of 1986.

Q: You know why I remember, when I gave that lecture of some kind that you were the one who introduced me and so on. Now that was in the autumn of '85, so you left right after that. When you took this job, how did your family feel about it?

A: Oh, they were glad. My youngest child was just a baby when I left KU. I was pregnant while I was vice chancellor.

Q: Now you told me about the one, there are three others?

A: Yes, there are four children. They range from 26 to 16 now. But at the time, of course, they were just little children and Leah was a baby. The university life, an administrator's life, was one that was so demanding on the nights and weekends. I can do a job and do it very thoroughly but having to do so much socializing at that time in my life was difficult. Now, it wouldn't be near the problem but, at that time, it was taking me away from my husband and my family almost every night and every weekend. They welcomed this even though it meant much more traveling. When I'm in Lawrence, I just pick and choose what I'm going to do. At that time, it did allow me a lot more flexibility. In the vice chancellor's office, you are scheduled from morning through the night and it is very demanding, just as a personal matter. In fact, I worry terribly about my friend, David Shulenburg, for exactly that reason.

Q: How often are you in Lawrence? How much of the time?

A: Well, let me give you the standard answer here: Our regular terms in Denver are one week out of every two months. I would be required to be gone one week out of every two months. It has happened to me in the judiciary as it has happened everywhere; I have always been thrust into various administrative positions very rapidly. When I first came on the bench, it wasn't a year before I was appointed to a committee, then as chair of a committee called the Committee on the Judicial Branch which, for the

judiciary of the United States, did a lot of our interaction with Congress. I found myself in Washington and all over the country doing that. Then almost as soon as my term was finished there, I was appointed to the United States Sentencing Commission, which required three days a month in Washington again. Right this moment I'm in a very nice one-year hiatus, which will end in January, in which I have no real administrative duties. But in January 2001, I become Chief Judge of the Circuit. By the time January comes along, there will be a big celebration in Lawrence and I will become Chief Judge of the Tenth Circuit. That means I will be out and around the country a lot. I will be a member of the Judicial Conference of the United States, which is chaired by the Chief Justice of the Supreme Court of the United States. It is the administrative arm of the judiciary of the United States.

Q: How long do you intend to keep doing this?

A: Probably the rest of my life.

Q: The rest of your life?

A: Yes, probably. You know the judiciary, we don't really retire. You can retire at 65 but most people stay on what's called senior status. At 65, I will be allowed to go to senior status. That means you keep part of your staff and your chambers and you can reduce your workload down to a minimum of a fourth of a total work load. As long as I am healthy and my mind is working okay, I'll probably keep doing this. In part, I will do so because the judiciary needs the people-strength so much. In part, I'm not sure I'll ever want to totally retire.

Q: You're just not the type that would do anything like that. This tape is going to stop in a minute and I'm going to put in another one. I do want you to talk with me a bit about your experience as a judge. Because, of course, this has become quite the important thing in your life I would guess. One of the important things.

A: Oh, yes.

Q: Okay. You've been a judge, what was your title?

A: I'm United States Circuit Judge fo the United States Court of Appeals for the Tenth Circuit.

Q: Tenth Circuit. What kinds of cases have come up that you'd have to deal with?

A: Well, to just give a little court history here, we hear all cases that arise out of the states of Oklahoma Wyoming, Colorado, Kansas, New Mexico, and Utah. The federal jurisdiction extends to everything that involves the statutes or Constitution of the United States and controversies that involve the citizens of more than one state and \$75,000 in controversy. Those are the two types of jurisdictions. Then, of course, we have habeas corpus jurisdiction over incarcerated people who assert constitutional deprivations. We hear the whole gamut. For example, federal civil rights, federal securities, federal tax, all the federal environmental law. I might pause there for a moment because our circuit is very interesting because of the national parks and the national forests and the Indian Reservations. Our circuit has an enormous proportion of federal land and public lands. We get, for example, cases involving the reintroduction fo the gray wolf in Yellowstone. We get lots of oil and gas and natural resource issues because of the public lands.

Q: Are there others who sit with you?

A: Yes, it's a court of twelve authorized judges. We sit in three judge panels. It is not like the courts people see on television. These are courts of appeals where three judges hear the appeal. The appeal normally would not be of terribly great interest to the lay public because by the time the issues get to us, they are rather complicated or technical – either statutory or constitutional or procedural issues. I always like to say that if you came to my courtroom you might be utterly bored. You only hear the lawyers. We rarely see the litigants. It's very formal and very protocol driven.

Q: I asked Paul Wilson once what he thought of "L.A. Law." He said it's the



damnedest nonsense. He said, "I watched it for ten minutes." I always thought it was kind of fun.

A: Well see, I have a hard time, as I told you earlier, I have a hard time watching court kinds of television programs and reading the novels. Now some of them . . .

Q: John Grisham, haven't you read that?

A: I've read a few of them and Scott Turow actually. He is a lawyer and I got to know him this summer. He writes very faithful accounts. Another book that came out not too long ago is called "A Civil Action." It ended up being a movie too. That was actually a true story about a lawyer and a case. Once in a while there's a book or movie that comes along that I find to be quite good, but mostly I just can hardly stand to watch the manufactured stuff.

Q: Well, much of the stuff from my few times I've been in a courtroom I don't think that most things that take place in a courtroom are nearly as exciting or dramatic. It's certainly not the way Perry Mason did it.

A: You asked about the kinds of cases. I really love our circuit because of its diversity -both geographically and demographically. For example, we've had a lot of very interesting First Amendment religion and expression cases because there's quite a mix of kinds of religions in the circuit. We have Utah and we have New Mexico. They each have their very distinct religious culture as well as Oklahoma and Kansas. There have been a lot of tests of First Amendment issues. We've had a lot of free speech and press issues that have been very interesting. It's no secret; I just filed this year a big case which struck as unconstitutional some of the Campaign Finance Act with respect to contributions to parties. The really fascinating thing about my job, though it is tons of reading, is that every time you pick up a case you have to learn all about something totally new to you and know enough about it to make good decisions. In almost everything that happens these days there are interest groups or litigants or somebody on all sides of

things. We've had our share of abortion cases. We've had a lot of the big desegregation cases. The Brown case stayed in our circuit for many years. We had Powell in Oklahoma City; we had Denver Public Schools, so we've had a lot of desegregation cases. I find the work intellectually just fascinating.

Q: On our recent trip out West, we found ourselves, without knowing we were going to be there, in the Escalante Grand Staircase National Monument.

A: I know that well.

Q: I would imagine so. We found it a magnificent place and I frankly can't quite conceive of why or what or how that place should be torn up for oil wells or coal mining or whatever. There's a lot of things President Clinton's done I didn't like but that's one I really liked.

A: You know, I think the general public really doesn't have a full understanding, I know they don't have a full understanding of all of the converging issues over public land and all the interests at stake. No matter what side you are on, there are some wonderful arguments to be made. I have found those cases among the most interesting, evaluating the real competing interests. I was involved in a case on which I ultimately did not prevail in the Supreme Court over grazing rights on the national lands. As we become more and more crowded and there are more and more usages, then those conflicts become even more pronounced. I've loved those cases. We've had, the other thing, the much grimmer side of what we do, is that a lot of our states have the death penalty and particularly Oklahoma has had an enormous number of executions in the last few years. So, of course, our court is the last stop before the Supreme Court on all of those. That's a very grim side of our work and very time-consuming.

Q: I see that the Oklahoma City bomber is making a new appeal.

A: I noticed something about that in the paper, I don't know anything about that.

Q: I don't know. You see, I'm from the West originally and something always

gets us when we're out there talking to people. There are so many people in the West that hate the federal government but, of course, right now the people up in Montana want everything they can get from it because of those fires. That's the way a lot of people are, they hate it until they need it. This has been a good life for you?

A: Oh, yes. I've enjoyed it very much. I think part of why I like it is I've been able to stay in Lawrence, so I keep my university ties and contacts. I keep saying I've got to quit doing as much; I chaired a search committee for them, I'm on another search committee for them, I'm chairing the Lied Center Board this year. But I like that because it keeps my hand in what's going on at the University.

Q: Who are your friends?

A: My personal friends?

Q: You and your husband's?

A: Oh, well, we've had a group of friends for a long time that probably now should be described as middle-aged. But we have had a group of friends that have largely revolved around John's golfing friends and my community ties. They've been people like the Immels, the Catlins, the Olsons, the Bieris, and the Carters. There is just a whole group of people we've socialized with for thirty years.

Q: Are you members of Alvamar?

A: No. We're members of Lawrence Country Club. Well, we actually are members at Alvamar but we love on Lawrence Country Club.

Q: Did you actually retire from the university?

A: Did I retire? No. I think I resigned.

Q: But you see you are listed as a retiree.

A: I am?

Q: Well, yes. That's one reason I'm interviewing you.

A: That's hilarious. I didn't know that.

Q: Ray Nichols used to sit there and just seethe at the idea that Charley

Oldfather was a retiree. Well, he became a retiree by some action of the Board of Regents or something because technically he just resigned from the university. He then became a retiree and Nichols was really mad at me when I interviewed Charley. "Why are you interviewing him? He's not a retiree." You know Ray was that way.

A: Oh, yes. He was a "dot the I's and cross the T's" guy.

Q: He could get quite explosive about people didn't like. He hated Mattie Crumrine because Mattie gave his son a "B" and every time Mattie's name came up, Ray would just sit there and just stew.

A: That's funny, I'm listed as a retiree. I had no idea. I never even knew that.

Q: Well, of course, I go to those meetings. What is John Conard doing there? Or Glee Smith? Well, they're members. I don't know how, maybe some kind of special thing. No you are, maybe you ought to start going to some of the . . .

A: No. I had no idea but I'm glad I am.

Q: Yes. Have you and your husband been able to travel much?

A: A little. We had a wonderful trip last year. We were invited by Justice Kennedy and Justice Thomas to represent the Court of Appeals along with one Supreme Court Chief Justice of California on the Anglo-American Legal Exchange. We went to England, Scotland, and Wales with Justices Kennedy and Thomas and these other judges and five lawyers. We met with our counterparts over there. That was just an incredible trip to see the United Kingdom from the inside, if you will, and the courts and, of course, we enjoyed all the pomp and circumstance. We had our 25th wedding anniversary a couple of years ago. To celebrate we went to Germany, Austria, and the Czech Republic. John's family all came from the old Czechoslovakia. We drove around in that part of Europe and just had a great time.

Q: Did you go up to the Zugspitze?

A: No, didn't do that.

Q: We did that. That's the best thing we did on our trip.

A: Really? We'll have to remember that. We want to go back.

Q: It's the highest mountain in the German Alps.

A: Yes. I know where you're talking about. Well, we were down below. We went to Munich and Salzburg that's what I was trying to think of.

Q: We stayed there a couple of nights. We're going to Norway next month.

A: Have you been there? You'll love it.

Q: We've been there once, but we didn't get in to the fjords. We're going to take the coast trip clear up and then back down. It's just a small ship.

A: Oh, you'll love that, it's the most beautiful thing.

Q: Right now, we're wondering what kind of clothes we ought to take. I think it's going to be cold.

A: It will be chilly. That was one of the nice benefits of being an administrator. We got to go once in a while on those KU trips. We took a KU trip to the Norwegian fjords. It was in June, one midsummer's night I remember, because it was light all night. It was still chilly up there. I'll tell you, it will be cold.

Q: Do you know much about the University of Kansas these days? What do you think about things? Do you have any judgments?

A: I stay very close to it, but I try not to be involved in the conflicts. You know, you go to a dinner party and you hear some faculty railing about this or railing about that. I try to stay totally out of those conversations. My sense of the University is that KU is always going to do pretty well. If you lookback over public funding for universities and compare states, KU has never gone up very much but it has never gone down very much. It's been a slow and steady incline. I still think the people of this state value having a great university, so that's worth a lot of money in the bank. I think they want it to be a good place. I think there are still some fabulous faculty people up there. I worry about the, if you will, the new generation of

faculty. Again, I feel I'd say this, but when I was Vice-Chancellor, and even when I came to law school, there was a cadre, I'd say more than a cadre, a core of faculty with enormous institutional loyalty and a keen sense of Kansas, who we are and why we're here, a real commitment to students, all of those things. In my latter years as Vice-Chancellor, and more since I've been gone, I worry whether we have quite that institutional loyalty and quite that sense of the students as the, if you will, the people that we are serving. I like Bob Hemenway and I think he has a real sense of that. I really have liked his tours around Kansas and things like that are, some would say window dressing, but I would say they do more than just window dressing. They instill a sense of connection with the place. I hate some of the losses we've had in the faculty in recent years of those I would call the upper-middle level faculty. We've got to be careful to replace those people with really high quality people.

Q: You know how the University was really hurt in my opinion when the World War II generation was gone? Because I'm part of that, we were different.

A: I think that's true throughout society.

Q: I think it is.

A: I mean the greatest generation means something.

Q: I don't like what I see of the kids these days. I don't like it. I do not like the School of Journalism.

A: Really? Now I'm not close enough to know from day to day. I actually have stayed closer to the College and the Law School and my sense is that both of those places are doing pretty well. The Law School had some terribly tough times.

Q: Well, the School of Journalism might be doing all right, but I don't like the idea of "digital journalism." I say there is no such thing as digital journalism and I got a letter from Northwestern; Ken Bode's leaving after two years as dean there and they want suggestions. I got my master's

there. I was tempted to recommend Jimmy Gentry, but I don't want to hurt Northwestern; I think they've been hurt enough. Deanell, I think it's almost time for us to close up. I know you've probably got other things you've got to do.

A: You know, you don't often reflect back on all these things.

Q: Are you glad that this is where you spent your life?

A: Yes. I love Lawrence. John and I both love Lawrence.

Q: And the University?

A: And the University. We feel so privileged to be in a town like this. Now we say that he is a veteran of the school wars and I'm a veteran of a lot of the University issues. Both of us have been so involved in the community. This is not an easy community to get things done in, but it gradually, gradually does the right thing. I've been watching the South Lawrence Trafficway issue. I watched the American Eagle issue. You know, you've got to love a place where there's robust debate and there's definitely robust debate here.

Q: Well, I thank you very much for talking with me today. I intrude myself too frequently into these things but that's my style and I don't really know what to do about it. I'm not going to change, I'm too damned old to change, and I've admired and liked you for a long time. This has been a real pleasure to be with you today.

A: Well, thank you. I enjoyed it too. I loved hearing about you, the things I didn't know, too, so it was mutually fun.