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*John W. Outlaw*

POWER, ELITISM, AND LAWYERS:

AN EXAMINATION OF THE RICHMOND LEGAL ESTABLISHMENT  
AND ITS IMPACT ON THE MAKING OF SOCIAL AND ECONOMIC  
POLICY WITHIN THE COMMONWEALTH OF VIRGINIA.

by

STEPHEN CRAIG ST. JOHN

HONORS THESIS

Submitted in partial fulfillment of the requirements for the  
degree of Bachelor of Arts with Honors in the Department of  
Political Science of the University of Richmond, May, 1974

## TABLE OF CONTENTS

CHAPTER	PAGE
I.	INTRODUCTION, STATEMENT OF PURPOSE, AND JUSTIFICATION . . . 1
	Introduction and Statement of Purpose . . . . . 1
	Scope of the Project. . . . . 6
	Justification for Interest . . . . . 9
II.	METHODOLOGY OF THE STUDY: THE CRITERIA TO BE USED IN ELITE IDENTIFICATION . . . . . 13
	Identifying Elites; Previous Attempts . . . . . 13
	Economic Indicators of Elitism . . . . . 15
	Social Indicators of Elitism . . . . . 17
	Physical Indicators of Elitism . . . . . 18
	Political Indicators of Elitism . . . . . 21
	The Self-Identifying Elite . . . . . 22
III.	IDENTIFICATION OF THE RICHMOND LEGAL ELITE; APPLICATION OF THE ELITE INDICATORS . . . . . 24
	Economic Indicators . . . . . 24
	Social Indicators . . . . . 38
	Physical Indicators . . . . . 42
	Political Indicators . . . . . 58
	The Self-Identifying Elite . . . . . 61
	Conclusions . . . . . 68
IV.	THE FEW; THE METHODS, PRACTICES, AND CHARACTERISTICS OF THE LEGAL ESTABLISHMENT . . . . . 69
	Recruitment: The Garnering of New Blood . . . . . 71
	The Organization: Deciding Who Does What and How . . . . . 76
	Bureaucratic Stronghold or Free Profession? . . . . . 82
	Miscellaneous Ramblings . . . . . 87

CHAPTER	PAGE	
V.	THE MANY: SURVEY OF THE RANK-AND-FILE OF THE RICHMOND METROPOLITAN LEGAL COMMUNITY . . . . .	89
	The Masses . . . . .	91
	Comparative Analysis of Law Firms . . . . .	111
VI.	THE LEGAL ESTABLISHMENT IN ACTION: LAWYER/LOBBYISTS IN THE VIRGINIA GENERAL ASSEMBLY . . . . .	120
	Who Are The Lobbyists? . . . . .	126
	Who Do The Lobbyists Represent . . . . .	132
	The Organization Set-up For Lobbying Services . . . . .	138
	The Style of Lobbying Representation . . . . .	141
	The Blue Laws Controversy: 1974 . . . . .	143
	Summary and Conclusion . . . . .	148
VII.	SUMMARY AND CONCLUSION . . . . .	150
	The Legal Establishment: A Viable Concept? . . . . .	155

BIBLIOGRAPHY

APPENDICES

Appendix A; Sample Questionnaire Used in Survey of  
Richmond Lawyers January-February 1974

Appendix B; Listing of the Individual Members of the  
Law Firms Who Comprise The Legal Establishment

Appendix C; Letter From The Firm of Mays, Valentine,  
Davenport and Moore

Appendix D; Other Correspondence

Appendix E; Lawyer/Lobbyists in Recent Sessions of the  
Virginia General Assembly

Appendix F; Clients Represented In a Lobbying Capacity

By Law Firms Before Recent General Assemblies

Appendix G; Residential Distribution of Richmond

Legal Elites

TABLES

	PAGE
TABLE III-I - Representative Clients of Elite Law Firms of the Richmond Area	25
TABLE III-II - Representation of Area Attorneys on Corporate Boards of Directors	33
TABLE III-III - Representation of Elite Firm Actors on Corporate Boards of Directors	34
TABLE III-IV - Representation of Law Firm Actors on University Policy-Making Bodies	39
TABLE III-V - Representation of Law Firm Actors in Philanthropic and Social Organizations	41
TABLE III-VI - Representation of Law Firm Actors in Elite Social Organizations	43
TABLE III-VII - Numerical Representation of Attorneys, Staff, and Physical Resources in Richmond Area Law Firms	45
TABLE III-VIII - Representation of Graduates of Blue-Chip Law Schools in Richmond Area Law Firms	50
TABLE III-IX - Academic Achievement of Richmond Area Law Firm Members as Undergraduates and as Law Students	53
TABLE III-X - Representation of Local Attorneys in Positions of Leadership in Professional-Related Groups	55
TABLE III-XI - Representation of Richmond Attorneys in Key Political Bodies	59
TABLE III-XII - The Self-Identifying Elite; Opinion Responses from Survey of Metropolitan Richmond Lawyers - Part II	65

	Page
TABLE V-I - Age of Attorneys Practicing in the Richmond Area	92
TABLE V-II - Colleges Attended by Richmond Attorneys	94
TABLE V-III - Undergraduate Academic Performance of Richmond Attorneys	96
TABLE V-IV - Law Schools Attended by Richmond Attorneys	98
TABLE V-V - Rank in Law School of Richmond Attorneys	99
TABLE V-VI - Size of Richmond Area Law Firms	102
TABLE V-VII - Area of Practice of Richmond Attorneys	103
TABLE V-VIII - Ideological Affiliation of Richmond Lawyers	106
TABLE V-IX - Partisan Affiliation of Richmond Lawyers	107
TABLE V-X - Annual Income of Richmond Attorneys	109
TABLE V-XI - Cross-Tabulation of Law Firm Membership by Under- graduate Grade Point Average	112
TABLE V-XII - Cross-Tabulation of Law Firm Membership by Member of at Least One College Honor Society	113
TABLE V-XIII - Cross-Tabulation of Law Firm Membership by Membership in Omnicron Delta Kappa	114
TABLE V-XIV - Cross-Tabulation of Law Firm Membership by Membership in Phi Beta Kappa	115
TABLE V-XV - Cross-Tabulation of Law Firm Membership by Membership in a Law Review	117
TABLE V-XVI - Cross-Tabulation of Law Firm Membership by Class Rank in Law School	118
TABLE VI-I - Lawyer/Lobbyists in Recent General Assemblies	127
TABLE VI-II - Lobbying Fees Garnered at Recent General Assemblies by Lawyer/Lobbyists	136

## CHAPTER I

### INTRODUCTION, STATEMENT OF PURPOSE, AND JUSTIFICATION

#### Introduction and Statement of Purpose

Within the annals of American academia, much time and effort has been expended in the attempt to answer the crucial question of who wields power within the community and more specifically inside the realm of governmental policy-making. This pursuit has taken many forms and focuses throughout the years, as the spotlight of community power inquiries have shifted from one group of societal actors to another. Such focuses however have quite frequently neglected to give proper consideration to the immensely important roles played in the community and governmental power structure by those individuals who collectively form the legal profession. Of all the multitude of actors who are vitally involved in the decision-making processes of American society, perhaps no one <sup>group</sup> collectively wields and executes more power and influence within the domestic arena than do the barristers of their nation. As a private grouping within the society, American lawyers tend to be influential and powerful not only in many of the non-governmental areas of the community, playing important roles in the maintenance and functioning of business, commerce, and civic life in general, but in the governmental realm as well, where they often dominate the political processes. The legal profession does in this connection perform many crucial tasks in a modern society. Lawyers often act as a catalyst, providing what has been termed "the grease" of a society, in their functioning as negotiators and settlers of private disputes. They also serve as an important bridge between the private and public realms of



society, and in addition provide the most frequently tapped pool of political actors on all three levels of American government. Indeed, over one hundred years ago the noted French social philosopher and student of American democracy, Alexis de Tocqueville, saw the lawyer as the aristocracy of this country. While this may be somewhat of an overstatement, the undeniable fact remains that attorneys do form a large portion of the upper classes of American society and government. Therefore, it is quite evident that lawyers are very important and strategic people in our American society, and are an excellent grouping at which to look <sup>when</sup> attempting to determine who wields power and influence in a community.

However, while it is doubtful that any individual would dispute the claim that lawyers as a group are powerful and important members of society, a most important question remains much in doubt. Granting the validity of the concept that the legal profession is powerful and influential, a second and most vital inquiry must be, are all lawyers equal in power, standing, and expertise, or are some lawyers more powerful and influential than others? This derivative of the original premise in essence cuts to the very heart of the matter of determining who are the true wielders of disproportionate power in a community. Social stratification in a society along class lines is a widely acknowledged and accepted concept. Does, however, the same stratification process occur within the elite itself, forming what has been coined as "an elite within an elite"? If this is in fact the case, that the legal profession is stratified and some lawyers do enjoy higher standing, prestige, and recognition, and do wield more power and influence than their fellow professionals, this would be highly significant and do much to explain the allocation of power within a given locale and how the decisions of policy significance are actually determined. Thus it is in this light that researchers have turned to the concept

of a legal elite or legal establishment to explain and elucidate the public and private decision-making processes in American society.

The study of legal elitism in the profession began with studies of those firms in New York and Washington who by their physical and reputational resources are able to dominate their respective policy arenas and exercise disproportionate power for their clients, the large corporations of America. These first studies, undertaken for the most part in the 1950's and early sixties, tend to be sociological in motive, concentrating primarily on the implication of the emergence of large-scale bureaucratization in these large metropolitan firms in the legal profession.<sup>1</sup>

Among the most famous of American sociologists and academicians is the renowned student of elitism and power, the late C. Wright Mills of Columbia University, who was one of the very first individuals to examine lawyers in the nation's largest law firms as an elite. Mills saw the emerging development of the legal elite as long ago as 1956, writing in his now-classic study, The Power Elite;

The inner core of the power elite also includes men of the higher legal and financial type from the great law factories and investment firms, who are almost professional go-betweens of economic, political and military affairs, and who thus act to unify the power elite. The corporation lawyer and the investment banker perform the functions of the "go-between" effectively and powerfully. By nature of their work, they transcend the narrower

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<sup>1</sup>The most informative and enlightening of these early studies of the legal establishment are The Washington Lawyer by Charles Horsky, published in 1952, and The Wall Street Lawyers by Erwin O. Smigel, published in 1964. This second study of Smigel represents the best attempt to date at identification and description of a metropolitan area's legal elite, and is currently in print and available. An earlier related article by Smigel, "Interviewing a Legal Elite", which appeared in the September 1958 issue of American Journal of Sociology is also worthy of scrutiny by any reader who desires a more detailed look at these early research attempts.

milieu of any one industry, and accordingly are in a position to speak and act for the corporate world or at least sizable sectors of it. The corporation lawyer is a key link between the economic, military and political areas; the investment banker is a key organizer and unifier of the corporate world and a person well versed in spending the huge amounts of money the American military establishment now squanders. When you get a lawyer who handles the legal work of investment bankers you get a key member of the power elite.<sup>2</sup>

The more recent development of this concept has centered upon the Washington lawyer, as students of politics have zeroed in on this genre of the legal profession. A recent spate of books and articles have centered on the previously anonymous role of the Washington lawyer in the making of economic policy in the nation's capitol, especially among the Federal regulatory agencies and the Congress.<sup>3</sup> The gist of these documentations has centered on the prestigious and powerful Washington law firms who by their expertise, their reputation, and their influence wield disproportionate power in the policy-making process. Thus, the contention of these chroniclers is that there exists a de facto power elite in the legal community who, in the realm of economic and social policy-making, use their unbalanced expertise and influence to further the wealth of their corporate clients at the expense of the public good. Perhaps the thoughts and sentiments of these chroniclers of the legal profession are most succinctly expressed in the writings of

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<sup>2</sup>C. Wright Mills, *The Power Elite*, (New York: Oxford University Press, 1956). p. 289.

<sup>3</sup>The most enlightening research of this second wave of investigation is represented in *The Superlawyers* by Joseph C. Goulden (1971), and "A Fifth Estate - Washington Lawyers" by Ronald Goldfarb which appeared in the May 5, 1968 edition of *The New York Times Magazine*. Other recent articles dealing with Washington lawyers include "Ethics and the Washington Lawyer" by Joseph Califano, which appeared in the September 24, 1973 edition of *The Washington Post*, a series of articles by author Ward Just derived from his novella about the Washington legal elite, which appeared in *Potomac*, the *Washington Post* Sunday magazine in the September 15 and 22 issues, "Law: Good Times for the Barristers," by Paul W. Valentine, which appeared in the January 13, 1974 edition of the *Washington Post*, and "Business is Booming for Capital Lawyers," by John P. MacKenzie, which appeared in the December 26, 1973 edition of the *Washington Post*.

Erwin O. Smigel of New York University in his pioneering study, The Wall Street Lawyers. Smigel summarizes this concept of a legal establishment when he states; "To the extent that large law firms are more capable than others, handle more important cases than others, to the extent that they are more imaginative and more influential, they may play a particularly significant role in this (governmental) process - especially in the area of business law."<sup>4</sup> It is in this vein that this author is conducting an investigation of the situation here within this state of Virginia regarding the legal community to ascertain whether a similar phenomenon exists. Given the great attention concentrated on the Federal level bearing upon this situation, it is of great interest not only to the discipline of political science but on a practical level as well to discover if a parallel "legal establishment" is in evidence in the Richmond area, and if so, to measure its power within the regulatory process of the Commonwealth.

Thus, it will be the intent of this thesis to explore and attempt to answer the following basic questions; Is there in fact in existence in Richmond a "legal establishment", composed of the area's most prestigious law firms who by their physical resources, their standing, their expertise, and/or their political influence wield disproportionate power in the making of social and economic policy in the Commonwealth, more specifically regarding the function of legislation and decision-making as conducted by the Virginia General Assembly? If such an entity exists, who comprises this elite, and how did these particular individuals come to gain such a position of influence? What social, economic, or other characteristics do these very special societal actors share, if any? Finally, what checks or opposing actors

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<sup>4</sup> Erwin O. Smigel, The Wall Street Lawyer. (New York: The Free Press of Glencoe, 1964), p.7.

exist within the system to counter-act or balance the forces of the Richmond legal establishment?

Furthermore, this study will seek to illuminate not only those individuals and firms who constitute the legal elite of the Richmond Metropolitan area, but to also serve as an insightful inquiry into the composition of the local legal community in general. The exact nature of the legal profession regarding the origins and backgrounds of lawyers, their social and economic characteristics, and their attitudes and opinions will be probed to construct a better understanding of the men and women who compose this most important profession. This look at lawyers in general in this area will greatly help to confirm or deny the existence of the "legal elite" as a viable concept, and will answer these fundamental questions; Who are the lawyers in the Richmond area? What are their origins? Where did they go to college and law school? What are their economic incomes? What are their civic and social affiliations within the community? What is their political orientation both ideologically and in partisan terms? How similar or dissimilar are they to the individuals who compose the legal elite in terms of these social and economic backgrounds and characteristics? The satisfactory resolution and explanation of these questions and issues raised here constitute the purpose for conducting this research.

#### THE SCOPE OF THE PROJECT

In attempting to identify the legal elite of the Richmond Metropolitan Area, this paper will follow this framework;

Chapter I - Introduction, Statement of Purpose, and Justification for Interest.

Chapter II - The specific methodology used to identify the legal establishment will be fully expounded here. Beginning with a brief recounting of the previous attempts at elite identification in the disciplines of Political Science

and Sociology, the identifiers will be divided into five basic broad categories; Economic Indicators, Social Indicators, Physical Indicators, Political Indicators and The Self-Identifying Elite. Within each of the first four categories is a number of variables for which objective data can be obtained to be used to differentiate the law firms in the Richmond area. The fifth category of The Self-Identifying Elite will involve a polling of opinions of the lawyers of this region in which they will identify those firms which they consider to be the legal elite of the Metropolitan Richmond Area.

Chapter III - Here the framework of variables expounded in the second chapter will be used to specifically pinpoint those firms who are most richly endowed in terms of the four expansive areas of concrete power and in the eyes of their fellow elites and legal peers. The data obtained in this research will be plugged into the variables and categories to form what might be called a matrix of influence, power, and prestige within the legal profession and the state legislature of the Commonwealth. Figures, tables, and charts will be used in connection with the text to present the research findings.

Chapter IV - This will be a chapter devoted to sketching a portrait of those firms who are identified as the core of the legal establishment. The intent here in this segment is to provide an insight into the nature and character of these law firms. A brief history of each firm will be presented, as well as an investigation of the key practices of these offices, such as recruiting policy, method and rate of advancement within the firm, the types of entrances into the organization and the degree of occurrence, the extent of bureaucratization in the individual firms, the related issues of personal autonomy and rigid behavioral requirements of the lawyers, and the type of organizational structure used. The amount of similarity and dissimilarity shared by these firms on these operating policies will likewise be examined in order to

explore the extent of the concensus regarding such procedures.

Chapter V - This division will deal with the nature and character of the Richmond Legal Community in general. Here the rank-and-file of the area's lawyers will be surveyed in order to compile a composite of the characteristics of these actors. The emphasis will be placed on such properties as educational background, social affiliations, economic income, and on these lawyers' political and ideological orientation.

Chapter VI - The case study to be presented in this chapter will show the legal establishment in action in the realm of economic and social policy-making, and will provide a means of testing the hypothesis that these law firms wield disproportionate power in such political arenas. Here the specific focus will be the Virginia General Assembly, the legislative policy-making body of the Commonwealth. Within the workings of the state legislature, this paper will focus upon a relatively recent development within the political framework of the Virginia political system, that of the lawyer-lobbyist. Ordinarily, the state legislature is not the most frequently associated political arena in the minds of the public with lawyers, as traditionally the judicial system is thought of as the private realm of the barristers. In addition, whereas attorneys traditionally form a high percentage of the membership in legislative bodies, it is solely toward this role as a legislator <sup>that</sup> have academic studies of attorneys <sup>have</sup> been directed. Lawyers also perform many additional roles in the legislative process, such as staffing and, the role which this thesis will address, that of lobbyist. The lobbyist performs an integral function within the American state legislature, through the supplying of information~~s~~ and expertise and the advocacy of certain policy alternatives and objectives. The lawyer has with an increasing degree of frequency assumed this role of lobbyist, and has become a potent force within the process. This chapter will

look at the two most recent sessions of the Virginia General Assembly to ascertain if lawyers do in fact play a major role as lobbyists, and, if this should be the case, do a small number of elite barristers through their representation of client interests come to occupy a disproportionate number of lobbying positions and exercise a great amount of influence within the body. Here these questions will be explored, and some specific decisions made by the Assembly will be examined to shed light upon the role of the lawyer/lobbyist and further elucidate the intricacies of the Virginia legislative process. Chapter VII - This final chapter will be a summary of the findings of this thesis, and an analysis of the implications that these findings have on the legal profession and on the system of government regulation which we now have. In addition, a conclusion will be reached as to whether the concept of "the legal establishment" is a viable one, ~~and~~ capable of being used to offer insight and understanding into the phenomenon of lawyers and policy-making.

These chapters will be followed by a series of appendices offering supporting materials, examples of the methodological tools used in compiling this research, and other index-type informational tables which may serve as a basic guide to the legal profession in Richmond.

#### JUSTIFICATION FOR INTEREST

The reasons for conducting this specific research into the Richmond Legal Establishment are many in number and varied in nature. On a very personal level, such a project offers the potential of being greatly beneficial to the author as a practical learning experience. Given that this writer is oriented and committed in the direction of a career in the legal profession, an inquiry into the prestigious and powerful law firms of the area has a large practical pay-off, that of acclimating oneself to the legal community by observing firsthand the actual work and duties performed by lawyers, and by



establishing physical contacts with some of the relevant and important actors within this policy area. The establishment of these contacts and the knowledge gained by such investigation could be very <sup>useful</sup> utilitarian in the future and potentially parlayed into useful benefit in an employment situation, as well as providing an important initial orientation to the field of jurisprudence.

A very strong rationale for undertaking this inquiry likewise exists on other levels as well. The area of economic and social policy-making within the state legislature is certainly one of the most important realms of policy formulation, not only from an academician's viewpoint, but also on the very practical level of bread and butter politics as well. Here within the Commonwealth decisions involving millions of dollars and the personal lives and fortunes of the people are made yearly by the Virginia General Assembly, with ultimately tremendous dollars and cents as well as lifestyle implications for the citizens of Virginia. This legislative process of Virginia has in the past been one somewhat obscured and unknown to the people, with few citizens aware of the crucial decisions being made on their behalf. The legal profession in general and the large, prestigious law firms in particular have played a vital yet largely (cached) role in the making of this economic and social policy within the state. Such research as proposed by this writer could aid in understanding this substantial process by revealing and identifying the role played by the Richmond legal establishment within the system. The gauging and surveying of the power and influence wielded by these policy actors will greatly illuminate and edify the legislative mechanism, and place in perspective the role of these barristers in the formulation of social and economic policy within this Commonwealth. Furthermore, such research will test the current thesis of many observers of the governmental process that this mechanism has been de facto captured by the businesses that it was designed to manage and control. It has been suggested by many reformers and observers of the legislative process that

these law-making bodies tend to be dominated by business interests, or at the very least, show a degree of sympathy and responsiveness to the commercial community not exhibited to other factions and components of the political arena. Such reformers and Ralph Nader and Joseph Goulden, author of The Superlawyers, have charged that the Congress is dominated by special interests and specifically business interests to the detriment of the general consuming public. Such charges as these have historically been especially echoed and expounded in regard to the legislatures of the various states, where because of the short tenure of members, the lack of adequate staffing, the brevity of the sessions as well as other factors, a greater reliance must be placed on external informational resources and an increased opportunity for conflict of interest sometimes exists. Due to these factors, state legislatures have been the bane of many observers, who see business and their affiliated associations as very much getting their way in the bulk of the relevant policy-making situations. An examination of the Richmond Legal Establishment will aid in determining whether such a subversion has taken place in the Virginia legislative forum, and again offer a new perspective on this governmental sub-system which will promote a clearer and more accurate understanding of this most important process.

Finally, this inquiry should elucidate the role played by lawyers in the society in general and within the policy realm in particular. Since its inception, the American republic has been dominated by lawyers far more than any other profession, and indeed our government has been a government of lawyers. Yet, in spite of the obvious dominance of lawyers as a group within society, for a variety of reasons an amazingly diminutive amount of material exists dealing with this phenomenon. In addition, those attorneys who by their power and expertise have risen to the top of their occupation and thus wield disproportionate influence in the making of policy remain for the most part equally unexamined and unchronicled as their less influential brothers. Several reasons

have been advanced to explain this lack of investigation and inquiry into lawyers and the role they play in society, focusing primarily on the closed nature of most professions in general and the legal profession in particular. The tendency to develop an "anti-research" bias against the efforts of those outside the profession is perhaps a natural one for those who form an elite such as lawyers, yet it has nonetheless contributed to the lack of awareness and understanding regarding this group of actors. In addition, research has been thwarted by the private-public distinction, as lawyers have claimed that their acts and influence were strictly matters within the private realm, involving non-governmental actors and private clients and transactions, and thus were not suitable or germane for public inquiry. This distinction within the legal profession is becoming increasingly blurred, as the interaction and interrelationships shared by the private and public realm <sup>have</sup> ~~has~~ become more vividly recognizable and evident. This rapidly increasing acknowledgment that such influential actors as lawyers are in fact quasi-public officials who greatly influence the course of public policy as well as the ebb and flow of private intercourse has resulted in a new wave of legal-related research. However, while some material does exist regarding the legal power elite of New York and more recently Washington, such data is virtually non-existent on the state level within Virginia. This investigation, given the influence and power of lawyers within government and society, should fill an information vacuum by narratively profiling the legal elite of Richmond and thus producing new knowledge regarding these more important societal players. By identifying those who fill the ranks of this elite and detailing how they came to hold such privilege, a greater comprehension of these most influential members of the bar as well as the rank and file lawyers will be possible.

## CHAPTER II

METHODOLOGY OF THE STUDY; THE CRITERIA  
TO BE USED IN ELITE IDENTIFICATION

## Identifying Elites; Previous Attempts

The process of elite identification is a pursuit which has consumed many a social scientist's time and activities, as a number of different and disparate methodological systems have been advanced to rationally stratify a given population. While other disciplines have dealt with the concept of elitism and establishmentarianism, the major contributions in this area have clearly been made by sociologists and political scientists. The father of the modern study of elitism in America is of course C. Wright Mills, the widely-read and studied sociologist whose investigations of the American power elite provoked many thoughts and kindled much further research in this specific area. Researchers who have followed Mills' writing in the subareas of social stratification, social class structure, and occupational distribution of Sociology have greatly furthered the concept of a powerful elite within America and identification of these people. In addition, the schools of Sociology and Political Science have combined efforts in the interdisciplinary inquiry called community power studies, which have studied communities in an attempt to pinpoint who really wields power and influence in a given area and to describe the decision-making processes by which these identified elites make social and economic policy. Finally, political scientists who utilize the sub-system methodology to study government decision-making have also

contributed to the existing literature regarding the identification of elites.<sup>1</sup>

It is from each of these schools that the elite indicators to be used in this paper have been derived. The criteria to be fully elucidated in the following sections of this chapter represent an attempt to combine elements of each of these perspectives to form a comprehensive matrix of elite identification which will bring together the strengths inherent in each indication system concocted by these scholars while avoiding the weaknesses of relying simply upon one set of variables. By drawing upon these various methodologies, an accurate and defensible set of indicators should result. Thus, this paper's methodology will bring together variables from several different areas to identify elites. The broad areas of indicators will be Economic Indicators, Social Indicators, Physical Indicators, Political Indicators, and the Self-Identifying Elite. The following sections of this chapter will elucidate in detail each of these broad areas.

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<sup>1</sup>The specific works of these various schools of elite identification which were consulted to develop this paper's methodology were The Power Elite and Power, Politics, and People by C. Wright Mills, The Vertical Mosaic by John Porter, American Class Structure by Joseph Kahl, Community Power Structure by Floyd Hunter, Power in States and Communities by Thomas Dye, Who Rules America by G. William Domhoff, The Politics of Federal Housing by Harold Wolman (see Appendix A), and The Structure of Community Power, edited by Michael Aiken and Paul Mott. Other works not specifically dealing with elite identification but which were of great assistance in assembling the elite indicators chosen for this study were the aforementioned works by Erwin O. Smigel, The Wall Street Lawyer and "Interviewing a Legal Elite" in the September 1958 issue of the American Journal of Sociology, The Superlawyers by Joseph C. Goulden, The Law and the Lawyer In the State Department's Administration of Foreign Policy by John W. Outland, a doctoral dissertation in International Relations in the Graduate School of Syracuse University, June 1970, "On the Neo-elitist Critique of Community Power" by Richard M. Merelman appeared in the June 1968 issue of the American Political Science Review, and Future Directions in Community Power Studies, edited by Fred E. Witt.

## ECONOMIC INDICATORS

In any society the economic system plays a crucial role in the lives of its people. Economies basically perform the function of allocating scarce resources along some national guidelines to reward individuals for their productivity and contributions to the welfare of society. Throughout history economic wealth and success <sup>have</sup> ~~has~~ <sup>been</sup> ~~one of~~ the most consistent indicators of stratification and elitism, as those who the economic system has amply rewarded have both physically and socially separated themselves from the have-nots of a given age. In modern industrial societies, the corporation represents the current most highly developed example of economic power and influence. These entities command unprecedented resources in our society, and have brought tremendous wealth to their benefactors. Thus, corporate power, personal wealth, and elitism are frequently intimately related in America. This fact of corporate domination of the economy then demands that any study of elitism examine economic variables which influence the acquisition of wealth and power by these corporations and subsequently their owners and stockholders. This paper will consequently focus on ~~some~~ two quantifiable variables which reflect success or failure in the economic system of the nation at large and in the Commonwealth in particular.

1. Power in the economic system of the Commonwealth of Virginia and the adjoining regions.

a. Types of clients represented, i.e., the most powerful individuals, corporations, or associations within this state or area in terms of economic resources, strategic location in society and/or economy, etc. Who a given law firm represents in its transactions is a critical variable in the equation of power and influence. Obviously a law firm <sup>that</sup> ~~who~~ represents the most powerful individuals or collectivities would quite logically be of greater importance

and significance in the political/business than a firm whose clients were relatively less well-endowed in terms of physical and economic resources. Those firms who represent what might be called "the haves" of society would by any measure possess greater import and input into the governmental system in most cases and situations. This variable will attempt to gauge the relative prominence and influence of the clients of the law firms of the Richmond area, and from this provide an insight into the relative standing of these legal collectivities. This variable in addition should shed light on the exact nature of the cause and effect relationship involved between the law firms and the clients they represent. It has been conjectured by some observers of the legal profession that these firms who secure such prestigious and profitable accounts were already in fact "the haves" of the legal world, and the result is the association of "haves" with "haves" through this business representation. Others suggest that these firms grow and prosper as a result of securing such accounts. Whichever scenario is actually the case should be at least partially answered by this variable, as well as gauging the factor of who the firm is representing before federal, state, and local governmental bodies, and in private negotiations.

2. Representation of law firm actors on key economic policy-making bodies.

a. Representation on corporate boards of directors. Those who control economic policy within our society are by the nature of our system very crucial and important actors. One of the principal sources of private policy-making is the corporation, whose actions and inactions markedly affect the consuming public. Given the power of these corporations, those individuals who serve on the policy-making boards of these entities are quite naturally very powerful, important, and select people. Therefore, one measure of power and elitism would be to quantify the number of these law firm actors who serve

on these boards. This variable will explore the concept of "interlocking directorates" of C. Wright Mills, where Mills found that a number of select persons were represented on multiple numbers of corporate boards, with such individuals enjoying a great degree of power and influence because of this strategic location. Erwin O. Smigel in his study of Wall Street lawyers found a high degree of representation of these elite attorneys on the boards of important corporations. This variable will reflect the degree of representation of the law firm actors in Richmond on corporate boards, and test the hypothesis of Mills and Smigel in the Virginia economic arena.

#### SOCIAL INDICATORS

The tendency for people to differentially associate with one another is deeply ingrained in the nature and culture of man. This propensity to join together results in the formation of associations that are characteristic of a person's recognition of his relative standing to others in society. These associations occupy a most important position in American society and reflect the stratification which takes place along status and class lines in the public. Therefore, a look at the process of association in the Richmond area could provide a clear means of elite identification and recognition.

1. Representation of law firm actors on key social-policy boards.

- a. Representation of law firm actors on university boards of trustees, boards of associates, and other higher education boards and committees. Traditionally elites have been the most well-educated individuals in a society and have enjoyed the highest commitment to the maintenance and furthering of higher education. This variable will explore the extent to which Richmond area law firm actors sit on higher education-related policy-making bodies, and whether the actors of certain firms are disproportionately represented on such boards.



b. Representation in key social philanthropic and civic organizations. As with higher education, elites again have traditionally played major roles in philanthropy, and in civic betterment organizations. Such bodies as the Jaycees, the Kiwanis, the multiple charities, and other similar groups have drawn their members and leadership from the upper strata of society. This variable will measure the extent to which the law firm actors of this area are involved in such organizations and show if certain firms have a disproportionate degree of participation.

2. Membership in elite social organizations. Certain social associations become characterized as elite through the years due to the type of individuals who form the membership and the degree of exclusiveness and selectivity they enjoy. This variable will quantify the extent to which law firm actors are members in such elite social organizations. The key associations to be looked at here are the Commonwealth Club and the Country Club of Virginia, who are by general consensus the most exclusive and elitist organizations in the Richmond area.

#### PHYSICAL INDICATORS

One of the most basic quantifiers of power has been a measure of how many and the type of resources that can be brought to bear on a given problem or dispute. This is a most basic "nuts and bolts" type of concept, representing an attempt to quantify the actual physical resources which a given law firm has at its disposal. While the previous group of social indicators involves a more nebulous, subjective concept of reputation and status, these variables dealing with the physical strengths of the area's law firms are a most concrete and clearly defined set of indicators which bear directly on the relative power and influence which these firms enjoy. The following grouping of variables

will attempt to quantify the physical resources which the area law firms have in their possession.

1. Concrete resources of a given law firm.

- a. Mass numbers of lawyers employed by a given law firm.
- b. Number of legal staff at the disposal of a given law firm.
- c. Physical resources of a given law firm such as library resources, etc. These variables reflect the sheer numbers of physical resources which may be brought to bear on a problem, and will show if certain law firms are more well-endowed in the concrete assets necessary for the successful practice of law.

2. Expertise of a given law firm. Many students of the American university have enunciated and echoed the very valid statement that, "Bricks and mortar doth not a university make," and this opinion is equally valid for a law firm as well. For as the strength of a university lies within the knowledge and training possessed by its teaching faculty, so too does the prowess and fortitude of a law firm lie in the expertise and ability of its component members. Above all, a law firm is a grouping of individuals, and it is to these individuals and their ability, that any researcher of the legal profession must direct his attention. While the mass numbers of lawyers employed by a firm is an important aspect of the equation of success, this represents only a part of the story, as the quality of the firm's employees must likewise be considered. How expert and intelligent a given firm's attorneys are is a critical consideration which should be examined in the determination of the relative standing of these associations. The following variables attempt to quantify the amount of expertise possessed by Richmond area law firms.

- a. Representation of graduates of blue-chip law schools in Richmond

area law firms. Certain law schools enjoy reputations of being more prestigious and of consistently producing the brightest and most able lawyers. This differentiation of law schools by their relative perceptions of quality and status suggests that the graduates of these schools are more highly sought after and relatively more successful in the practice of law than those who attend less prestigious schools. This variable will measure the degree of representation of the graduates of the most highly regarded law schools in the firms of the Richmond area. The law schools which will be designated as "blue-chip" for the purposes of this study are the University of Virginia, the University of Chicago, Harvard, Yale, Columbia, Stanford, the University of Michigan, and the University of Pennsylvania. This rating is derived from the recent survey of law school deans by the American Council of Education, in which these schools were named most frequently as being the most highly regarded and prestigious. <sup>Note?</sup>

b. Degree of specialization within a given law firm. Specialization has been a mark of our increasingly complex world, and the legal profession is no exception as the law and its related institutions have proliferated and expanded. This variable will measure how well the local firms have adapted to this phenomenon and specialized to meet the needs of its clients. Here a subjective judgment of the degree of specialization of a given firm will be made by the author on the basis of observation of these entities. Firms will be characterized according to a four step system of classification; 1) "High", indicating a very highly specialized organization and division of labor, with a great degree of departmentalization and little overlap of personnel and function, 2) "Moderate", indicating a specialized organization and labor division is in existence, but to a lesser extent and degree as number 1 above, 3) "Average", indicating the normal degree of specialization found in law firms of this area, of 4) "Low", indicating an operation where there is little

differentiation or specialization of work and tasks performed by the members, with a great degree of generalized practice and procedure.

c. Academic achievement of firm members as undergraduates and as law students. This variable will attempt to measure expertise in terms of degree of success enjoyed in the academic world by individual members of the area law firms. The two academic honors on the undergraduate level which will be examined are Phi Beta Kappa, the highest scholarship honor an undergraduate may receive, and Omnicron Delta Kappa, which rewards outstanding scholarship and leadership on the collegiate level. The two law school honors which will be measured are membership on a law review, generally the highest honor a law student can receive, and Order of the Coif, the national legal scholarly association which draws its members from the top 10% of a given law school class.

d. Representation in professional groups of a given law firm. Expertise will be gauged here by measuring the degree of representation a given firm enjoys in groups which are professional in nature such as serving as officers in Bar associations and related professional collectivities, and on special advisory committees set up by the Bar.

#### POLITICAL INDICATORS

Lawyers have formed the most frequently typed pool of political actors in America. The fact that lawyers do occupy a disproportionate number of politically-related assignments and positions demand that an attempt to stratify attorneys by their power and standing should measure the degree of representation of members of a given law firm in the political arena. The following variables seek to do such.

1. Representation of law firm actors on important urban governmental bodies, i.e. City Council, County Boards of Supervisors, Planning Commissions,

Boards of Zoning Appeals, Human Relations Councils, School Boards, other Advisory Committees to government.

2. Representation of law firm actors in key political organizations.

a. Positions of importance held by law firm actors in the Democratic and Republican parties.

3. Representation of law firm actors or former actors in governmental bodies, i.e. U. S. Supreme Court, Virginia Supreme Court, Virginia and Federal government, etc.

4. Representation of law firm actors as lobbyists before the Virginia General Assembly.

#### THE SELF-IDENTIFYING ELITE

The previous indicators have attempted to deal with concrete measures of relative power and resources of the area law firms. However, while these measures are important, certain phenomena which are equally important such as prestige and standing in the eyes of others are difficult to quantify and assign a numerical value to. In order to deal with this problem, this section will gauge these subjective variables by surveying the Richmond legal community and asking them who they think is the legal elite of the area. The concept of the self-identifying elite, developed in large part in the research of Floyd Hunter,<sup>1</sup> offers a means of quantifying these subjective notions of power and expertise. A representative sample of Richmond lawyers will be polled in connection with Chapter VI. Part II of this survey will involve a selection by them of those firms which they consider to be the legal establishment of the Richmond area.

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<sup>1</sup>For a more detailed explanation and defense of this self-identifying elite concept, see Community Power Structure: A Study of Community Decision-Makers by Floyd Hunter (Chapel Hill: University of North Carolina Press, 1952).

(The exact methodology and construction of Part II may be found in the survey example, pages 3 and 4.) Thus, this fifth broad category will supplement and compliment the first four indicator areas by gauging and measuring the subjective portion of the equation of power and further defining the legal establishment of the Richmond Metropolitan Area.

## CHAPTER III

## IDENTIFICATION OF THE RICHMOND LEGAL ELITE;

## APPLICATION OF THE ELITE INDICATORS

Thus, having postulated and presented the five-fold criterion system for identifying and stratifying the most powerful and prestigious law firms in the Richmond area, it remains to substitute actual values for these variables such that a rank-ordering of these collectivities may be achieved. The following sections of this chapter will apply these elite indicators to the Richmond Legal Community in order to fully measure the degree and extent of elitism and those similar characteristics which would distinguish one or more area firms from the others.

## ECONOMIC INDICATORS

1. Power in the economic system of the Commonwealth and adjoining regions.
  - a. Types of clients represented.

As was fully postulated in the second chapter, the question of who is being represented in the equation of power is a critical one indeed, and is in many ways indictative of the status and the ability possessed by a law firm. A look at the lists of representative clients contained in the Martindale-Hubbell Law Dictionary reveals that certain law firms within the area do have an inordinate number of the most powerful and strategically-located corporations not only within the Commonwealth but within the entire region. The lists of the six largest firms are contained in Table III-I. Each one of these six collectivities have an abundance of the wealthiest and most influential clients. The firm of Hunton, Williams, Gay and Gibson especially exhibits a tendency to garner some of the most heavy-weight accounts available, serving as principal counsel and as local counsel for a vast variety of very large and wealthy

## TABLE III - I

REPRESENTATIVE CLIENTS OF ELITE LAW FIRMS  
OF THE RICHMOND AREA<sup>1</sup>

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<sup>1</sup> Source: Martindale-Hubbell Law Dictionary. Summitt, New Jersey:  
Martindale-Hubbell, Inc., 1973, 1974.



HUNTON, WILLIAMS, GAY AND GIBSON

- 1) VEPCO
- 2) Ethyl Corporation
- 3) United Virginia Bankshares
- 4) Bank of Virginia Company
- 5) Virginia Transit Company
- 6) Richmond Corporation
- 7) Long Island Lighting Company
- 8) Appalachian Power Company
- 9) Chesapeake and Ohio Railroad
- 10) Seaboard Coast Line Railroad
- 11) Southern Railway System
- 12) United Parcel Service
- 13) Chesapeake Corporation
- 14) Humble Oil and Refining Corporation
- 15) Robertshaw Controls
- 16) General Motors Corporation
- 17) Philip Morris, Inc.
- 18) First Colony Life Insurance
- 19) Dan River Mills
- 20) Sears, Roebuck and Company
- 21) Miller and Rhoads, Inc.
- 22) Lone Star Industries
- 23) Virginia Chemicals, Inc.
- 24) Noland Company
- 25) Pulaski Furniture
- 26) Smith's Transfer Corporation
- 27) Transcontinental Gas Pipe Line Corporation
- 28) Colonial Williamsburg Foundation
- 29) Virginia Hot Springs, Incorporated
- 30) Wheat, First Securities
- 31) General Medical Corporation
- 32) Hospital Corporation of America
- 33) New York Life Insurance Corporation
- 34) Virginia Retail Merchants Association
- 35) Mutual Benefit Life Insurance Company
- 36) Prudential Insurance Company
- 37) Richmond Engineering Company
- 38) Basic Construction Company
- 39) Continental Telephone Company

McGUIRE, WOODS AND BATTLE

Not Available

MAYS, VALENTINE, DAVENPORT AND MOORE

- |                                             |                                              |
|---------------------------------------------|----------------------------------------------|
| 1) First and Merchants National Bank        | 24) William Byrd Press                       |
| 2) Richmond Federal Savings and Loan Assoc. | 25) F. W. Woolworth Company                  |
| 3) Virginia Industrial Development Corp.    | 26) National Cannery Association             |
| 4) Seaboard Coastline Railroad Company      | 27) Virginia Association of Realtors         |
| 5) Washington Gas Light Company             | 28) Virginia Bankers Association             |
| 6) Western Union Telegraph Company          | 29) Virginia Mortgage Bankers Association    |
| 7) American Tobacco Company                 | 30) American Insurance Association           |
| 8) Atlantic Richfield Company               | 31) Virginia Insurance Rating Bureau         |
| 9) Belding Heminway Company, Inc.           | 32) American Universal Insurance Company     |
| 10) Bernsen Mills, Incorporated             | 33) Diamond State Life Insurance Company     |
| 11) Colonial Stores, Incorporated           | 34) Fidelity and Deposit Company of Maryland |
| 12) The Great Atlantic and Pacific Tea Co.  | 35) Hartford Accident and Indemnity Company  |
| 13) Coastal Lumber Company                  | 36) Home Beneficial Life Insurance Company   |
| 14) Diamond Alkali Company                  | 37) Life and Casualty Company of Tennessee   |
| 15) Dixie Container Corporation             | 38) Phoenix Mutual Life Insurance Company    |
| 16) Federal Paper Board Company, Inc.       | 39) Royal Globe Insurance Company            |
| 17) Imperial Group, Ltd.                    |                                              |
| 18) Miller Manufacturing Company, Inc.      |                                              |
| 19) Regency Square Shopping Center          |                                              |
| 20) Sherwin-Williams Paint Company          |                                              |
| 21) Sinclair Refining Company               |                                              |
| 22) Standard Paper Manufacturing Company    |                                              |
| 23) Westinghouse Electric Corporation       |                                              |

WILLIAMS, MULLEN AND CHRISTIAN

- |                                                     |                                                |
|-----------------------------------------------------|------------------------------------------------|
| 1) Universal Leaf Tobacco Company, Inc.             | 14) Virginia Tractor Company, Inc.             |
| 2) Richmond Hotels, Incorporated                    | 15) Shoosmith Brothers, Inc.                   |
| 3) United Virginia Bank (Trust Division)            | 16) Universal Motor Company, Inc.              |
| 4) Bank of Virginia - Central (Trust Dept.)         | 17) Liphart Steel Company, Inc.                |
| 5) Richmond, Fredericksburg and Potomac Railroad    | 18) Automobile Club of Virginia                |
| 6) Interbake Foods (Southern Biscuit Co.)           | 19) Mutual Assurance Society of Virginia       |
| 7) Siegel's Super Markets, Inc.                     | 20) Inta-tota, Incorporated                    |
| 8) Larus and Brother Company, Inc.                  | 21) Virginia Society of Professional Engineers |
| 9) Coca-Cola Bottling Company General Offices, Inc. | 22) Mega Contractors, Incorporated             |
| 10) The Cardwell Machine Company                    | 23) American Motor House Inns                  |
| 11) Virginia Manufacturers Association              |                                                |
| 12) Craigie, Mason-Hagan, Inc.                      |                                                |
| 13) Travel Advisors, Inc..                          |                                                |

CHRISTIAN, BARTON, PARKER AND EPPS

- |                                            |                                                 |
|--------------------------------------------|-------------------------------------------------|
| 1) Automatic Equipment Sales, Incorporated | 11) John Hancock Mutual Life Insurance Co.      |
| 2) Brown Boveri Power Equipment, Inc.      | 12) Life Insurance Company of Virginia          |
| 3) Concrete Pipe and Products Company      | 13) Massachusetts Mutual Life Insurance Company |
| 4) Federal Reserve Bank of Richmond        | 14) Media General, Inc.                         |
| 5) General Fire and Casualty Company       | 15) Metropolitan Life Insurance Company         |
| 6) Greyhound Lines, Incorporated           | 16) Mutual Life Insurers Co. of New York        |
| 7) Guardian Life Insurance Company         | 17) Mutual of Omaha Insurance Company           |
| 8) Home Builders Association of Virginia   | 18) Neighborhood Group of Theaters              |
| 9) James River Paper Company               | 19) New York Life Insurance Company             |
| 10) Jefferson Standard Life Insurance Co.  | 20) The Pittston Company                        |

CHRISTIAN, BARTON, PARKER AND EPPS (Continued)

- |                                                       |                                            |
|-------------------------------------------------------|--------------------------------------------|
| 21) Radio Station WRNL                                | 31) Syndor Hydrodynamics, Inc.             |
| 22) Retail Merchants Association of<br>Metro Richmond | 32) Television Station WWBT                |
| 23) Richmond Eye Hospital                             | 33) Thalhimer Brothers, Inc.               |
| 24) Richmond Metropolitan Authority                   | 34) Truxmore Industries                    |
| 25) Richmond Newspapers, Inc.                         | 35) Union Camp Corporation                 |
| 26) Scott and Stringfellow                            | 36) Virginia Education Association         |
| 27) Security Federal Savings and Loan Assoc.          | 37) Virginia Highway Users Association     |
| 28) Southern Bank and Trust Company                   | 38) Virginia Housing Development Authority |
| 29) Southern Bankshares, Inc.                         | 39) Virginia Tank Carriers Trust Assoc.    |
| 30) Sperry and Hutchinson Company                     | 40) Willow Lawn Shopping Center            |

BROWDER, RUSSELL, LITTLE AND MORRIS

- |                                             |                                                       |
|---------------------------------------------|-------------------------------------------------------|
| 1) American Insurance Group                 | 15) Reliance Insurance Company                        |
| 2) Buckeye Union Insurance Company          | 16) Security Insurance Group                          |
| 3) Continental National American Group      | 17) St. Paul Insurance Company                        |
| 4) Crum and Forster Group                   | 18) State Farm Mutual Automobile<br>Insurance Company |
| 5) Employers Mutual of                      | 19) Zurich-American Insurance Company                 |
| 6) Federal Insurance Company                | 20) Bemiss Equipment Corporation                      |
| 7) General Accident Group                   | 21) Bowers, Nelms and Fonville, Realtors              |
| 8) Government Employees Insurance Company   | 22) James River Lumber Company                        |
| 9) Harleysville Mutual Insurance Company    | 23) Leisure Times Distributors, Inc.                  |
| 10) Hartford Accident and Indemnity Company | 24) Little Oil Co., Inc.                              |
| 11) Kemper Group                            | 25) Morton & Woltz, Inc., Advertising                 |
| 12) National Indemnity Company              | 26) Producers Co-Operative, Inc.                      |
| 13) Ohio Casualty Company                   | 27) Richmond Block, Inc.                              |
| 14) Pilot Freight Carrier                   |                                                       |

BROWDER, RUSSELL, LITTLE AND MORRIS (continued)

- |                                        |                                           |
|----------------------------------------|-------------------------------------------|
| 28) Richmond Gravure, Inc.             | 34) F. Richard Wilton, Jr., Contractor    |
| 29) Richmond School Board              | 35) Virginia United Methodist Homes, Inc. |
| 30) Service Steel Erectors, Inc.       | 36) Masonic Home of Virginia, Inc.        |
| 31) Summit Container Corporation       | 37) Noland Company, Inc.                  |
| 32) Morton G. Thalhimer, Inc., Realtor | 38) Phillips Petroleum, Inc..             |
| 33) Virginia Precast Corporation       | 39) S. J. Grove Construction Company      |

corporate enterprises. The Hunton, Williams roster contains such notable clients as the Virginia Electric and Power Company, the largest public utility in the Commonwealth, Ethyl Corporation, the nation's largest supplier of fuel additives, United Virginia Bankshares and Bank of Virginia Company, two of the largest banking enterprises in Virginia, the Richmond Corporation, the multi-corporate conglomerate, and Chesapeake Corporation, the largest producer of pulp products in the state. The list further grows, sounding as if it were a virtual corporate Who's Who, including such national businesses as General Motors, Appalachian Power Company, Chesapeake and Ohio, Seaboard Coast Line, and the Southern Railway Systems, Humble Oil and Refining, a subsidiary of Exxon, Philip Morris, Sears, Dan River Mills, and the First Colony, Mutual Benefit, and the New York Life Insurance Companies. By any standards, this is a formidable collection of very successful and influential corporations who play a fundamental role in the functioning of the economy. Any law firm who would in the course of its business represent these corporate actors must de facto be a most important and influential body in the ebb and flow of the economic system.

Much the same is true for the other five firms as well, for each is possessing of many of the most influential and strategic companies operating in this area. McGuire Woods, while not specifically listing its clients in Martindale-Hubbell, counts among its patrons such entities as the Anheuser-Busch Brewing Company, Safeway Stores, Reynolds Metals, A. H. Robins and the 3M Corporation. Mays, Valentine likewise may call an equally impressive number of clients, including the A & P supermarket chain, the American Tobacco Company, Colonial Stores, Atlantic Richfield, Westinghouse, F. W. Woolworth, Western Union Telegraph, Sherwin-Williams Paint Company as well as a host of the most prosperous insurance corporations in the nation. The final two firms,

Williams, Mullen and Christian and Browder, Russell, Little and Morris, also reveal this propensity for serving large accounts, having within the Williams fold many powerful Richmond based firms and within the Browder corral a virtual host of very powerful national insurance companies as well as many important local corporations and bodies. Thus, it would appear that these six firms collectively stand out in this one indication of power and success, being very adept at garnering large, powerful corporations as their clients, forming a most important link in the chain of influence and input within the economic system and the society at large.

## 2. Representation on key economic policy-making bodies.

a. Membership on corporate boards of directors. This variable explores a second aspect and means whereby attorneys may have and generate great power and influence within the economic system. As influence may come about from representing some of the most powerful corporations operating within the region, so too may great input be engendered by these same legal actors sitting on the policy-making bodies which control these mammoth capitalistic enterprises and thereby steer the great ships of commerce. This concept of "inter-locking directorships" was most notedly explored by C. Wright Mills, and by many explorers of the economy and elitism since. Table III-II reveals that here again the five largest firms are disproportionately blessed with attorneys who hold the dual position of lawyer and corporate decision-maker. Hunton, Williams reveals the largest number of lawyers holding corporate director and officerships, with nine attorneys who serve on some twenty-four different corporation boards, also the highest number of total directorships. McGuire, Woods shows the second highest sum of total directorships with some seventeen, and owns the third position so far as the total number of individuals, while Mays, Valentine likewise has three attorneys, for a total representation on four corporations. Christian, Barton possesses the second highest number of total individual

TABLE III - II

REPRESENTATION OF AREA ATTORNEYS ON CORPORATE BOARDS OF DIRECTORS<sup>1</sup>

	<u>Hunton, Williams</u>	<u>McGuire, Woods</u>	<u>Mays, Valentine</u>	<u>Christian, Barton</u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others</u>
Total number of individuals holding a corporate directorship	9	3	3	4	1	0	6
Total number of directorships held by members of a given law firm	24	17	4	10	2	0	8

<sup>1</sup> Source: Standard and Poors Register of Corporations, Directors, and Executives: United States and Canada.  
New York: Standard and Poors, Inc., 1973.



TABLE III - III  
 REPRESENTATION OF ELITE FIRM ACTORS  
 ON CORPORATE BOARDS OF DIRECTORS<sup>1</sup>

HUNTON, WILLIAMS, GAY AND GIBSON

Eppa Hunton, IV -

Member executive committee and director - First and Merchants National Bank

Member executive committee and director - First and Merchants Corporation

Trustee, Richmond Eye Hospital

President and Trustee, Medical College of Virginia Foundation

Member, Executive Committee, Virginia Historical Society

George D. Gibson -

General counsel, Virginia Electric and Power Company

Director, Richmond Hotels, Inc.

H. Merrill Pasco -

Secretary, Virginia Hot Springs Company

Director, Virginia Guano Company

Secretary, Virginia-Carolina and Richmond Hardware Companies

Lewis F. Powell -

Director, United Virginia Bankshares, Inc.

Trustee, Colonial Williamsburg, Inc.

Director, State Planters Bank of Commerce and Trusts

Director, Philip Morris, Inc.

Director, Lawyers Title Insurance Company

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<sup>1</sup> Source: Standard and Poors Register of Corporations, Directors, and Executives United States and Canada. New York: Standard and Poors, Inc. 1973.

John W. Riely -

Director, Bank of Virginia Central, Inc.

Director, Bank of Virginia Company, Inc.

Director, Commonwealth Natural Gas Corporation

Joseph Carter -

Secretary and Director, Richmond Engineering Company

Director, General Medical Corporation

Director, Garfinckel, Brooks Brothers, Miller and Rhoads, Inc.

Robert P. Buford -

Director, United Virginia Bankshares, Inc.

E. Milton Farley -

Director, Virginia Transit Company

Richard G. Joynt -

Director, Richmond Cold Storage Company, Inc.

McGUIRE, WOODS AND BATTLE

W. Gibson Harris -

Director, Southern Department Stores, Inc.

Chairman, Southern Industries, Inc.

Vice-President and Director, Southern Company

Director, Tidewater Steel Corporation

Director, Tredegar Company

Chairman, Virginia Capital Corporation

Director, Investment Company of Florida

Chairman, Solaronics, Inc.

Chairman, Cologne Life Reinsurance Company

Director, English Speaking Union of the United States

W. Gibson Harris - (continued)

Director, The Computer Company

Director, Micromation Services Corporation

Director, Columbus Landing, Limited

Trustee, Virginia Real Estate Trust

Director, Traffic Safety Systems

Carle E. Davis -

Counsel, H & R Block Company

Thomas C. Gordon -

Director, Virginia Trust Company

CHRISTIAN, BARTON, PARKER AND EPPS

Robert T. Barton, Jr. -

Director and Treasurer, Chesterfield Apartment Company

Director, Concrete Pipe and Products Company

Director and President, Round Hill Orchards, Inc.

Director, Neighborhood Theaters, Inc.

R. Harvey Chappell, Jr. -

Chairman, Crippled Children's Hospital

Director, Thalhimer Brothers, Inc.

Lee F. Davis -

Vice -President, Central National Bank, Inc.

Director, Continental Telephone Company of Virginia

William R. Shands -

Director Emeritus, Bank of Virginia

General Counsel, Life Insurance Company of Virginia

MAYS, VALENTINE, DAVENPORT AND MOORE

F. Elmore Butler -

Director, Standard Paper Manufacturing Company

John S. Davenport -

Director, First and Merchants National Bank

Richmond Moore, Jr. -

Counsel, Home Beneficial Corporation

Counsel, Home Beneficial Life Insurance Company

WILLIAMS, MULLEN AND CHRISTIAN

Fielding Williams, Sr.

Secretary, Richmond Hotels, Inc.

Director, Universal Leaf Tobacco Company

with some four members being members of ten boards of directors, and Williams, Mullen has one attorney serving on two boards. This heavy per capita representation of these five largest firms is in marked contrast to the state of the remaining forty-five firms in the Richmond area, whose six directors occupy eight seats on these corporate committees. Thus, here again it is vividly clear that in this most crucial question of economic policy-making that the five firms mentioned above do very much possess an inordinate number of these most influential positions. Table III-III shows that, in addition to occupying a large number of these board slots, that many of them are on the most powerful and well-endowed corporations within the Commonwealth of Virginia. Consequently, on these two counts the five largest firms reveal a corporate policy-making interlock which bespeaks highly of the strategic perch inhabited by these legal actors.

#### SOCIAL INDICATORS

##### 1. Representation of law firm actors on key social-policy bodies.

a. Representation of law firm actors on university boards of trustees and policy committees. Traditionally the elite of a society have been particularly inclined to be most deeply committed to and involved in the education system, and especially higher education. The modern university is now a powerful force within society, shaping it greatly in both a social and economic manner. Given this highly strategic role, it is quite logical that whoever holds the reins of power and policy direction at these institutions has a great substantive effect on the lives and fortunes of many citizens. Here again the Mills theory of interlocking directorships very much comes into play to a near equal extent in the case of educational bodies. Table III-IV shows that among the colleges and universities of the Commonwealth three law firms in particular have a high number of lawyer-members who serve as university

TABLE III - IV

REPRESENTATION OF LAW FIRM ACTORS ON UNIVERSITY POLICY-MAKING BODIES<sup>1</sup>

	<u>Hunton, Williams</u>	<u>McGuire, Woods</u>	<u>Mays, Valentine</u>	<u>Christian, Barton</u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others</u> <sup>2</sup>
Boards of Trustees	2	1	0	1	2	0	4
Rectors	1	0	0	1	0	0	0
Total	<u>3</u>	<u>1</u>	<u>0</u>	<u>2</u>	<u>2</u>	<u>0</u>	<u>4</u>

<sup>1</sup> Source: College catalogs of Virginia Institutes of Higher Learning, 1973-74.

<sup>2</sup> The "all others" column contains some 45 law firms in the Richmond area.

trustees. Hunton, Williams exhibits the highest number of these leadership positions, having three individuals serving as trustees, including the rector of the University of Richmond. Christian, Barton and Williams, Mullen each show two attorneys currently holding office, while McGuire, Woods has a single member on these most important bodies. This high per capita degree of representation is again contrasted with the forty-five remaining firms, who collectively supply four trustees to the fold. The domination and authority of certain firms within the Richmond area is once more documented in the area of education, where a handful of law firms supply an inordinate proportion of personnel in a highly prestigious and influential field of social policy-making.

b. Representation in key social philanthropic and civic organizations. In this area as well elites have traditionally supplied an inordinate number of the members of certain organizations whose primary function is the promotion of social and civic betterment. Table III-V shows the membership of Richmond area law firm members in certain selected social organizations of this type, as recorded in a survey of area attorneys conducted during January and February 1974. Here the results are mixed, as the proportion of membership varies from one particular club to another. The Civitan, Lions, and Kiwanis Clubs all show a very low number of attorney-members, with low percentages in all seven categories. The Jaycees exhibit a higher frequency of enrollment, especially in the case of the "all others" category where 25% of the respondents are or were at one time Junior Chamber of Commerce members. Membership in the Chamber of Commerce is roughly evenly distributed across the law firm spectrum, while the firms of Hunton, Williams, McGuire, Woods, and Christian, Barton show a fairly high representation in the Rotary Club. In this area of community involvement then, the membership in certain key social, philanthropic and civic betterment organizations is fairly randomly distributed among the various firms of the Richmond area, with no inordinate numbers being revealed in any one or several bodies.

TABLE III - V

REPRESENTATION OF LAW FIRM ACTORS IN PHILANTHROPIC AND CIVIC ORGANIZATIONS<sup>1</sup>

	<u>Hunton, Williams</u>	<u>McGuire, Woods</u>	<u>Christian, Barton</u>	<u>Mays, Valentine<sup>2</sup></u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others</u>
<u>Jaycees</u>	3	2	1	1	1	0	41
% of firm respondents	11.5	13.3	14.3	50.0	33.3	0.00	25.3
<u>Chamber of Commerce</u>	5	1	2	0	1	1	27
% of firm respondents	19.2	2.7	28.6	0.00	33.3	12.5	16.7
<u>Rotary Club</u>	8	5	3	0	0	1	18
% of firm respondents	30.8	33.3	42.9	0.00	0.00	2.9	11.1
<u>Civitan Club</u>	0	0	0	0	0	0	7
% of firm respondents	0.00	0.00	0.00	0.00	0.00	0.00	4.3
<u>Lions Club</u>	0	0	0	0	1	0	8
% of firm respondents	0.00	0.00	0.00	0.00	33.3	0.00	4.9
<u>Kiwanis Club</u>	1	1	2	0	0	0	8
% of firm respondents	3.8	6.7	28.6	0.00	0.00	0.00	4.9

<sup>1</sup> Source: Survey of Richmond lawyers, conducted during January/February 1974.

<sup>2</sup> The Mays, Valentine column contains only two respondents and is an extremely small sample. (See Appendix C).



c. Membership in elite social organizations. Certain organizations of a primarily social function become known as elitist because of their restrictive and elaborate entrance requirements. Within the Richmond area, the most elite clubs by general consensus are the Commonwealth Club, a very exclusive men's organization located on Franklin Street in the far west portion of the Downtown area, and the Country Club of Virginia, located in the outskirts of the west end of the city. Table III-VI shows the distribution of membership in these elite societies among the firms of Richmond. Here the largest three firms of Hunton Williams, McGuire Woods, and Christian Barton reveal a reasonable high proportion of membership, ranging from twenty to over fifty percent of the respondents being affiliated with these clubs. Mays, Valentine and Browder, Russell show a fairly high percentage of members in the Country Club of Virginia. Here there would appear to be a situation insofar as these two exclusive clubs are concerned where certain firms do have a higher proportion of its attorneys as members, although not nearly in the inordinate numbers exhibited previously in other indicator categories.

#### PHYSICAL INDICATORS

##### 1. Concrete resources of a given law firm.

a. Mass numbers of lawyers employed by a given law firm. In any given situation, the mass numbers of individuals who may be applied toward performing a task is one of the most crucial variables in determining the final outcome of this work. Much the same is true within the legal profession, as sheer tallies of attorneys represent a most valuable resource and tool to be wielded by a law firm, and represents one of the most finite indicators of endowment to these collectivities. Table III-VII shows the physical distribution of lawyers within the law firms of the Richmond area. The firms of Hunton, Williams and McGuire, Woods are virtually in a class by themselves insofar as mass quantity of attorneys

TABLE III - VI

REPRESENTATION OF LAW FIRM ACTORS IN ELITE SOCIAL ORGANIZATIONS<sup>1</sup>

	<u>Hunton, Williams</u>	<u>McGuire, Woods</u>	<u>Mays, Valentine<sup>2</sup></u>	<u>Christian, Barton</u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others</u>
Commonwealth Club	8	5	0	3	0	1	18
% of firm respondents	30.8	33.3	0.00	42.9	0.00	12.5	11.1
Country Club of Virginia	12	3	2	4	0	4	28
% of firm respondents	46.2	20.0	100.0	57.1	0.00	50.0	17.3

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

<sup>2</sup> The Mays, Valentine column contains only two respondents and is an extremely small sample. (See Appendix C).

employing some 86 and 63 individuals respectively. Before this first niche comes a progression of well-endowed law firms, led by Mays, Valentine with 34 barristers and Christian, Barton with 32. Next comes a trio of law firms, Williams Mullen, Hirschler and Fleisher, and Browder Russell, each have in its possession approximately twenty lawyers, which are in turn followed by the rest of the firms in the Richmond area, ranging from the 13 attorneys at White, Cabell, Paris and Lowenstein to the single-member firms in existence locally. Here again it would appear that a handful of legal collectivities are dominant in the sense of possessing large numbers of personnel. While this numerical recounting is incapable of denoting the entire equation of power, for a given firm to have a large workforce to call upon in the pursuit of its caseload is most certainly advantageous and a key factor in the practice of law, as here, as in most enterprises, lies a certain degree of strength in numbers.

b. Number of legal staff at the disposal of a given law firm. Staff assistance plays an eminent role in most governmental and private bureaucracies now, as most pursuits are of such a complexity and difficulty as to require the aid and expertise which can be supplied by both clerical and specially-trained personnel. While attorneys have traditionally not relied upon great numbers of staff, the acceleration of their business has dictated that a much greater utilization be made of non-lawyers in the practice of law. While again, as with mass numbers of lawyers, sheer numerical presence of staff personnel are not in themselves an assurance of quality representation, but are an important factor and variable in the provision of competent legal service. Table III-VII shows the distribution of legal staff among the various law firms of the Metropolitan Richmond area. Staff here is intended to include all non-attorneys employed by a law firm, including clerical works, investigators, paralegals, etc. This resource has been characterized among these firms as follows; Very high, over 100 staff personnel in employment, High, between 50 and 100 staffers, medium, between

TABLE III - VII

NUMERICAL REPRESENTATION OF ATTORNEYS, STAFF, AND  
PHYSICAL RESOURCES IN RICHMOND AREA LAW FIRMS<sup>1</sup>

<u>Law Firm</u>	<u>Number of Attorneys</u>	<u>Number of Staff</u> <sup>2</sup>	<u>Physical Resources</u> <sup>3</sup>
1) Hunton, Williams, Gay and Gibson	86	Very High	Very High
2) McGuire, Woods and Battle	63	Very High	Very high
3) Mays, Valentine, Davenport and Moore	34	High	High
4) Christian, Barton, Parker and Epps	32	High	High
5) Williams, Mullen and Christian	20	Medium	High
6) Hirschler and Fleischer	20	Medium	High
7) Browder, Russell, Little and Morris	19	Medium	High
8) White, Cabell, Paris and Lowenstein	13	Average	Average
9) Sands, Anderson, Marks and Clarke	11	Average	Average
10) Bremner, Byrne and Baber	11	Average	Average

<sup>1</sup> Source: Martindale-Hubbell Law Dictionary. Summitt, New Jersey: Martindale-Hubbell, Inc. 1974.

<sup>2</sup> Firms are characterized as to Number of Staff by the following criterion: Very high, over 100 staff personnel in employment, High, between 50 and 100 staffers, Medium, between 20 and 50 staffers, Average, between 10 and 20 staffers and Low, less than 10 staff personnel. The term "staff" here is meant to include all non-attorneys employed by a firm, including clerical workers, paralegals, investigators, etc.

<sup>3</sup> Firms are characterized as to their physical resources by the following criterion: Very high, indicating the largest aggregation of physical resources such as library materials, office equipment, etc., High, indicating a large assortment of physical order and resources, Average, indicating the firm has at its command the average number of physical resources in this area, and Low, indicating the lowest amount of physical resources in this area.

TABLE III -VII (Continued)

<u>Law Firm</u>	<u>Number of Attorneys</u>	<u>Number of Staff</u>	<u>Physical Resources</u>
11) Allen, Allen, Allen and Allen	9	Average	Average
12) McCaul, Grigsby and Pearsall	9	Average	Average
13) Florance, Gordon and Brown	9	Average	Average
14) Wallerstein, Goode and Dobbins	8	Average	Average
15) Cutchins, Wallinger, Christian and House	7	Average	Average
16) Taylor, Hazen, Bryant and Kauffman	7	Average	Average
17) Williams and McGehee	7	Average	Average
18) Bowles and Byrd	6	Average	Average
19) May, Garrett, Miller and Parsons	6	Average	Average
20) Minor, Saunders and Benedetti	5	Low	Low
21) Cohen, Abeloff and Staples	5	Low	Low
22) Thompson, Savage, Smithers, Press and Marshall	5	Low	Low
23) Anderson, Haw, Parkerson and Beazley	4	Low	Low
24) Elmore and Parker	4	Low	Low
25) Goddin, Major, Schubert and Hyman	4	Low	Low
26) Edward E. Lane and Associates	4	Low	Low
27) Moncure and Cabell	4	Low	Low
28) Obenshair, Hinnant, and Dolbeare	4	Low	Low
29) Parker, Fenderson and Pollard	4	Low	Low
30) Paul, Smith and Blank	4	Low	Low

TABLE III -VII (Continued)

<u>Law Firm</u>	<u>Number of Attorneys</u>	<u>Number of Staff</u>	<u>Physical Resources</u>
31) Somma, Baugh and McMurtrie	4	Low	Low
32) Spinella, Spinella and Owings	4	Low	Low
33) Keith and Inge	3	Low	Low
34) Maloney and Yeatts	3	Low	Low
35) Martin and Meyer	3	Low	Low
36) Rogers, Cudlipp and Gwathmey	3	Low	Low
37) Shaia, Stout and Markow	3	Low	Low
38) Woodward and McCowan	3	Low	Low
39) Archie C. Berkley	3	Low	Low
40) Emanuel Emrock and Associates	3	Low	Low
41) Gambill and Martin	2	Low	Low
42) Jay Kauffman and Associates	2	Low	Low
43) Randolph and Dorset	2	Low	Low
44) Smart and Cocke	2	Low	Low
45) Sullivan and Kane	2	Low	Low
46) John J. Wicker and Associates	2	Low	Low
47) Laurence Douglas Wilder	2	Low	Low
48) Wiley and Jones	2	Low	Low
49) Griffen, Branigan and Butler	1	Low	Low
50) G. Clinton Moore	1	Low	Low

TABLE III -VII (Continued)

<u>Law Firm</u>	<u>Number of Attorneys</u>	<u>Number of Staff</u>	<u>Physical Resources</u>
51) E. Grady Paul, Jr.	1	Low	Low
52) William P. Schaffer	1	Low	Low
53) Lewis D. Williams	1	Low	Low

20 and 50 staffers, Average, between 10 and 20 staffers, and Low, less than 10 staff personnel. Here so far as non-attorney assistance, is concerned, the firms of Hunton, Williams and McGuire, Woods again stand out as being in a class by themselves, with each possessing well over 100 staff members. Mays, Valentine and Christian, Barton fall next in the rank-ordering of staff numbers, with between 50 and 100 persons respectively, while a trio of firms, Williams Mullen, Hirschler and Fleisher and Browder Russell report with between 20 and 50 staffers. The remaining firms either are rated as average or low so far as this resource is concerned. Thus, these seven largest firms also exhibit the highest concentration of staff resources as well, forming a second key link in the equation of physical resources.

c. Physical Resources of a given law firm. Physical resources include those aids such as library resources, office facilities, etc. which greatly facilitate completion of a task. Here again the virtually identical distribution occurs with Hunton, Williams and McGuire, Woods standing alone at the top with a tremendous collection of resources, being followed by the next five largest firms who possess substantial order in their own right. Thus, again to differentiate is evident in the local legal profession, as a few firms have a tremendous number of physical aids at their command.

## 2. Expertise of a given firm.

a. Representation of blue-chip law schools in Richmond area law firms. Table III-VIII shows the distribution of graduates of elite law schools among the law firms of the Richmond Metropolitan Area. As the results show, graduates of blue-chip schools are unevenly distributed among these firms, with certain ones being especially well-endowed with this particular asset of expertise. The firm of Hunton, Williams, Gay and Gibson and McGuire, Woods and Battle are the most well-endowed in terms of absolute numbers of elite graduates, possessing some 55 and 38 alumni of these eight schools. Trailing this first tier or level



TABLE III-VIII

REPRESENTATION OF GRADUATES OF BLUE-CHIP LAW SCHOOLS  
IN RICHMOND AREA LAW FIRMS<sup>1</sup>

<u>Elite Law Schools</u> <sup>3</sup>	<u>Hunton Williams</u>	<u>McGuire, Woods</u>	<u>Mays Davenport</u>	<u>Christian, Barton</u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others</u> <sup>2</sup>
Virginia	39	32	15	11	13	10	59
Harvard	11	2	0	0	0	0	2
Yale	4	3	4	0	0	0	3
Columbia	0	0	0	1	0	0	0
Pennsylvania	0	1	0	0	0	0	0
Michigan	0	0	0	1	0	0	0
Chicago	0	0	0	0	0	0	1
Stanford	1	0	0	0	0	0	0
Totals	55	38	19	13	13	10	65
Total Members listed	79	55	31	28	19	18	214
Ratio of graduates of elite law schools to total members listed	.696	.699	.612	.464	.684	.555	.303

<sup>1</sup>Source: The Martindale-Hubbell Law Directory, Volume IV (Summit, New Jersey: Martindale-Hubbell, Inc., 1973), pp.2163B-2213B.

<sup>2</sup>The "all others" column is a compilation of the figures for all Richmond law firms listed in Martindale-Hubbell other than the six largest catalogued here. Some 45 firms are included in this column.

<sup>3</sup>The law school of the University of California at Berkeley was excluded from consideration in spite of its inclusion as an elite law school because none of its graduates are listed as employees of any Richmond firm in Martindale-Hubbell. The source for elite law school ratings is the American Council of Education and Peter Vanderwicken's article, "The Angry Young Lawyers" (Fortune, September 1971. pp.74-77+.)

of firms is a second distinct grouping comprised of Mays, Valentine, Davenport, and Moore, Christian, Barton, Parker, Epps and Brent, Williams, Mullen and Christian, and Browder, Russell, Little and Morris with some 19, 13, 13 and 10 lawyers respectively. All other firms in Richmond compiled together in column seven possess some 65 graduates of elite law schools, which, with some 45 firms represented in this figure is an average of only 1.44 elite graduate per firm. Any firm with less than 10 graduates of blue-chip law schools was included in this "all others" category. Only two firms, Hirschler and Fleischer, which has nine elite graduates, and Sands, Anderson, Marks, and Clarke, which has seven elite graduates, are very close to the second tier firms. None of the other 43 firms has more than five, with the vast majority having two or less. Thus, this chart clearly shows that graduates of the very best schools of law are in absolute numbers concentrated primarily in two firms, Hunton, Williams and McGuire, Woods, and to a lesser extent in four other firms, Mays Davenport, Christian Barton, Williams Mullen and Browder Russell.

Measures of absolute numbers of elite law school graduates can potentially be misleading however, because of the great disparity in the number of lawyers employed among the various firms listed here. For example, some 79 lawyers are listed for Hunton, Williams as compared to some 18 for Browder, Russell. Therefore, a ratio of graduates of elite law schools has been computed in order to ascertain what percentage of the total number of lawyers of a given firm went to one of these eight law schools. This set of figures reveals that the two leading firms in terms of absolute numbers also have the two highest ratios, with Hunton, Williams and McGuire, Woods having near equal ratios of .696 and .699 respectively. Here however the firms are much more closely bunched as two of the firms who in the second-tier in terms of absolute numbers, Mays, Davenport and Williams, Mullen, have ratios very close to those of the leading two. The "all other" firms reflect a much lower percentage than that of any of the six

top firms, with a ratio of only .303. Thus, these figures indicate that in terms of garnering the graduates of the nation's best law schools, a handful of firms overwhelmingly dominate and thus are disproportionately supplied with this one indicator of legal expertise.

b. Degree of specialization within a given firm. Specialization is perhaps the essence of work in the modern technological age. Among the area law firms the specialization of their respective office appears to correlate directly with the size of the firms in terms of personnel, as the firms Hunton, Williams and McGuire, Woods exhibit a scheme of work differentiation which may be characterized as "High", and are followed by the next five largest firms who possess a "Moderate" degree of specialization. The remaining firms each exhibit a specialization quotient of either "Average" or "Low". Here once more certain law firms are possessing of a more specialized work task differentiation, and reap the benefits from their advancement.

c. Academic Achievement of firm members as undergraduates and as law students. As with any enterprise, the story is not told by sheer numbers alone, as the qualitative aspect ultimately plays a near equal role with the quantitative variables. This variable seeks to measure the expertise controlled by area law firms. Table III-IX reveals the distribution of academic honors garnered by the individual members of the law firms of the Richmond area. Here again as with the case of the distribution of graduates of elite law schools, the firms of Hunton, Williams and McGuire, Woods clearly are in a class by themselves in terms of absolute numbers of academic honors with nearly equal totals of 68 and 70 respectively. The second grouping of Mays, Davenport, and Christian, Barton, trail the big two firms badly in absolute numbers of awards, having again near equal totals of 21 and 22. Lagging even farther behind are the firms of Williams, Mullen and Browder, Russell who could only muster 11 and 6 kudos apiece. The other 45 firms in the area compiled only some 55 of these honors, less than the

TABLE III-IX

## ACADEMIC ACHIEVEMENT OF RICHMOND AREA LAW FIRM MEMBERS

AS UNDERGRADUATES AND AS LAW STUDENTS<sup>1</sup>

	<u>Hunton Williams</u>	<u>McGuire, Woods</u>	<u>Mays, Davenport</u>	<u>Christian, Barton</u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others<sup>2</sup></u>
<u>Undergraduate Honors</u>							
Phi Beta Kappa	18	18	4	3	3	0	10
Omicron Delta Kappa	21	18	8	7	6	3	25
<u>Law School Honors</u>							
Membership on Law Review	18	20	5	10	1	2	22
Order of the Coif	11	14	4	2	1	1	8
Totals	68	70	21	22	11	6	55
Total Members Listed	79	55	31	28	19	18	214
Ratio of number of honors to total members listed	.861	1.27	.677	.785	.579	.333	.256

<sup>1</sup>Source: The Martindale-Hubbell Law Directory, Volume IV (Summit, New Jersey: Martindale-Hubbell, Inc., 1973), pp.2163B-2213B.

<sup>2</sup>The "all others" column is a compilation of the figures for all Richmond law firms listed in Martindale-Hubbell other than the six largest catalogued here. Some 45 firms are included in this column

total for either of the leading two firms and making for an average of only 1.22 honors per firm in this collective category. Thus, the distribution of awards won by law firm members or undergraduates and as law students are in absolute terms unevenly distributed among these professional associations, with the highest concentration occurring in two firms, Hunton, Williams and McGuire, Woods. However, as was the case with the distribution of graduates of blue-chip law schools, these figures do not tell the whole story because of the difference in absolute numbers of lawyers employed by each firm. To counter this a ratio of number of awards to the total number of members listed has been computed. Here again Hunton, Williams and McGuire, Woods are in a class by themselves, with ratios of .861 and 1.27 respectively. Only the firm of Christian, Barton is remotely close to the two leaders. Thus, it would appear that expertise as measured by the garnering of honors in the academic world is very unevenly distributed in the legal community, with two firms having a disproportionate concentration of this precious commodity.

d. Representation in professional groups of a given law firm. One of the marks of a successful entity is its ability to assume leadership among its peers in its given enterprise. Table III-X shows the distribution of leadership positions in the legal profession among the various law firms of the Richmond area. Here again certain firms are very well-endowed in terms of providing leadership within its profession. Christian Barton, McGuire Woods, and the Allens supply the most leader/attorneys in total numbers, followed by Hunton Williams, Emanuel Emroch, Parker Fenderson and Bremner and Byrne. The next grouping shows Mays, Valentine, Hirschler and Fleischer and Bowles and Byrd as abundant, succeeded in turn by the bulk of the firms of the area. Thus, in terms of absolute numbers, certain law firms do supply a high number of the leadership in its own legal profession. So far as the ratio of leadership positions to total firm members is concerned, the smaller firms for the most part

TABLE III - X  
 REPRESENTATION OF LOCAL ATTORNEYS IN POSITIONS OF  
 LEADERSHIP IN PROFESSIONAL-RELATED GROUPS <sup>1</sup>

<u>Law Firm</u>	<u>Total Leadership Positions</u>	<u>Total Attorneys</u>	<u>Ratio</u>
1) Christian, Barton, Parker, Epps and Brent	15	28	.535
2) McGuire, Woods and Battle	14	55	.254
3) Allen, Allen, Allen and Allen	13	7	1.85
4) Hunton, Williams, Gay and Gibson	10	79	.126
5) Emanuel Emroch and Associates	9	2	4.50
6) Parker, Fenderson and Pollard	9	4	2.25
7) Bremner, Byrne and Baber	8	10	.800
8) Mays, Valentine, Davenport and Moore	7	31	.225
9) Hirschler and Fleischer	7	17	.411
10) Bowles and Byrd	6	8	.750
11) Wicker, Goddin and Duling	5	4	1.20
12) Maloney and Yeatts	4	2	2.00
13) May, Garrett, Miller and Parsons	4	6	.666
14) Sands, Anderson, Marks and Clarke	4	9	.444
15) Wallerstein, Goode, Dobbins and Shuford	4	9	.444
16) White, Cabell, Paris and Lowenstein	4	14	.285
17) Cuthins, Wallinger, Christian and House	3	7	.428
18) Taylor, Hazen, Bryant and Kauffman	3	7	.428

<sup>1</sup> Source: Martindale-Hubbell Law Dictionary. Summitt, New Jersey: Martindale-Hubbell Company, 1973.

TABLE III -X (Continued)

<u>Law Firm</u>	<u>Total Leadership Positions</u>	<u>Total Attorneys</u>	<u>Ratio</u>
19) Anderson, Haw, Parkerson and Beazley	2	4	.500
20) Griffin, Branigan and Kindness	2	1	2.00
21) Jay Kauffman and Associates	2	2	1.00
22) McCaul, Grisby and Pearsall	2	10	.200
23) Minor, Thompson, Savage, Smithers and Bendetti	2	9	.222
24) Obenshain, Hinnant and Dolbeare	2	3	.666
25) E. Grady Paul, Jr.	2	1	2.00
26) Gordon, Cowan, Garner and Dodson	1	4	.250
27) Martin, Meyer and Pollard	1	3	.333
28) Moncure and Cabell	1	5	.200
29) F. Byron Parker	1	2	.500
30) Smart and Cocke	1	1	1.00
31) Sullivan and Kane	1	2	.500
32) L. Douglas Wilder	1	2	.500
33) Williams, Muller and Christian	1	19	.053
34) Browder, Russell, Little and Morris	0	18	.000
35) Cohen, Abeloff and Staples	0	5	.000
36) Florance, Gordon and Brown	0	9	.000
37) Keith and Inge	0	2	.000
38) Edward E. Lane and Associates	0	3	.000
39) G. Clinton Moore	0	1	.000
40) Paul, Smith and Blank	0	3	.000
41) Peyton, Beverly, Scott and Randolph	0	2	.000
42) Rogers, Cudlipp and Gwathmey	0	3	.000
43) Harry Shaia, Jr.	0	2	.000

TABLE III -X (Continued)

<u>Law Firm</u>	<u>Total Leadership Positions</u>	<u>Total Attorneys</u>	<u>Ratio</u>
44) Somma and McMurtrie	0	2	.000
45) Spinella, Spinella and Owings	0	4	.000
46) Edward E. Willey, Jr.	0	2	.000
47) Lewis D. Williams	0	1	.000
48) Williams and McGehee	0	5	.000
49) Woodward and McCowan	0	2	.000



exhibit a higher ratio, largely due to having one or two senior members who have garnered many slots as opposed to a broad spread of positions across the law firm. Here once more it would appear that a few law firms dominate in the supplying of the leadership of the legal profession in both the Metropolitan Richmond area and the Commonwealth of Virginia.

#### POLITICAL INDICATORS

Traditionally the elites of a society have been the primary source of those individuals who exert the key political leadership. Table III-XI shows the contribution of local law firms to key political bodies in the nation, the state, and the localities.

1. Representation of law firm actors on important urban governmental bodies. Here the distribution of law firm actors in the key urban governing bodies are shown in Table III-XI, which reveals that the Richmond firms listed as "all others", which includes some 45 firms, supplies the overwhelming majority of attorneys who serve or have served in the localities in leadership posts. The six largest firms supply very little of their local political actors, and basically it can be seen that the local legal profession is not the primary or dominating supplier of political manpower in the Richmond area.

2. Representation of law firm actors in key political organizations.

- a. Positions of importance held by law firm actors in the Democratic and Republican parties. In this category as well the local legal profession is revealed in Table III-XI as supplying very few of the top leadership positions on either the state level or the local Third District level. Of the six largest firms only one body, Mays, Valentine, supplies an attorney in a key leadership slot, with the other attorney coming from the category composed of all other area law firms.

TABLE III - XI

REPRESENTATION OF RICHMOND ATTORNEYS IN KEY POLITICAL BODIES <sup>1</sup>

	<u>Hunton, Williams</u>	<u>McGuire, Woods</u>	<u>Mays, Valentine</u>	<u>Christian, Barton</u>	<u>Williams, Mullen</u>	<u>Browder, Russell</u>	<u>All Others</u>
Representation on key urban bodies <sup>2</sup>	2	1	4	0	0	0	21
Representation in leadership positions in the Democratic and Republican Party	0	0	1	0	0	0	1
Representation in state or federal governmental bodies	8	16	9	2	11	1	41
Representation as lobbyists before the Virginia General Assembly, 1974 <sup>3</sup>	14	6	10	5	0	0	48

<sup>1</sup> Source: Martindale-Hubbell Law Dictionary. Summit, New Jersey: Martindale-Hubbell, Inc., 1973.

<sup>2</sup> "Key Urban Bodies" includes all local governing bodies, all boards created by them, the local judiciary and the municipal bureaucracy.

<sup>3</sup> Registration lists of Lobbyists filed with the Secretary of the Commonwealth, 1974 (available upon request).

3. Representation of law firm actors in state or federal governmental bodies. Table III-XI once more exhibits the distribution of attorneys in governmental bodies of the Commonwealth and the Federal level, and reveals that here the local legal profession does indeed supply a great number of actors in these leadership positions. The six largest law firms each produce a high number of positions held by its members, producing from 8 to 16 slots respectively, while the forty-five other law firms supply 41 positions. Here again the six largest law firms do fill an inordinate number of the leadership positions in the crucial political and governmental bodies on the state and federal level.

4. Representation of law firm actors as lobbyists before the Virginia General Assembly, 1974. Finally the eleventh table provides that the local legal profession supplies a large proportion of the lobbying corps at the state legislature, and of these firms, the four largest are especially prominent in this provision. Chapter VI will look at this critical variable in some detail.

## THE SELF-IDENTIFYING ELITE

The concept that members of a given collectivity, be it an occupational or professional grouping or any other set of individuals who share a common bond, are in fact the best judges and critics of this group as to individual merit is one deeply rooted and established in American society. This system has been in the past and continues to be one of the most frequently employed methods to assess and reward the relative value of a person in his chosen endeavor. In nearly every occupational collectivity, this traditional means of weighing prestige and standing has been oft used in a variety of ways to facilitate the internal functioning of these assemblies, both in a formal sense through the selection of group leadership and in an informal sense as well. The informal rank-ordering of members of any group by its own component individuals is virtually a universal phenomenon, as a hierarchy based on relative ability, prestige, and standing in the eyes of other group members will in most cases emerge and basically affect both the internal interrelationships of the constituent units and their dealings and affiliations with non-members and other "outsiders". Such a process has long been recognized by such students of human behavior as social psychologists and sociologists, who attribute great significance to this procedure as one of the fundamental operations in the development of a social order and a social class stratification.

This most basic postulate, so long informally recognized, has been subsequently adapted to fulfill a great need of those in the social sciences who attempt to identify and study the key decision-making processes in modern society. The broad inter-disciplinary area known as Community Power Studies, which has as one of its key goals the identification of those individuals and occupational positions who actually do wield the crucial and strategic power in a given policy-making situation, was one of the primary academic realms to attempt to formalize and systematize a means of gauging this most important yet

highly subjective variable. The pioneer in the development of such a system was the noted sociologist and community power scholar Floyd Hunter, whose now-classic work, Community Power Structure: A Study of Community Decision-Makers published in 1953, represented a great innovation in this elite identification process.<sup>1</sup> Hunter's theory, most basically stated was quite simply this; The best and most representative method of determining exactly who the true wielders of power in a closed system was to ask those individuals involved in the relevant decision-making process who they thought the most influential persons were. The logic behind such a identification system is quite simple, finding its basis in the previously discussed assumption that in many cases those who are most intimately entangled in the situation can most accurately designate the actual power merchants. Obviously, given the readily apparent merits of the Hunter concept, some disadvantages and shortcomings exist as well, lying primarily in the distinct subjectivity of their assessments due to the personal as well as positional bias, the difficulty felt by researchers in quantifying such data, and the problems of the tunnel-vision sometimes unavoidable to one who is so intimately entangled in the process.

However, despite these shortcomings, the Hunter idea has remained one of the primary research tools of community power students, and still forms one of the most consistently reliable means of elite indication. When the criticisms of the Self-Identifying Elite concept are kept in mind, and sole methodological reliance is not placed on these subjective opinions, the Hunter theory serves a critical function, for as any student of hierarchical and ranking systems comes quickly to know, subjectivity plays a great role in any such ordering.

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<sup>1</sup> Floyd Hunter, Community Power Structure: A Study of Community Decision-Makers (Chapel Hill: The University of North Carolina Press, 1953).

Thus, in order to fully supplement the more objectively and statistically oriented areas of elite identification used previously in this chapter, and to accurately gauge the feelings of the legal community in Richmond, a survey of the area's attorneys was undertaken to form a verifiable self-identifying elite of local barristers. This use of a local adaption of Hunter's postulate and research theory is not only highly germane and relevant to the legal profession, but is one in fact often employed by this group's own component members in the rewarding and supplying of legal manpower for many positions in government and within the Bar itself. The selection of judges, certainly one of the most critical leadership positions in government, aptly illustrates the use of self-assessment by this grouping. The local Bar Associations have traditionally in this area exercised dominance as to personal choice, with the bar de facto appointing the bench in their respective communities. The members of the Bar have tended to consistently endorse such systems, and their sentiment as to who is best suited to assess lawyers is most succinctly stated by one of the most prominent members of the Richmond Bar, who told this author; "Lawyers are by far the best judges of other lawyers. We work with these fellows every single day. We know who is sharp, we know who isn't. It makes sense that we would be the best judge."<sup>2</sup>

The exact methodology of the survey was as follows; Some 500 attorneys in the Richmond area were randomly selected from the some 800 lawyers in the yellow page listings of "Lawyers". These attorneys were surveyed by mail, and Part II of this interview offered these respondents an opportunity to designate those firms who form the legal elite or establishment of this area. The petitioned lawyers were asked specifically to select the law firms which they consider to

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<sup>2</sup> Interview with E. Milton Farley, March 13, 1974.

comprise the legal elite of Richmond, that is, the firms which they consider to be the most powerful, the most prestigious, or possessing the most legal expertise and the highest standing in the Richmond legal community. The respondents were given a list of some twenty-three law firms from the Richmond area, whose size and type of practice widely varied. The results of the survey may be seen in Table III-XII. Some 227 codeable responses were ultimately received from the original 500 individuals questioned.<sup>3</sup>

The attorneys clearly designated several firms as possessing those qualities of legal expertise, standing and power in excess of the bulk of the law firms in the Richmond area. The most frequently designated law firm was Hunton, Williams, Gay and Gibson, which was a choice of nearly 80% of the respondents. Following very closely was the firm of McGuire, Woods and Battle, whose 171 votes represented slightly 75% of the total respondents, and consequently was the second most highly regarded firm in the area. Trailing these two heavy vote-garnerers was a second natural grouping of two law firms, Christian, Barton, Parker and Epps and Mays, Valentine, Davenport and Moore. Christian, Barton received some 143 designations, good enough to represent 63% of the total possible designations, with Mays, Valentine falling some 4 percentage points behind, representing a total of 134 votes. A third natural grouping of two firms again follows this second duo. Williams, Mullen and Christian garnered some 90 designations, for a percentage of nearly 40%, and the sixth position was occupied by the firm of Browder, Russell, Little and Morris, which was named 79 times, a ratio of almost 35%.

The next collectivity in this rank-order is the Hirschler and Fleischer firm, whose 52 designations and percentage of 23% stand midway between the

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<sup>3</sup> See Appendix A for a sample of the survey used to compile this data.

TABLE III -XII

THE SELF-IDENTIFYING ELITE,Opinion Responses from Survey of  
Metropolitan Richmond Lawyers - Part II <sup>1</sup>

<u>Law Firm</u>	<u>Total Number of Responses</u>	(n=227) <u>% of total possible responses</u>
1. Hunton, Williams, Gay, and Gibson	181	79.73
2. McGuire, Woods and Battle	171	75.33
3. Christian, Barton, Parker and Epps	143	62.99
4. Mays, Valentine, Davenport and Moore	134	59.03
5. Williams, Mullen and Christian	90	39.64
6. Browder, Russell, Little and Morris	79	34.80
7. Hirschler and Fleischer	52	22.90
8. Allen, Allen, Allen and Allen	25	11.01
9. Sands, Anderson, Marks and Clarke	23	10.03
10. Bremner, Byrne, and Baber	17	7.48
11. Wallerstein, Goode and Dobbins	11	4.84
12. May, Garrett, Miller and Parsons	9	3.96
13. Florance, Gordon and Brown	7	3.08
14. Taylor, Hazen, Bryant and Kauffman	6	2.64
15. White, Cabell, Paris and Lowenstein	5	2.20
16. Cohen, Abeloff and Staples	5	2.20
17. Anderson, Haw, Parkerson and Beazley	3	1.32
18. Edward E. Lane and Associates	2	0.88
19. Greene, Buxton and Poindexter	2	0.88
20. Cutchins, Wallinger, Christian and House	1	0.44
21. Obenshain, Hinnant and Dolbeare	1	0.44
22. Rogers, Cudlipp and Gwathmey	1	0.44
No Opinion	9	3.96
Other firms designated	8	3.52
None	6	2.64
Uncodeable Responses	5	2.20

Total Possible Votes - 227

<sup>1</sup>Source; Survey of Metropolitan Richmond Lawyers, conducted January-February, 1974.



dominant first six of the survey and the trailing masses of the other firms included. The next logical grouping is that of the firms of Allen, Allen, Allen, and Allen, Sands, Anderson, Mark and Clarke, and Bremner, and Baber, all of whom have between 25 and 17 responses and roughly 10% of the total possible selections. The remaining eleven firms, none of which received more than eleven designations, trail far behind in this ordering of firms. Some nine respondents expressed no opinion as to this second part of the survey, while some 8 respondents named law firms not listed on the questionnaire, no single one of which received more than one vote apiece. In addition, six respondents expressed the judgment that none of the law firms registered were the components of a Richmond legal elite. Finally, some five individuals stated opinions which were of such a nature that they were impossible to statistically translate into the table of responses. The majority of these reports put forward the concept that the tremendous degree of specialization which now permeates the legal profession precludes any single firm from being capable of exerting dominant influence over the wide variety of areas of practice common in Richmond. According to these respondents, one must look to a very specific aspect of the profession such as corporate representation or criminal practice, etc. to pinpoint any one entity as being elitist. The favorite uncodeable response of this author was an attorney who wrote on the final page of the survey, "This is all bullshit. Why not do a survey on why there is air?"

Thus, having looked with some detail at the opinions and sentiments of the legal profession of Richmond as to the relative standing of their many law firms, it would appear that there is a two-tiered legal establishment in evidence in this area. The two heavy-weight firms of Hunton, Williams and McGuire, Woods clearly form a virtual class by themselves, receiving the

endorsement of the vast majority of the responding barristers. Following these two kingpins, there would appear to be a second tier composed of the next four firms in the rank-order, Christian, Barton, Mays, Valentine, Williams, Mullen and Browder, Russell. These firms all received a fairly high number of designations, and deserve to be considered as components of the legal establishment of the capitol city. Thus, the attorneys themselves would seem to endorse the concept that there is in fact a stratification among the law firms of the Richmond area, and that, of the many firms who compose the legal profession, certain ones do stand out as possessing an abundance of those qualities which differentiate these special collectivities from the rank-and-file of this most important occupation.

SUMMARY

Thus, having surveyed at some detail many of the varying aspects and variables which are indicative of power and influence and traditionally associated with elitism, it would appear that a differentiation among the law firms of the Richmond area does in fact occur, and that certain law firms may be rationally separated from the rank-and-file of these collectivities on both a reputational and a performance basis. Of the Richmond firms, Hunton, Williams, Gay and Gibson, McGuire, Woods and Battle, Christian, Barton, Parker, Epps and Brent, Mays, Valentine, Davenport and Moore, Williams, Mullen and Christian, and Browder, Russell, Little and Morris may be differentiated as the legal establishment of the area, and it is upon these collectivities that this paper will focus.

## CHAPTER IV

THE FEW; THE METHODS, PRACTICES, AND  
CHARACTERISTICS OF THE LEGAL ESTABLISHMENT

Thus, having identified those law firms who because of their power, influence, and relative standing among their peers may be logically and realistically differentiated from the masses of firms, it remains to take a closer and more internally-oriented look at these very special groups of attorneys. By taking a glimpse <sup>at</sup> of these firms and attempting to construct a portrait of the characteristics they enjoy and practices in which they indulge, a better understanding of the fascinating and unique world of these bodies may ultimately result. This chapter will look closely at these actors as they function and operate within their very special environment. It is not intended that this section be a highly analytic and detailed scrutiny; rather, it is designed to give a more impressionistic and skeleton overview of the most essential and interesting methods and practices in which these firms engage. Perhaps it is best and most descriptive for the reader to think of this chapter as being a portrait as opposed to a photograph, in that it seeks to give the gist and feeling of the subject in a more concerted manner than the photo, which captures every intricate detail. Consequently, this montage of descriptive vignettes will focus chiefly upon those internal processes which are essential to the life or death of any organization. First, the policies and practices as to recruitment will be examined, for quite obviously any body must have a reliable and successful means to draw new blood into the firm which is capable of practicing law successfully and in a manner consistent with the existing order. Secondly, the internal organization of

the firm will be inspected, insofar as any group of individuals must, when confronted with a work task, develop a form of hierarchy and specialization in order to function efficiently and thoroughly. Under this heading, the topics of the method for specialization within the firm and the rationale for this will be explored. In addition, the organization as it relates to internal advancement and rate thereof of personnel is likewise scheduled for investigation, and a related aspect of the organizational structure and recruiting, that of the types of entrances into the organization and the degree of their occurrence, will also draw this author's attention. The third general area and concept studied will be the extent of bureaucratization in the individual firms, the related issues of personal autonomy and rigid behavioral requirements of the lawyers, and the type of organizational discipline used. Here as to the question of personal autonomy a case study will be offered in hopes of quantifying and describing what basically is a somewhat subjective notion. Here the question of judicial selection will be examined in hopes that it will offer a means of getting a handle on this concept. Throughout the immediate past the Richmond Bar Association has played a dominant role in the judicial selection process for the City of Richmond. This area of Bar Association politics specifically relates to the personal autonomy concept in that the local Bar votes and subsequently recommends nominees for the Bench. Invariably in the past these nominees were selected and appointed. It has been contended by some that the large elite firms of Richmond in effect bloc vote, following the dictates of the firm's higher-ups as to who the Bar's candidate should be. This concept will be explored in greater detail in hopes of elucidating some grasp of the degree of autonomy and individuality allowed and accepted within these bodies. The amount of similarity and dissimilarity shared by these firms on these operating policies will likewise be examined in order

to explore the extent of the consensus regarding such procedures. Here some of the findings of Smigel regarding the operating procedures of the major New York firms and of Joseph Goulden regarding the Washington legal establishment will be looked for in the Richmond firms to see if a parallel and similar development has taken place, and to see how prevalent these practices are among all large associations in general and large law firms in particular.

Finally, the paper will examine several miscellaneous practices and characteristics such as client selection, and method of firm expansion to further complete this sketch of the Richmond legal elite. The sources for this information as it regards the Richmond situation are interviews conducted by this writer with certain members of these particular firms as well as with both lawyers and non-lawyers not associated with one of the elite firms and who are familiar with various aspects of these operations. Virtually without exception these sources requested that their remarks not be for the record and that their identities remain anonymous. In accord with their wishes, no individuals will be cited in this portion of the text.

#### RECRUITMENT: THE GARNERING OF NEW BLOOD

As was mentioned previously, recruitment forms what must be one of the most primary and basic life processes of any organization, as it involves not only the simple measure of merely providing bodies to fill spaces, but in essence sets the degree of competency and quality that the body will enjoy for many years to come. The obtaining of new blood to stock an organization says much about the quality, the type of personnel, the methods and practices, and the future of the collectivity, and enjoys an importance far beyond its immediate supply of people. Such is the case with every organization, and particularly so with a law firm, a body built upon the talents

and merits of its component parts. As this is true for any law firm, so it is especially valid and telling for those firms who are elite and have distinguished themselves as inordinately possessing of expertise and quality personnel. These bodies are very cognizant of the special place they occupy in the legal world, and of their reputation for providing highly competent representation for their clients. As a result, recruitment occupies a high place in the rank-ordering of priorities within the firms of the Richmond legal establishment.

This vital process consumes a great deal of effort at each one of these elite firms, and each generally follows the same basic procedure as to recruitment. Because these firms do represent the epitome of the legal community in many respects, they in turn orient themselves to obtaining the best possible legal manpower available in this area. The firms do predominantly recruit the very top law students, being convinced that the most consistent indicator of potential and ultimate value as a practicing attorney is the achievement and success that a law student has achieved in law school. As the indices in the third chapter clearly show, these six firms have been very triumphant in garnering the very best law students. While they are oriented toward recruiting primarily in the top ten percent of a law school class, particularly so in the case of Hunton, Williams, the system is frequently more flexible in many cases, as other factors such as personality type, extra-curriculars, and task motivation very much enter into the hiring equation. Another variable which likewise mitigates a total reliance on pure academic performance is the fact that often recruitment is undertaken with certain specific organizational slots in mind in a specific department of the firm. Thus, rather than merely going after a certain percentage of the highest ranking law graduates with no particular task in mind, intending to merge them into the firm at some

unspecified point or position, the recruiters look at students with a definite job in mind. Consequently, the recruitment varies greatly as to which position or department is being recruited for, as an attorney who will fill a slot in the litigation department, whose primary duty is the actual trial work in court, may be substantially different in characteristics from an attorney destined to work in estates and trusts or securities. Here a definite personality type is being looked for, as opposed to the more generalized search which involves garnering simply the highest-ranking academics. While this process of filling slots is a frequent recruitment tactic, often a particularly outstanding young man or woman will be invited to come aboard even when no openings are in existence, a practice obviously designed to provide flexibility in insuring a continual flow of high-quality manpower through its offices. Thus, this particular aspect of recruitment, that of determining who are the prime targets for these firms, is somewhat of a mixed bag, combining elements of objective academic considerations with the usual subjective variables of personality and interest. However, despite the interjection of these other factors, should one aspire to join one of these firms the surest and most viable route is to compile an outstanding academic record in law school.

As for which law schools garner the most attention from the elite firms of Richmond as to recruitment, all the local law schools are recruited. However, as the indices in the third chapter again elucidated, of the Virginia schools the University of Virginia clearly supplies an inordinate amount of employees for the firms, and is the most heavily recruited. The law school in Charlottesville does enjoy a considerable reputation not only in the Commonwealth but in the nation as well, and attracts a student body which is among the highest qualified in this region. Therefore, it is not illogical for this institution to be frequently harvested by those bodies who pride themselves on being at the top of the legal heap. This preponderance of emphasis on the University of



Virginia coincides very closely with the findings of Erwin O. Smigel in his study The Wall Street Lawyer. Smigel, while surveying areas outside of New York and Washington for large law firms, found that those firms relied primarily on the finest local law school for its attorneys, with an occasional garnering of an Ivy League graduate who was persuaded to venture forth outside the national capitols of New York and Washington, D. C. Here the identical phenomenon does appear to take place, with the University of Virginia being the finest local law school as well as being included among the top ten attorney training grounds as well. It is not to say that the Charlottesville school is the magic ticket by itself, as someone who scores at the top of his class at some other school probably has a much better chance at securing an affiliation with one of these six firms than another student who would run up only a fair record at the University of Virginia. However, if simple mass numbers and previous history are indicators of the future, for to graduate from the University of Virginia law school at the top of his or her class would not be an anvil around the neck of an individual whose goal was the world of the legal establishment.

The internal mechanics of recruitment are in themselves quite interesting and telling of the type of operation these firms are engaged in. Recruitment is usually handled by a committee of the firm's partners, which is the most common method of discharging tasks and governing within the body. This committee, which varies in composition and exact size from year to year, forms the screening collectivity, and acts in the name of the whole. One new innovation in recruitment has been inaugurated at the Hunton, Williams firm, where the body recruits and contracts second-year law students who serve an internship/apprenticeship at the firm during the summer preceding their third year in law school. During these three months the students work for approximately two weeks in each one of the various departments at Hunton, Williams, alternating

from one to another in order to fully acquaint the prospective employee with the range of practice undertaken by the firm and to give each student an opportunity to find out which one of these varieties of legal work is most interesting and appealing to him. At the end of the summer a committee of partners convenes and an assessment is made of each individual intern. For those whose work has been satisfactory and in keeping with the standards of the firm, an offer to join the body on a permanent basis awaits them upon graduation. As for the inducement for some promising law graduate to associate himself with one of these elite firms, there is of course the prestige of being invited to be a part of one of the best law firms in the state or area. However, of course there is that primary persuasion of economics which provides an attractiveness of considerable amount to the position. For example, Hunton, Williams now starts its young associates out at a yearly salary of about \$15,000, a considerable sum for a beginning attorney who, as one partner at Hunton, Williams put it, "have never even seen a courtroom". The financial inducement offered by these six firms represents the top monetary stakes in this area for law school graduates. In addition, besides the tremendous come-on offered by this initial starting salary, there lies the promise of even larger financial reward, for attainment of partnership in one of these firms guarantees a substantial living. The high stakes involved in this personnel game further underscores the need for careful assessment of prospective lawyers in the recruitment process, and the rationale for implementation of an intern-type system, in that by the time an associate is considered for partnership and permanent employment, a tremendous financial investment has been made in each attorney, often to the tune of \$50,000 in salary alone. Thus, it is clear that the matter of garnering new blood for each one of these firms is a concerted, substantive process which consumes much money and effort in the hopes of recruiting the very best and right person to carry on a proud tradition.

As for the comparative aspect, the recruitment policies and procedures of the Richmond elite firms, when contrasted with the literature existing on the Washington and the New York firms, appear to be very much of the same vein and strikingly similar in nature, but with a higher degree of flexibility as to taking only the highest scoring law review types. This notion of more flexibility in the internal mechanics of the firm will ring out frequently in the discussion of comparative practices from one region to another.

#### THE ORGANIZATION: DECIDING WHO DOES WHAT AND HOW

The essence of any organization is its personnel, but for the full potential of these individuals to be realized in an efficient and productive manner there must be in existence an organizational scheme capable of applying manpower to the problems and tasks at hand. This is particularly so in the case of a large law firm composed of very expensive legal talent, as the very high financial stakes involved demand that a means of effectively disposing of the workload be implemented. As a result of the tremendous demands placed on the elite law firms of the Richmond area, theirs is a highly organized and structured world. The following section will examine exactly how these bodies set up internally to handle the caseload given them.

Insofar as personnel policies are concerned, there exists a broad consensus among not only the elite law firms of this area but large firms elsewhere as well. Basically, the system of internal organizational structure with regard to the training and advancement of its attorneys may be viewed as a two-tiered structure consisting of the lower group, the associates, and the ruling class, the partners. When one is hired and invited to join a law firm, he becomes associated with the body, and assumes the role of an associate, beginning what may best be thought of as a multi-year apprenticeship and indoctrination into the practice of law and the workings of the large law firm.

This period of training represents a trial run, giving the prospective attorney an opportunity to assess the firm and determine the area of the law which draws his interest, while being simultaneously watched by his superiors as to his potential for partnership and permanent membership in the collectivity. After a period of years, which varies from one individual and law firm to another, but usually falls within the range of three to seven years, each associate is evaluated by a committee on associates or a similar body which assesses the past performance and potential of each of these "apprentices", so to speak. If there is an opening for a new partner, and the committee judges the candidate to be fit and suitable and votes accordingly, the associate completes the metamorphosis and emerges as a partner in the firm. This step into a partnership marks the successful completion of a difficult and strenuous apprenticeship, whereby the young attorney has proved himself to be worthy of the trust and responsibility bestowed upon a partner within one of the elite firms.

This process of internal advancement receives a harsh criticism in most of the literature dealing with the large New York and Washington law firms. Erwin Smigel and Joseph Goulden paint a picture of the New York and Washington practice respectively that smacks of highly intense competition among associates within a firm and of heated politicking and courting of the decision-making partners. These authors write of a system that exhibits little or no flexibility as to the length of time one must serve before either one must be promoted or suffer the consequences of a policy often referred to as "five years-up or out". As for the Richmond firms, there appears to be a slightly greater degree of flexibility ingrained throughout the process of promotion of new partners. First of all, the tenure requirements would appear to be more supple as to the precise number of years of service necessary before advancement takes place. Here the prescription varies from one given associate and situation to another,

with some exceptionally well integrated individuals receiving the prestigious invitation in as short a period as three years, while others may require as long as seven years. The median for advancement probably is close to the five year figure, but this is intended to be a general guideline and direction rather than a rigidly applied sanction. As for the competitive aspect, there is a difference of opinion as to the degree of antagonism present in the elite Richmond firms. For example, a Hunton, Williams partner told this author that at his outpost there was pretty stiff competition for partnership in the firm, largely because of the fact that nearly all those recruited and serving as associates are excellent attorneys and very highly qualified, resulting in a scramble for the constricted number of partnership slots available. However, a spokesman for McGuire, Woods downplayed the competitive aspect of advancement within his firm, feeling it was more a question of a young attorney becoming acclimated to the legal world and a competition with oneself to see how much can be achieved. This attorney further stated that he personally felt no overriding sense of competition with his peers who joined the firm the same year he did, and that for the overwhelming majority of associates the election presents no great surprise, as most realize very quickly whether they are going to make it or not. Thus, the state of competition is difficult to pinpoint, with degrees of antagonistic advancement varying somewhat from one firm to another, and one specific situation to another. Furthermore, what one lawyer perceives as an intensely competitive process may not appear as much to another attorney within the same or another firm, or to an outsider, for that matter.

Once one makes this step into partnership, it is then especially that this individual enters the world of the legal elite, for it is the partners who by and large call the shots as to personnel, policy, and direction of the firm,

and who most fully reap the profits of the work they complete. The firm is governed primarily through the use of a committee system of task delegation. Much as the legislature breaks down into specialized sub-units to expedite the handling of its business, so too does the large firms form committees of the partners to oversee the vital processes of the body. As previously mentioned in the sections on recruitment and organization, these committees are very visible in the hiring of law students and the promotion of associates. While the direction of the firm lies squarely in the hands of the lawyer/partners, these firms have grown to the point where another system of day-to-day oversight must be superimposed. These firms are of such a size that they become in effect mini-corporations. For a lawyer to maintain even a semblance of a practice and oversee the daily operations of so many people working on disparate accounts in differing fields is a physical impossibility. Thus, to fill this void, these attorneys have brought in a non-attorney actor to provide this co-ordinating service. This figure, commonly called the office manager, dispenses an invaluable assistance to these firms, as all daily operations and co-ordination of vital services are performed by this individual and his staff. When one thinks in terms of a Hunton, Williams situation, with approximately one hundred lawyers and one hundred and fifty staff personnel, the magnitude of the task performed by this non-lawyer clearly comes into perspective. As a consequence of these services, the office-manager assumes a powerful position within the firm. His position is much like that of an individual who does not have a substantive input into a process, yet controls the procedural means necessary to do the tasks. Smigel in the Wall Street Lawyer especially assigns a great significance to the office manager, contending that in the law firm hierarchy he holds power and standing equal to that of all but the most senior partners.<sup>1</sup> Hunton, Williams and McGuire, Woods show

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<sup>1</sup> Erwin Smigel, The Wall Street Lawyer, (New York: The Free Press of Glencoe, 1964), p. 88.

the highest stage of development of this position, probably due to the fact they possess the highest numbers of staff and lawyers in the area. The position at McGuire, Woods is occupied by a certified public accountant and at Hunton, Williams by a business graduate of the University of Richmond.

Among the valuable resources controlled by these office managers is the staff, an entity of great importance in any organization and especially so in a law firm of the size of the elite offices of Richmond. The term "staff" here is used to designate all employees of a law firm who are not attorneys. As one might guess, the clerical force alone at such an operation numbers very high, and perform an essential service at these bodies. However, beside the usual contingency of clerical and related workers, there appears to be an emerging phenomenon of increased reliance on non-lawyers for substantive input into the legal process. These new actors have been given the appellation of "paralegals", and play a highly visible and important role through their performance of duties which were traditionally done by lawyers. Ronald Goldfarb has cited the rapid expansion of their use of laypersons in the large Washington law firms, where they are used primarily in research-related duties, and the unpleasant but necessary chores of document keeping, interviewing, routine duplicated work and similar activities.<sup>2</sup> A parallel trend likewise is emerging in the elite firms of Richmond, particularly so in the largest two firms of Hunton, Williams and McGuire, Woods, where already a rapidly increasing number of these specialists are being employed. Basically, these actors perform many of the same duties which in the past were performed by the associates of the firm.

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<sup>2</sup> Ronald Goldfarb, "The Emerging Legion of Paralegals", Washington Post, 31 July, 1973, p.A-20.

The prime motivation is that of economy, as the paralegal relieves the necessity of paying an attorney at a much higher rate, resulting in a substantial savings for the clients. This savings allows them comparable service and performance at a much lower wage scale, while relieving the youngest associates of these non-demanding but very monotonous parts of a legal operation. Thus, there would appear to be an increasing utilization and reliance upon non-lawyers to aid in the successful practice of the law by the elite firms of the Richmond area.

As for delegation and specialization of the workload, these firms show an advanced tendency for differentiation and departmentalization within their operations. This organizational breakdown reflects the nature of the highly specialized state of the legal profession, and in this lies what many area lawyers consider to be one of the primary sources of strength for these firms. As one area attorney surveyed the situation, it is this great specialization which allows the elite firms to dominate in the manner which they do. While each of these law firms show a considerably above average propensity for this specializing of work tasks, it is most advanced in the cases of McGuire, Woods and Hunton, Williams, due largely to the great size and numbers in their possession. Hunton, Williams, for example, has a wide variety of specialized departments, running the gamut from litigation, estates and trusts, and securities to even a department whose primary function is to service one of their largest clients, the Virginia Electric and Power Company. Through this specialization each firm in effect creates specialists in its practice, who are able to become extremely familiar with a particular aspect of the law by working in it most of the time. In such an organizational breakdown lies much of the essence and the strength of the elite firms of Richmond.

Thus, such is the organizational set-up under which these very successful



bodies operate. It is very much a reflection and a product of the business world in which they operate as well as the tremendous demands placed upon these law firms. Judging by their prosperous and booming practice, it is an organizational scheme which above all works.

#### BUREAUCRATIC STRONGHOLD OR FREE PROFESSION?

After having detailed the nature and structure of the personnel and task organization of the elite law firms of the Richmond area, it remains to be shown exactly what sort of effect this scheme and set-up has on the behavior of the individual firm members. Much has been written recently about the tremendous significance that the advent of large scale bureaucratization has had on many of the jobs and tasks performed by persons in endeavors which were previously untouched by the new organizational wave. This most basic change in the nature of work and organization has been well documented in many types of occupations, where the consensus appears to be that the advent of a formal hierarchy, specialized and well-defined work-tasks, and formalistic sanctions have caused a very visible modification in the employee's behavior and expectations. Such studies have largely ignored the traditional professions, who pride themselves very much as being one of the last bastions of autonomy. Now, however, as society changes and bureaucracy encroaches upon this last foothold of individualism, what is the effect upon lawyers' behavior when situated in a bureaucratic environment?

Such is the essence of Erwin Smigel's study of the Wall Street Lawyer in New York, as he surveyed the basic notion of determining what effects large scale bureaucratization has on a profession such as that of the lawyer which has long prided itself on being the bastion of individual independence. This question of the state of bureaucratic controls exercised cuts to the very heart

of the changing nature of the legal profession, and reflects remarkably on the evolution of the attorney's trade as it modifies itself to meet the new demands placed upon it. Traditionally the lawyer has been an independent and intensely individualistic actor, serving as his own boss and decision-maker and very much charting his own professional destiny. No doubt the image many conjure up when asked to contemplate the attorney's trade is that of the sole practitioner, operating alone and very much his own man. Now times have very much changed, as the work and the organization of lawyers and law firms have escalated tremendously, to the point where such large enterprises as the elite firms of Richmond come about to meet these great challenges. However, the question is, has the traditional free, autonomous nature of the lawyer and his work changed with the necessity of functioning within a bureaucratic-type environment? Does working in a law firm with over fifty other attorneys in a formal hierarchy bring about a regimentation unknown in private firms of previous years? Obviously, this is a most difficult query to answer satisfactorily, as the variable of personal autonomy is an extremely difficult one to quantify. Smigel in his study found that the personal autonomy of an attorney within one of the New York firms is somewhat diminished, as the mass of numbers of workers alone dictates a certain degree of submission to regimentation, and secondary, formalistic controls must be made to insure the efficient functioning of the entire machine.<sup>H</sup> As for the elite firms of Richmond, such a change and conclusion is a bone of contention in the throat of many attorneys, as opinions vary from one lawyer to another as to whether the personal autonomy of these individuals is at least partially sacrificed. Two upper-level partners at Hunton, Williams and McGuire, Woods vigorously deny that this bureaucratic invasion has thwarted the personal prerogatives of any of their attorneys to a large extent. They contend that what regimentation that emerges from

the higher levels of the firm are very minimal, and simply a housekeeping necessity required in such a large operation. Again such a question is highly perplexing to tackle in a substantive manner, because of the difficulty in probing a somewhat closed system on a point which is a very subjective and personal notion. Therefore, in order to more fully ground this discussion in a concrete, dissectable situation, a case study of judicial selection will be offered here to hopefully present a realistic means of objectively quantifying a most introverted concept.

Certainly one of the most substantive examples of the power of the legal profession lies in the fact that these private actors have long played a dominant role in the selection of judicial actors through the local bar associations. Throughout recent history, the Richmond Bar Association has de facto selected those individuals who serve as judges of the courts of this city. The process revolves around the Bar Association's recommendation of candidates to fill vacant judgeships. Under this system, when an appointment is to be made, the local Bar meets and votes secretly to nominate candidates for the vacancy. While there is no requirement or legal necessity for the Governor, or the legislature to follow these references, it has been tantamount to appointment and commission to receive the blessing of the local attorney's groups. This powerful prerogative of the Bar has been and continues to be zealously guarded by the attorneys, as particularly witnessed at the 1974 General Assembly when a sitting Juvenile and Domestic Relations judge was denied election by the legislature, due in no small part to the fact that in the initial interim appointment of Judge Thompson conducted the year before many lawyers felt the Bar Association had been unfairly circumvented. While other factors entered the equation, the replacement of Thompson with Virginia's first black judge probably would not have been feasible without the Bar's assertion of its <sup>prerequisite</sup> prerequisite in the matter. Thus, it is quite obvious that insofar as the supplying of judicial manpower, the Richmond Bar

Association has played a dominant role in determining who these crucial actors will be.

The tie-in of judicial selection with the personal autonomy versus regimentation conflict of the large firms stems from the fact that these firms are possessing of a large percentage of the membership of the local bar. Given that the Bar through its voting of a nominee has a deciding voice in who is selected to judgeships in this city, simple mathematics dictate that if these large firms were to vote as a bloc together for a given candidate, or even for a single firm to vote as a unit, would give these lawyers a deciding vote in this or other important matters before the Bar. Here again this is a difficult question to research, as the Bar Association conducts its voting sessions in secrecy and are most reluctant to divulge the details of any of its nominating actions. However, it is the contention of several lawyers outside of the elite firms that insofar as judicial politics are concerned this bloc vote phenomenon does in fact take place, and allows these firms to play a decisive role in these matters. According to one insider who has viewed the ebb and flow of the Bar and the judiciary for many years in this city, it is his understanding that "when a vote does take place (at the Bar Association) the members over at Hunton, Williams and the rest get the word from the top on who to vote for". Another longtime viewer of the local political scene stated that, "It's no secret that when someone over at one of the big firms wants to get something through the Bar, he starts with a lot of votes behind him". As a third local attorney summed up his sentiments, "It's a known fact around here that if you want to be a judge, you've got to have the big firms behind you". Thus, the opinion among three surveyors of the Bar Association selection process who reside outside the elite firms is that there is at least a periodic episode of the bloc voting patterns, suggesting that in this one area of autonomy there exists a certain degree of regimentation and dictation of prerogatives.

This contention of those outside the elite firms, however, is categorically denied by members of the firms. A Hunton, Williams partner especially refuted the idea that such a unit vote does in fact take place. This attorney even offered a specific example, that being when the now-sitting Judge Lumpkin of the Circuit Court was seeking nomination for his seat. Lumpkin, a Republican, was to be the first of his partisan persuasion to be seriously considered for a judgeship in the city of Richmond in many years. Lumpkin was challenged by some attorneys who felt the city should have a black judge, a notion surfacing in the candidacy of Oliver Hill, one of Richmond's most prominent black attorneys. According to this partner, the Hill-Lumpkin race split his firm right down the middle, even to the highest levels of the most senior partners. This split, while not necessarily typical, nonetheless was reflective of the fluid and non-dictatorial state of affairs regarding judicial politics and personal autonomy within his firm. Thus, with such diametrical opinions being offered, and with the exact proceedings of the Bar being impossible to ascertain, this conflict as to the degree of bureaucratization inherent in these law firms and its subsequent effect on personal autonomy is irreconcilable from this author's viewpoint. Nonetheless, it is probably fair to contend that advanced state of bureaucracy necessary to operate any organization of the size of these law firms does at least to some extent result in regimentation and a certain loss of the personal autonomy found in smaller firms. It is also significant that there does appear to be a fairly widely held idea among lawyers who are not members of these firms that these elite collectivities do operate somewhat in concert with one another, which no doubt bespeaks as much of the perception of the elite firms in the minds of these non-elite attorneys as it does the actual power possessed by the largest six firms. While this concept of the role of the elite firms in judicial selection may not be the truest indicator

of the state of bureaucratization and its accompanying side effects, it perhaps gives an insight into the internal policies of the elite attorneys as well as supplying some idea of the power that such firms may wield in the legal profession.

#### MISCELLANEOUS RAMBLINGS

Thus, we have looked at some of the vital processes engaged in by the elite firms of Richmond in order to give some concept of the practices, the procedures, and the characteristics shared by these entities. In order to complete the portrait of these law firms, several final points and observations should be made. First, one concept which should be stressed is the fact each of these firms is an eminently successful business operation. The economic significance alone of such a firm as a Hunton, Williams may be seen in the fact that it brings in a gross firm income which runs well over a million dollars annually, a substantial sum indeed. This phenomenal success may also be viewed in the situation existing in the realm of client selection for these law firms. These collectivities share one of the most enviable of positions garnered by any business enterprises, in that they are in such an established and self-sustaining status as to their clients that little or no business solicitation is necessary. Thus, these law firms are virtually guaranteed a continuing stream of clients, forming what must be an extremely enviable position to be in. The attractive power of these entities is such that business and potential clients must in fact be turned away for a lack of physical capacity to handle it. To be so overwhelmed by individuals and associations who are desirous of a firm's representation that much of the new petitioning business must be rejected surely is one of the most concrete examples of the prestige, the relative standing and the influence these collectivities have or at least are perceived to have. Secondly, these law firms are not stagnant entities, but rather are in the process of expanding to meet the

new, modern demands. This contention may at first appear to contradict the preceding statement that much new business must be rejected. However, this is not the case, as these firms are growing at a fairly rapid clip, but simply not quickly enough to accommodate all the many who solicit for the firm's service. This growth has occurred in a manner which is probably very unexpected to an outsider, as for the most part it has not come about from the "beating of the bushes" so to speak in search of new accounts, but rather from the tremendous expansion in the need for both an increased quantity and variety of legal services for their large established clients. Hunton, Williams especially offers a case in point, for the continual growth incurred by this firm in certain areas has been directly the result of the increased litigation and technical expertise required by a major client. One of their major clients, the Virginia Electric and Power Company, has had, as a result of the accelerated pace of life, the increased propensity to litigate, and the new awareness in such areas as the environment and consumerism, a very basic and requisite change in the quantity and the nature of the legal services to be provided by its retained firm. Thus, it may be finally said regarding these most special legal collectivities that they are very much products as well as reflections of the intense, ultra high stakes business and commercial system which dominates the American economy. These law firms are, for the most part, a vital linkage and cog in such an economic system, a position in which they not only survive, but flourish.

## CHAPTER V

THE MANY; SURVEY OF THE RANK-AND-FILE OF THE  
RICHMOND METROPOLITAN LEGAL COMMUNITY

After having examined the practices, methods, and characteristics of the elite firms of Richmond, it remains to look at the other side of the coin so to speak in order to broaden our perspective. This chapter of the thesis will deal with what might be called the "rank and file" or "the masses" of the lawyers who live and practice in the Richmond area. After having looked at the individuals and law firms who comprise the elite of the profession, a balance is sought by examining the majority of this city's barristers who are not identified by the criteria of this thesis to be the legal establishment. Here the principal factors surveyed and studied are the backgrounds and training of Richmond lawyers, and their social and economic characteristics. These figures will be used in two related senses; first, the data obtained will be used to construct a composite of characteristics of these legal actors. Here the backgrounds of these lawyers, their collegiate and professional training, and their socio-economic status will be probed in an attempt to paint a portrait of the Richmond legal community as a whole.<sup>1</sup> This survey should provide an insight into the socio-economic characteristics and background of the hypothetical

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<sup>1</sup> Works which were consulted in the preparation of this survey of lawyers are Survey Research by Charles H. Backstrom and Gerald D. Hursh, Elite and Specialized Interviewing by Lewis Anthony Dexter, The Tools of Social Science by John Madge, "Interviewing a Legal Elite" by Erwin O. Smigel in the September 1958 issue of the American Journal of Sociology, Social Surveys: A Research Strategy for Social Scientists and Students by Richard P. Devine and Lawrence L. Falk, Social Statistics by Herbert Blalock, Understanding Political Variables by William Buchanan, Statistics in Social Research: An Introduction by Robert S. Weiss and The Law and the Lawyer in the State Department's Administration of Foreign Policy by John W. Outland.



"average lawyer" as well as showing the distribution of lawyers throughout the spectrums of these variables. Secondly, these statistics derived from the survey will be used in a comparative sense with similar data derived from those firms identified in Chapter III as composing the Richmond Legal Establishment. This comparison should aid in determining if the differentiation of law firms made previously in the paper is accurate and properly defined as well as serving to show whether insofar as socio-economic characteristics are concerned substantial differences do exist between the rank and file and the legal elite. In addition, if such differences are revealed in the survey results, a possible explanation for the development and subsistence of a legal establishment may be in evidence.

The means by which this desired end of profiling the characteristics of lawyers will be achieved is through the proliferation of a survey interview to a randomly selected sample of lawyers in the Richmond area. This sample will consist of approximately 400 to 500 individuals selected at random from the Yellow Pages listings of lawyers in the Richmond area telephone book. This telephone listing consists of approximately 700 to 800 individual listings (excluding listings for law firms) and is being used for several reasons. First, it is the policy of the Richmond and Virginia state bar associations not to reveal the names of their membership, thus preventing a mailing list from being compiled from these sources. Secondly, the telephone listings represent the most readily and openly available source from which to compile such a list, and its format is easily facilitated to such a purpose. Thirdly, these listings comprise the most "neutral" source from which to derive a sample. Since telephone service is indispensable in this era, and every lawyer requires a certain accessibility to the public as provided by phone service, it stands to reason that these listings would be the most complete and comprehensive source for the

gathering of the names and addresses of these individual lawyers. In addition, because of the nature of the local bar associations, such a listing is much more conducive to a neutrality of sample. The Richmond Bar Association has and continues to present an aura or image of the "established bar", with the racially segregated and politically conservative overtones that such an appellation entails, while the Old Dominion Bar Association carries the aura of its black and anti-white legal establishment origins. Thus, the circumstances of bar association membership in the city of Richmond and the fact that not all practicing lawyers in this area choose to join such professional associations dictates that an attempt to objectively sample the legal population should turn to a more neutral third source free of racial or ideological contaminations such as the telephone listings of attorneys.

Ultimately, some 223 codeable responses were received, representing a return of 44.6 percent. These 223 questionnaires comprise some 25 to 30 percent of the total attorneys practicing within the Richmond Metropolitan Area, a sample large enough on which to generalize to the entire lawyer population. The following section will attempt to paint a portrait of the lawyers of the area as to their socio-economic, academic, and professional characteristics.

#### THE MASSES

In looking at the legal profession in Richmond, it is quite natural to begin with one of the most vital of statistics, that of age distribution within the lawyer population of this area. Table V-I shows this distribution, with some 20.6 percent of the attorneys between 25 and 30, 31.4 percent between the ages of 30 and 35, revealing 52 percent of Richmond barristers are below 35. Next some 9.0 and 10.3 percent fell between the ages of 35 and 40 and 40 and 45 respectively, followed by 6.3 percent between 45 and 50 and 7.6 percent

TABLE V-I

AGE OF ATTORNEYS PRACTICING IN THE RICHMOND AREA<sup>1</sup>

	<u>Age</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
1)	25 - 30	46	20.6	20.6
2)	30 - 35	70	31.4	52.0
3)	35 - 40	20	9.0	61.0
4)	40 - 45	23	10.3	71.3
5)	45 - 50	14	6.3	77.6
6)	50 - 55	17	7.6	85.2
7)	55 - 60	9	4.0	89.2
8)	60 - 65	9	4.0	93.3
9)	over 65	15	6.7	100.0
	Totals	<u>223</u>	<u>100.0</u>	<u>100.0</u>

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<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

between 50 and 55 years of age. Finally, 4 percent were registered in both the 55-60 and 60-65 categories while 6.7 percent listed their ages as over 65. Thus, we see a distribution of attorneys such that the bulk of numbers are within the younger levels, with some seven of ten local lawyers being under 45 years of age.

A vital waystation in the road to becoming an attorney is the obtaining of an undergraduate degree, a step which is essential now to the ultimate goal of practicing law. Table V-II reveals the distribution of area attorneys among the colleges and universities which they attended as undergraduates. Here the table shows that two area universities, the University of Virginia and the University of Richmond, supply a very healthy proportion of this area's attorneys, some 25.1 and 17.5 respectively. Together these two institutions have provided nearly 43% of the practicing lawyers in Richmond. Slightly over one-quarter of the local profession obtained their higher education in out-of-state schools, with other instate school besides those listed calling 7.6 percent as its alumni. Among the listed Virginia schools, Hampden-Sydney College has the third largest total with 18 graduates for 8.1 percent, while the other four institutions each provide between 1.8 and 4 percent of the total area lawyer corps. Thus, the colleges and universities within the Commonwealth furnish three-quarters of the Richmond area attorneys, with two local institutes especially dominating in the provision of undergraduate education to the solicitors of the capitol city. Another key factor in the ultimate determination of whether an individual may enter the legal profession is his academic performance as an undergraduate, which in large part governs whether law school is or is not in a given person's future. Table V-III exhibits this performance of local attorneys. Here respondents were characterized as to their grade-point average cumulatively compiled over the collegiate career. A variety of numerical marking

TABLE V-II

COLLEGES ATTENDED BY RICHMOND ATTORNEYS<sup>1</sup>

<u>College</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
1) Unspecified	10	4.5	4.5
2) University of Richmond	39	17.5	22.0
3) University of Virginia	56	25.1	47.1
4) William and Mary	6	2.7	49.8
5) Hampden-Sydney	18	8.1	57.8
6) Randolph-Macon	4	1.8	59.6
7) Virginia Polytechnic Institute	7	3.1	62.8
8) Washington and Lee	9	4.0	66.8
9) Other - In state	17	7.6	74.4
10) Out of state	57	25.6	100.0
Totals	223	100.0	100.0

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

systems were registered in the surveys returned, which were interpolated to a four-point system. The criteria used for academic excellence was a 3.0 or above average, a grade of B or above in most institutions. Some 39% of the respondents recorded such high marks, while 29.1 had marks which fell below this level. 31.8 percent filed either blank, incomplete or uncodeable answers. Thus, about 40 percent of the area's lawyers compiled an outstanding undergraduate academic record by this one standard. Another indicator of undergraduate performance is their relative rank among their peers in their graduating class. Here the survey showed an extremely high number of unknown values for this variable, with over one-half of the respondents unable to supply this information. Among those who did respond affirmatively to this question, 20.6 percent finished within the top ten percent of their class, while 3.6 percent fell within the second 10 percent, showing nearly a quarter of the attorneys graduating within the top twenty percent of the senior class. 21.5 percent registered their performance as below the 20th. percentile.

Other means exist as well to gauge undergraduate performance, one of the primary of which is memberships in academically oriented societies. Of these groups, Phi Beta Kappa represents the most prestigious of the honor societies. Some 11.8 percent of the respondents earned affiliation in this organization, indicating the strong academic base on which the legal profession is based. Omnicron Delta Kappa probably occupies second position in the rank-order of collegiate societies as to degree of prestigious. This society, which rewards leadership and academic performance, calls 19.7 percent of the local attorneys as its members, again a most healthy share. Blue Key, the equivalent of ODK on smaller college campuses, had two representatives among the respondents. Beta Gamma Sigma, roughly the equivalent of Phi Beta Kappa in the nation's collegiate business schools, provided three recipients among the Richmond lawyer corps.

TABLE V-III

UNDERGRADUATE ACADEMIC PERFORMANCE OF RICHMOND ATTORNEYS<sup>1</sup>

<u>Grade Point Average</u> <sup>2</sup>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
3.0 or above	87	39.0	39.0
Below 3.0	65	29.1	68.2
Unknown	71	31.8	100.0
Total	223	100.0	100.0

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<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

<sup>2</sup> Grade point averages of respondents were interpolated to correspond to a 4 point scale.

Finally, many of the individual disciplines have their own honor societies which recognize excellent scholarship. 18.8% of the responding solicitors were members of one of these organizations. Thus, in looking at all these criteria, it is apparent that the local legal profession did compile a more than respectable collective academic record while undergraduates, as might be expected given the nature of the occupation and the competitive nature of law school admissions.

The next vital step toward the practice of law is of course attending a law school. Where one does obtain this necessary schooling has a many-faceted series of effects on this individual and his career. Table V-IV provides the distribution of area attorneys according to the law school they attended. Here the dominance shown by the University of Virginia and the University of Richmond as providers of undergraduate education continues to an even greater degree in the legal training of local attorneys. These two schools collectively have taught 76.2 percent or more than three out of every four lawyers in this area, with the T. C. Williams School at Richmond accounting for 43 percent or nearly one-half the local lawyer corps and the Charlottesville school supplying one in three Richmond barristers. Out-of-state law schools have trained 15.2 percent, while Washington and Lee and William and Mary have contributed 3.6 and 4.9 percent respectively. Thus, the survey clearly shows that two law schools dominate in the provision of training for the Richmond legal profession. As was the case with the undergraduate schools certain factors may be looked to for the provision of information regarding the academic performance of attorneys while law students. Rank of an individual among his peers is such a measure. Of the area attorneys, some 31.4 percent graduated in the top ten percent of their law school class, some 6.3 percent in the second percentile, 32.3 percent below the 20th. percentile, while 30.0 failed to respond in this category. Membership on the law review at law school truly represents one of the highest honors a student



TABLE V-IV

LAW SCHOOLS ATTENDED BY RICHMOND ATTORNEYS<sup>1</sup>

<u>Law School</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
1) University of Virginia	74	33.2	33.2
2) University of Richmond	96	43.0	76.2
3) Washington and Lee	8	3.6	79.8
4) William and Mary	11	4.9	84.8
5) Out of state law school	34	15.2	100.0
Total	223	100.0	100.0

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

TABLE V-V

RANK IN LAW SCHOOL OF RICHMOND ATTORNEYS<sup>1</sup>

<u>Rank</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
Top 10% of class	70	31.4	31.4
Second 10% of class	14	6.3	37.7
Below top 20% of class	72	32.3	70.0
Unknown	67	30.0	100.0
Total	223	100.0	100.0

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<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

may obtain, and 28.3 percent of the local lawyers garnered this distinct privilege. Finally, the Order of the Coif in a national law scholarship society which selects its members from the top ten percent academically in a law school's class. 9.4 percent of the respondents won this prize while law students. Thus, the results of the survey suggest that the local legal profession did well in law school as measured by these criteria.

Several other activities related to law school may also be tapped to give an indication not only of academic excellence but of these attorneys relative degree of activism and participation as well. One of these indicators is participation in some sort of legal aid project, one of the most traditional forms of pro bona publica work and clinical training for these law students. Of the responding Richmond lawyers however, only 17 or 7.6 percent engaged in such an activity, a fairly low participant quotient. Moot court is another means whereby trial simulation is combined with academic pursuits to provide training in law school. Moot court teams are composed of the finest trial advocates at a school, and are but one more indicator of excellence. The attorneys surveyed here revealed a most admirable record as 31.4 percent were on such a forum as law students. Finally, most law schools have other reviews and publications staffed by its students in addition to the law review itself. The local barristers here placed some 25 or 11.2 percent on such publications. Thus, the Richmond attorneys revealed a very respectable performance again as law students, a phenomenon which might well be expected in view of the extensive screening and filtering process which each must undergo to enter this second round of requisite training to practice law.

The next step after having won the coveted sheepskin is to begin the actual practice of law itself through the securing of a first position in the legal world. Of the responding attorneys, some 148 or 66.4 percent began their

careers in a law firm, representing some two-thirds of the area lawyers. The "other" category received 16.1 percent of the questionnaires, while 8.1 percent began their legal practice in the public service of government and 7.2 percent commenced with a judicial clerkship. Only a single respondent, representing 0.4 percent of the barristers, found his origin in a teaching position. At the time of the survey conduction, 87.4 percent of the solicitors were either members of or associated with a law firm within the Richmond area. Table V-VI shows the distribution of these attorneys among the various sizes of these collectivities. Some 62 or 27.8 percent are engaged in firms of less than five members, while 13 percent are members of firms of between 5 and 10 members, revealing that 40 percent of the respondents are in firms of 10 lawyers or less. 37 or 16.6 percent are in firms of between 10 and 20 members, while 7 were in the 20 to 30 members category, with 13 or 5.8 percent in the 30 to 40 category and finally some 47 or 21.1 percent work in firms of over 40 attorneys. The area of an attorney's practice is another interesting variable, particularly in light of the great degree of specialization which is evident in all aspects of life, including the practice of law. When asked in what area of legal work does the attorney spend the majority of his working time, the respondents answered as recorded in Table V-VII. The portion of the law which may be defined as a civil practice drew by far the largest plurality, with 95 or 42.6 percent of the attorneys devoting most of their time as such. Next in the rank-order came corporate practice, with 25.1 percent, followed by those whose practice did not fit one of these categories with 17.5 percent, and criminal practice with 10.8 percent. Only 6 attorneys or 2.7 percent designated the estate planing field as their principal activity. These figures roughly correspond with the national breakdown of attorneys' practices, and appear to be a fairly typical distribution of lawyers' primary duties.

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TABLE V-VI

SIZE OF RICHMOND AREA LAW FIRMS<sup>1</sup>

<u>Law Firm Size</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
1) Less than 5 members	62	27.8	27.8
2) 5 - 10 members	29	13.0	40.8
3) 10 - 20 members	37	16.6	57.4
4) 20 - 30 members	7	3.1	60.5
5) 30 - 40 members	13	5.8	66.4
6) over 40 members	47	21.1	87.4
7) Not applicable	28	12.6	100.0
Total	<u>225</u>	<u>100.0</u>	<u>100.0</u>

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

TABLE V-VII

AREA OF PRACTICE OF RICHMOND ATTORNEYS<sup>1</sup>

<u>Area of Practice</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
Unknown	3	1.3	1.3
1) Criminal	24	10.8	12.1
2) Civil	95	42.6	54.7
3) Estate Planning	6	2.7	57.4
4) Corporate	56	25.1	82.5
5) Other	39	17.5	100.0
Total	<u>223</u>	<u>100.0</u>	<u>100.0</u>

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

Next the survey looked at the social affiliations formed by attorneys within the Richmond area, in hopes of forming some concept of the degree of social activism and community participation. The first of these to be looked at was the Junior Chamber of Commerce, or as it is most commonly known, the Jaycees, which showed 49 or 22.0 percent of the responding lawyers are or have been members of this body, while 37 or 16.6 percent were members of the Jaycees parent organization, the Chamber of Commerce. The Country Club of Virginia, the Richmond area's most exclusive country club, had an impressive 53 or 23.8 percent of the attorneys respond affirmatively, which, when combined with the 67 or 30.0 percent who listed themselves as members of any other Richmond country club, reveals a high social club inclination among Richmond attorneys. Two civic oriented organizations, the Optimists and the Rotary, were likewise polled as to attorney membership, and tallied very low membership quotients, with 0.9 and 4.9 percent respectively. Two more exclusionary social clubs, the Commonwealth Club and the Downtown Club, were the next to be focused upon, and these highly exclusive, limited membership organizations count a healthy percentage of attorneys among its members, with 15.7 and 28.7 percent respectively. The Lions and the Civitan and the Kiwanis Clubs also received scrutiny, showing very low percentages of membership, as the Lions scored only 4.0 percent, the Civitans 3.1 percent, and the Kiwanis 5.4 percent. The Bull and Bear Club, a fairly exclusive men's club located in the financial district, was the final organization to be surveyed, having some 18.4 percent of the respondents. Thus, insofar as social affiliation is concerned, the civic-type organizations with the exception of the Jaycees and the Chamber of Commerce show a fairly low number of attorney members, while the most exclusive social clubs draw a healthy percentage of their ranks from the lawyers of Richmond, as might well be expected given the incomes and status associated with the legal profession.



Lawyers have traditionally been one of the primary sources of manpower for leadership positions within government and the larger society. In this connection, the attorneys were polled as to their degree of participation in this aspect of life. Some 25 or 11.2 percent of the responding barristers have at one time run for political office, while 39 or 17.5 percent have at one time or another been a member of a governmental body. In addition, an identical percentage of 17.5 have served on some sort of advisory committee to government. These attorneys have shown an equal activism within their own profession, as fully 45.7 percent have served on a professional advisory committee.

Finally, three other major areas were surveyed, those fields being ideological affiliation, partisan affiliation, and annual income. Table V-VIII shows the ideological affiliation of the local attorneys, which very closely approximate the national population's ideological breakdown. The very conservative category drew only 2.7 percent, while the opposite extreme, the very liberals, garnered 4.0 percent. The conservative column received a hefty 27.8 percent of the responding attorneys, and the liberal designation supplied 13.9 percent. As might well be expected, the moderates were by far the largest aggregation, with just barely a majority of 50.2 percent. Here these in a slight tilt to the right of center, with slightly more adherents to the conservative philosophy, a phenomena also revealed in the national statistics. However, it is quite clear that the moderate ideological position is far the most popular stance for the attorneys as well as the larger population. Table V-IX shows the partisan association of the surveyed Richmond attorneys, revealing findings which also fairly closely resemble the parallel statistics for the national population. Here the largest aggregation is that classification of Independents, those who do not identify with either major political party, with

TABLE V-VIII

IDEOLOGICAL AFFILIATION OF RICHMOND LAWYERS<sup>1</sup>

<u>Ideological Affiliation</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
Unknown	3	1.3	1.3
Very Conservative	6	2.7	4.0
Conservative	62	27.8	31.8
Moderate	112	50.2	32.1
Liberal	31	13.9	96.0
Very Liberal	9	4.0	100.0
Total	223	100.0	100.0

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

TABLE V-IX

PARTISAN AFFILIATION OF RICHMOND LAWYERS<sup>1</sup>

<u>Partisan Affiliation</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
No Answer	3	1.3	1.3
Democrat	78	35.0	36.3
Republican	54	24.2	60.5
Independent	88	39.5	100.0
Total	223	100.0	100.0

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<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

some 39.5%, followed by the Democratic Party with 35.0 percent and the Republican Party with 24.2. The attorneys differ from the national statistics in that the Independents have a plurality in the local lawyer population, whereas the Democrats still maintain an edge in the total adult population. It is significant that, although there is a general tendency among the better educated in the population to have a higher propensity to identify with one of the two major parties, this higher educated group has a strong identification with the independent status. It should be noted that the peculiarities of the local partisan situation may in part explain the discrepancies involved in this partisan identification process.

Finally, the survey inquired as to attorneys' incomes, a subject near and dear to nearly everyone's heart. It has often been stated that "money makes the world go round", and the survey results clearly show that the legal world is a highly lucrative one by this most common materialistic measure. Table V-X is a graphic representation of the income distribution among the responding lawyers. This chart makes it quite clear that lawyers on the whole make a great deal of money by nearly anyone's standards. Less than one-third of the barristers earn an annual income smaller than \$17,500, a salary considerably above the average. The tremendous earning power of these lawyers is especially seen in the fact that the approximate median income is \$25,000 a year, with slightly over one-half of the respondents drawing an income in excess of this figure, and in the equally intriguing notion that 27.4 percent rate a return of over \$35,000 a year. Thus, one-half of the respondents earn over \$25,000 a year, and over one-quarter receive over \$35,000 a year, making for an average salary which by all probability would fall somewhere in the thirty to forty thousand dollar range, an incredibly high figure for any group or population. Consequently, given the spectrum of incomes available to local attorneys, in addition

TABLE V-X

ANNUAL INCOME OF RICHMOND ATTORNEYS<sup>1</sup>

<u>Annual Income</u>	<u>Absolute Frequency</u>	<u>Relative Frequency (Percent)</u>	<u>Cumulative Adj. Freq. (Percent)</u>
1) Under \$10,000	13	5.8	5.8
2) \$10,000 to \$12,500	15	6.7	12.6
3) \$12,500 to \$15,000	15	6.7	19.3
4) \$15,000 to \$17,500	20	9.0	28.3
5) \$17,500 to \$20,000	20	9.0	37.2
6) \$20,000 to \$22,500	17	7.6	44.8
7) \$22,500 to \$25,000	11	4.9	49.8
8) \$25,000 to \$27,500	10	4.5	54.3
9) \$27,500 to \$30,000	22	9.9	64.1
10) \$30,000 to \$32,500	9	4.0	68.2
11) \$32,500 to \$35,000	7	3.1	71.3
12) over \$35,000	61	27.4	98.7
13) NA	3	1.3	100.0
Total	<u>223</u>	<u>100.0</u>	<u>100.0</u>

<sup>1</sup> Source: Survey of Richmond lawyers, conducted January/February 1974.

to the inherent prestige of the occupation certainly at least partially explains the lure of the local profession and the great onslaught of those desirous of legal training. Thus, we have looked in some detail at the composite portrait of the legal profession as a whole in the Metropolitan Richmond area, and have found them to share many characteristics. The barristers were discovered to have educationally originated both as undergraduates and as law students largely from within the commonwealth, and from two institutions in particular, the Universities of Virginia and Richmond, and have for the most part performed well academically in both their collegiate and legal training. They are by and large under forty-five years of age, and are likely to work in a law firm, with most in bodies of less than thirty members. Most attorneys engage in either a civil, corporate, or criminal practice, are moderate in ideology and are evenly split as to partisan affiliation. Finally, the lawyers were shown to make in most cases over \$17,500 a year in income. Thus, drawing upon the survey results, it is possible to construct what may be called an "average" lawyer within the Richmond area. While such a compilation is not necessarily statistically valid, it nonetheless gives a concept of the state and characteristics of the legal profession in terms which may be more vividly grasped. Thus, the "average" Richmond attorney is likely to be a white male between twenty-five and forty years of age, to have attended college and law school at either the University of Virginia or the University of Richmond, and to have performed above average academically in both aspects of his education. He is a member of a law firm of less than twenty attorneys, and has a law practice centered upon civil law. He is a member of at least one organization, is a Democrat or an Independent and is a moderate in political ideology. Finally, he earns an annual income of over \$17,500 a year. Such is the "average" lawyer in Richmond, a hypothetical creature who mirrors his chosen profession as a whole, and illustrates the enviable credentials held by

the barristers of this immediate geographic area.

#### COMPARATIVE ANALYSIS OF LAW FIRMS

Thus, after having examined the undifferentiated mass of attorneys in the metropolitan Richmond area, it remains to return to the original theme of this research and ponder the issue of the relative characteristics of individual law firms. In an effort to further confirm the validity of the differentiation theorem postulated earlier, these previously enunciated variables were cross-tabulated by the six law firms identified in Chapter III as the legal establishment of Richmond and by a seventh category designated as "all other firms". Such an analysis should elucidate the relative characteristics of these collectivities, as well as offering an additional informational source to aid in confirming or denying the legal establishment theory.

The survey results reveal that such a differentiation is warranted, and that the previously identified legal elite of Richmond are distinguishable from their colleagues on a variety of counts and criterion. First, the questionnaire cross-tabulations indicate that the six elite law firms are endowed with greater and inordinate expertise as measurable by previous academic performance, both as undergraduates and as law students. Table V-XI shows the distribution of lawyers by law firm as to undergraduate grade point average, and Table V-XII as to membership in at least one collegiate honor society. Both tables show that, except for a single exception in each case, the elitist firms have a considerably higher percentage of enrollment in the highest GPA, and the membership categories on each respective chart. Such a conclusion is further re-inforced when looking at the two most prestigious undergraduate honor societies, Phi Beta Kappa and Omnicron Delta Kappa. Table V-XIII shows the configuration for the latter society, while Table V-XIV reveals the distribution for the former. Once again, with but a single exception for ODK and two

TABLE V-XI

CROSS- TABULATION OF LAW FIRM MEMBERSHIP  
 BY UNDERGRADUATE GRADE POINT AVERAGE <sup>1</sup>

	<u>Grade Point Average</u>		
	<u>3.0 or Above</u>	<u>Below 3.0</u>	<u>Unknown</u>
All Other Firms	50 30.9%	55 34.0%	57 35.2%
Hunton, Williams	17 65.4%	4 15.4%	5 19.2%
McGuire, Woods	11 73.3%	2 13.3%	2 13.3%
Mays, Davenport	1 50.0%	1 50.0%	0 0.00%
Christian, Barton	4 57.1%	1 14.3%	2 28.6%
Williams, Mullen	2 66.7%	0 0.00%	1 33.3%
Browder, Russell	2 25.0%	2 25.0%	4 50.0%

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<sup>1</sup> Source: Survey of Richmond Lawyers, conducted during January/February 1974.



TABLE V-XII

CROSS- TABULATION OF LAW FIRM MEMBERSHIP  
 BY MEMBER IN AT LEAST ONE COLLEGE HONOR SOCIETY <sup>1</sup>

	<u>Non-Member</u>	<u>Member</u>
All Other Firms	118 72.8%	44 27.2%
Hunton, Williams	10 38.5%	16 61.5%
McGuire, Woods	3 20.0%	12 80.0%
Mays, Valentine	2 100.0%	0 00.0%
Christian, Barton	3 42.9%	4 57.1%
Williams, Mullen	1 33.3%	2 66.7%
Browder, Russell	5 62.5%	3 37.5%

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<sup>1</sup> Source: Survey of Richmond Lawyers, conducted January/February 1974.

TABLE V-XIII

CROSS- TABULATION OF LAW FIRM MEMBERSHIP  
 BY MEMBERSHIP IN OMNICRON DELTA KAPPA<sup>1</sup>

	<u>O D K Membership</u>	
	<u>Non-Member</u>	<u>Member</u>
All Other Firms	136 84.0%	26 16.0%
Hunton, Williams	18 69.2%	8 30.8%
McGuire, Woods	10 66.7%	5 33.3%
Mays, Valentine	2 100.0%	0 0.00%
Christian, Barton	5 71.4%	2 28.6%
Williams, Mullen	2 66.7%	1 33.3%
Browder, Russell	6 75.0%	2 25.0%

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<sup>1</sup> Source: Survey of Richmond Lawyers, conducted during January/  
February 1974.

TABLE V-XIV

CROSS- TABULATION OF LAW FIRM MEMBERSHIP  
WITH MEMBERSHIP IN PHI BETA KAPPA <sup>1</sup>

	<u>Phi Beta Kappa Membership</u>	
	<u>Non-Member</u>	<u>Member</u>
All Other Firms	153 94.4%	9 5.6%
Hunton, Williams	18 69.2%	8 30.8%
McGuire, Woods	9 60.0%	6 40.0%
Mays, Valentine	2 100.0%	0 0.00%
Christian, Barton	5 71.4%	2 28.6%
Williams, Mullen	2 66.7%	1 33.3%
Browder, Russell	8 100.0%	0 0.00%
Total	197 88.3%	26 11.7%

<sup>1</sup> Source: Survey of Richmond Lawyers, conducted during January/February 1974.

variations for Phi Beta Kappa, the elite firms are substantially more well-endowed with members of these elite societies. Finally, the undergraduate dominance of these particular law firms is also demonstrated in the cross-tabulation of law firm membership by collegiate class rank, where the identical trend revealed in the previous four tables is likewise readily apparent and visible. The law school records of the elite firms indicate the continuation of the undergraduate excellence compiled by their members, as here again the six firms may be rationally differentiated from the rank-and-file. Law review membership, one indicator of expertise, is shown in Table V-XV, where, with the exception of Mays, Valentine, the elite law firms are again disproportionately stocked with this honor. The same is valid as well for membership in Order of the Coif, as four of the six establishment firms have enrollments substantially above that shown by the other firms. The disproportionate expertise and activism is further unveiled when the variable of law firm membership is correlated with the respondent having participated in at least one of the law school activities listed in the questionnaire, as each of the six elite firms score higher in this category as well. Finally, the cross-tabulation of rank in law school again shows the elite law firms to be in possession of disproportionate expertise by this one measure. Table V-XVI reveals this configuration.

As for activism and affiliation, the law firm differentiation is a mixed bag of results. When membership in civic-type organizations was polled, the elite firms showed either an equal or a smaller percentage of membership. With the more excluding clubs however, these firms do enjoy a collectively higher degree of enrollment. With regard to political activity, as measured by having sought election to a governmental office, the elite firms have a much smaller percentage of participation, and have an approximately equal propensity to have

TABLE V-XV

## CROSS- TABULATION OF LAW FIRM MEMBERSHIP

BY MEMBERSHIP ON A LAW REVIEW<sup>1</sup>

	<u>Law Review Membership</u>	
	<u>Non-member</u>	<u>Member</u>
All Other Firms	124 76.5%	38 23.5%
Hunton, Williams	13 50.0%	13 50.0%
McGuire, Woods	8 53.3%	7 46.7%
Mays, Valentine	2 100.0%	0 0.00%
Christian, Barton	6 85.7%	1 14.3%
Williams, Mullen	2 66.7%	1 33.3%
Browder, Russell	5 62.5%	3 37.5%

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<sup>1</sup> Source: Survey of Richmond Lawyers, conducted during January/February 1974.

TABLE V-XVI

## CROSS- TABULATION OF LAW FIRM MEMBERSHIP

BY CLASS RANK IN LAW SCHOOL <sup>1</sup>

	<u>Class Rank</u>			
	<u>Top 10% of Class</u>	<u>Second 10% of Class</u>	<u>Below Top 20% of Class</u>	<u>Unknown value</u>
All Other Firms	40 24.7%	8 4.9%	62 38.3%	52 32.1%
Hunton, Williams	14 53.0%	2 7.7%	3 11.5%	7 26.9%
McGuire, Woods	10 66.7%	1 6.7%	3 20.0%	1 6.7%
Mays, Valentine	0 0.00%	0 0.00%	1 50.0%	1 50.0%
Christian, Barton	1 14.3%	1 14.3%	0 0.00%	5 71.4%
Williams, Mullen	2 66.7%	0 0.00%	1 33.3%	0 0.00%
Browder, Russell	3 37.5%	2 25.0%	2 25.0%	1 12.5%
	<u>70</u>	<u>14</u>	<u>72</u>	<u>67</u>
Total	31.4%	6.3%	32.3%	30.0%

<sup>1</sup> Source: Survey of Richmond Lawyers, conducted during January/February 1974.

served in some type of governmental body. The variable of having served as a member of an advisory committee to government reveals a dichotomy in the ranks of the legal elites, with Hunton, Williams, Christian Barton, and Williams Mullen having a degree of enrollment much higher than that of the rank-and-file, while the other three elite firms ran up lower totals. However, within the legal profession, the dominance of these firms is quite evident, as each of the elite collectivities scores a great deal higher than the "all others" category as to their representation on professional advisory committees. Ideologically, the Richmond elite firm members share a very close approximation to that configuration of the total non-elite attorneys and the total lawyer population. Finally, the income levels of the legal establishment firms is somewhat higher in nearly every age bracket than for the other attorneys. Thus, we have looked in some detail at the social and economic characteristics of the legal establishment, and have found that, on most counts, a rational basis for differentiation of certain law firms does in fact exist.

## CHAPTER VI

## THE LEGAL ESTABLISHMENT IN ACTION:

## LAWYER/LOBBYISTS IN THE VIRGINIA GENERAL ASSEMBLY

Since the inception of the American Republic, the legislatures of the various states have played an eminent and important role in the course of the nation, and within these bodies, those private actors collectively known as lobbyists have represented a major and essential cog in the making of public policy. These representatives of the private sector have long been an integral part of any state legislature, serving many basic functions through the provision of information, the exercise of persuasive talents, and their service as a catalyst and go-between in the steerage and blockage of legislation. Since time immemorial, outsiders have attempted to influence law-makers in the performance of their representative duties in an effort to provide input into the process of public-policy formulation. From its crude and aging beginnings the art of influence has flourished and grown into the science of lobbying, with many traditional methods ~~borrowed~~ <sup>being</sup> ~~from the past and adapted to present prevailing conditions~~ being blended with modern expertise and information systems to form what has in fact become a much-documented and studied role in the modern state legislature. These individuals are now especially important and relevant to the process, as the changing and accelerating pace of life and society have resulted in a tremendous proliferation of laws and needed legislation. In addition, as society and the social and economic interrelationships on which all citizens are dependent grow increasingly complex and intricate, so too do the legislative and representative tools borne by those individuals selected to govern in the parliamentary branch. No longer is any one man capable of having a



grasp or a working knowledge of but a minutia of the policy areas and controversies which confront every member of the body. As a result, there is an ever increasing ~~dependence and a~~ necessity for actors external to the legislators to be looked upon to provide detailed and highly technical information and data in the making of legislative policy. The lobbyists in the state legislatures, due to the part-time nature of the body, the usually inadequate staffing, and the general, non-technical, and non-specialized orientation of the members, especially are destined to occupy a central and highly influential position. Such is the case when one looks to a particular legislature in question, the Virginia General Assembly.

Given that lobbyists do play a most important role in the assemblies of the states, and specifically the Virginia legislature, it stands to reason that the nature, the character, and the economic composition of these private actors is a crucial variable in the policy equation which determines what matters are ultimately considered and approved. A vital portion of this question involves the most basic matter of simply determining who these lobbyists are, both in a personal, stylistic sense, and in an occupational sense. It is especially to these two queries that this investigation is directed. The purpose of this look at recent sessions of the General Assembly is to <sup>broaden</sup> enlighten the existing body of knowledge and data as to the lobbying corps in Virginia, and to specifically look at one particular genre of political animal, the lawyer/lobbyist.

It is a well-established ~~and widely-accepted~~ <sup>fact</sup> concept that the legal profession plays a major and often dominant role among professions in the functioning of government, and especially, in the legislative realm. However, it is as members of the body that lawyers are usually identified in their functioning as elected officials. Therefore conceding the fact that lawyers do occupy a disproportionate number of seats in the body, do they also exert

great influence in the lobbying ranks as well? While the lawyer ratio of most assemblies is a much-documented and frequently cited fact, the make-up of the lobbyists as to occupational distribution is a virtually unknown statistic. If it is the case that attorneys form a major bloc in this segment as well as in the membership of the body itself, needless to say it would only further magnify and exhibit the already immense power both in a potential and in a real sense that these barristers may wield. The next logical extension of this concept, given the focus of this paper on the theory of a legal establishment and on stratification within the profession, is to ask the question, is it all attorneys who are intricately involved in this lobbying mechanism, or are certain individuals and law firms disproportionately represented in this aspect? Basically, this policy arena will be used to test the legal elite theorem in a conflictual situation, whereby some measure of these firms actual procedures and physical presence and clout may be calculated. The previous chapters of this study have taken a somewhat abstract and contrived look at the Richmond legal profession. This gaze at the General Assembly should provide a more realistic and earthy perspective on the large law firms of the capital city area, and say something as well about one of the most important governmental bodies in the Commonwealth. If lawyers of the elite firms and their interests represent a major force in the General Assembly, this would surely prove the great state-wide influence that any such entities would be capable of exerting.

While the idea of lawyer representation as lobbyists is not yet extensively researched and written about, nonetheless it is not an unknown concept among students of state legislatures. Several individuals in particular have acknowledged the concept in their works on lobbying. Harmon Zeigler and Michael Baer in their book Lobbying: Interaction and Influence in American State Legislatures cite the basic similarity in social and occupational

backgrounds of legislators and lobbyists. Zeigler and Baer write, "From what we learned about the income and educational characteristics of legislators and lobbyists, we would assume that their extra-political occupations are of a relatively high status. Such is, indeed, the case. Most legislators and lobbyists either are lawyers or occupy another professional or managerial position of similar status."<sup>1</sup> The analogous occupational background of these two sets of actors discovered by Ziegler and Baer in the legislatures of Oregon, Utah, Massachusetts, and North Carolina strongly suggests the additional convergence of power in this profession. Abraham Holtzman further documents this fact in his study of the nature of interest groups and lobbying. Holtzman writes, in regard to lobbying types found in the American Congress, but equally applicable to the state legislature; "Two increasing types to be found operating in Washington are the 'consultants' and the 'entrepreneurs'. The former are principally lawyers whose work is not chiefly devoted to lobbying but rather to legal practice before courts and commissions. To them, lobbying for a bill generally represents only another legal case. On the state level, legal firms are also hired to represent groups that have something at stake in the legislature."<sup>2</sup> Here Holtzman pinpoints the specific phenomenon in question here, the large law firm whose primary business is not lobbying per se, but rather view their legislative function as simply one aspect of the services which they offer. In the realm of large law firms and the study of power, much attention has been drawn by a non-academic

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<sup>1</sup> Harmon Zeigler and Michael Baer, Lobbying: Interaction and Influence in American State Legislatures (Belmont, California: Wadsworth Press, 1969), p. 43.

<sup>2</sup> Abraham Holtzman, Interest Groups and Lobbying (New York: The Macmillan Company, 1966), p. 84.

journal previously mentioned in this thesis, Joseph Goulden's The Superlawyers. Goulden's book focuses upon the large Washington law firms, theorizing that these entities do in fact wield disproportionate power. One arena that Goulden concentrates upon is the Congress, as Goulden contends that the lobbying activities of these legal firms are extremely successful in winning advantage for their corporate and special interests. The seventh chapter of Goulden's book is devoted to a detailed, impressionistic look at the lobbying tactics and procedures used by these impressive actors, in which the author mounts a scathing attack of the special interest domination of Congress which he claims is greatly fostered by the efforts of the Washington legal establishment.<sup>3</sup>

While such contentions and criticisms are primarily leveled at the Washington law firms and the United States Congress, similar verbal darts have been launched at the large law firms of the Richmond area and the Virginia General Assembly as well. Many critics have intimated that state legislatures are both lawyer as well as business and special interest dominated. In an article in the Washington Post, Senator Clive DuVal of Fairfax County in Northern Virginia specifically zeroed in on this concept, criticizing and documenting what he felt was the dominance of the lobbying corps by a few elite Richmond law firms who through their wielding of their valuable and costly expertise are able to consistently gain favorable policy decisions for their corporate interests. DuVal specifically singled out the Richmond firms of Hunton, Williams, Gay and Gibson and Mays, Valentine, Davenport and Moore as two of

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<sup>3</sup> see Joseph Goulden, The Superlawyers (New York: Dell Publishing Co., 1972) pp. 258-290. Chapter 8 is primarily a series of sketches illustrating what Goulden feels is a business and special interest domination of Congress fueled by the representation given by the large Washington law firms.

the chief culprits in the General Assembly lobbying game. The Fairfax Senator cited these two bodies of attorneys as having received the highest amount of lobbying fees in the 1972 Assembly.<sup>4</sup> This quite obviously begs the question, Is this contention in fact the case with the state legislature in Virginia? In order to attempt to answer this question, this analysis will look at the three most recent Virginia General Assemblies. The initial thrust and focus will be that of determining who the lobbyists are, directed specifically at the broad question of occupational representation as well as at the representation of the Richmond legal establishment. Secondly, the area of lobbying fees and types of clients will be explored, in order to ascertain further the validity of the DuVal/Goulden thesis. The tertiary focus of this section will examine how these large law firms of the Richmond area set up organizationally to pursue their lobbying commissions. Here the exact nature of the lawyer/client liaisons and contract of the elite firms will be scrutinized, as well as the procedural philosophy and policy arena selection process of these attorneys. Finally, the style and nature of the lawyer/lobbyist will be documented, followed by a case study in the 1974 Virginia General Assembly, which will involve the taking of a specific policy decision arrived at by the legislature where there was very active lobbying and intense interest group involvement. By assessing this particular decision, which will be that of the Blue Law controversy, some judgments may be reached as to how great an actual impact these lawyer/lobbyists do in fact have on the formulation of social and economic ~~and economic~~ policy within the Commonwealth. A narrowly defined focus such

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<sup>4</sup> Kenneth Bredemeier, "The Virginia Lobbying Game: Amateurs Have Little Chance to Scare," Washington Post, (February 18, 1973), p. D1, D4.

as this should further supplement and illustrate the aforementioned points of defining who the lobbyists are and what styles they employ as well as pinpointing how much power potentially may be and actually is employed by these actors in the legislative process.

#### WHO ARE THE LOBBYISTS?

The question of who the lobbyists are at the Virginia General Assembly may be settled by an examination of the registration lists of lobbyists, prepared by the office of the Secretary of the Commonwealth. This act of enrollment was implemented by a measure of legislation of the Assembly, which provided for a required filing and supply of certain relevant information of all lobbying agents who operated either on the capitol grounds or in the Ninth Street Office Building. This system, commencing in 1972, provides the most authoritative source of information now available on lobbying in Virginia. However, as anyone who is familiar with the assembly and lobbying will attest, this source has serious gaps and shortcomings and is only a primer and a basic guide to the influence game at the Capitol. Nonetheless, despite these problems and inadequacies, some very interesting and enlightening information may be generated from these registration lists.

A scrutiny of these lists for the previous three assemblies in which the registration system has been in operation reveals certain phenomena and trends as to the occupational distribution of lobbyists. This data may be seen in Table VI-I which follows. A glance at this tabular presentation rapidly documents the fact that the legal profession as a whole and the large law firms of the Richmond area are well-represented in great numbers in the lobbying corps of the Assembly. This data reveals that in 1972, out of a total of 198 listed lobbyists, some 85 or 42.92% were attorneys, and of the 85, some 46 or 23.2% of the total were members of one of the four largest firms in Richmond.

TABLE VI - I

LAWYER/LOBBYISTS IN RECENT GENERAL ASSEMBLIES<sup>1</sup>

	1972		1973		1974	
	<u>General Assembly</u>		<u>General Assembly</u>		<u>General Assembly</u>	
1) Total number of registered lobbyists	198	100%	178	100%	252	100%
2) Total number of lawyer-lobbyists	85	42.92%	63	35.39%	83	32.93%
3) Total by law firm						
Hunton, Williams, Gay and Gibson	19	9.59%	32	17.97%	14	5.55%
McGuire, Woods and Battle	9	4.54%	3	5.05%	6	2.38%
Christian, Barton	11	5.55%	4	2.24%	10	3.96%
Mays, Valentine, Davenport and Moore	7	3.53%	3	1.64%	5	1.98%
Williams, Mullen and Christian	0	0.00%	0	0.00%	0	0.00%
Browder, Russell, Little and Morris	0	0.00%	0	0.00%	0	0.00%
All other firms	39	19.69%	24	13.48%	48	19.04%
4) Total lawyer/lobbyists from Elite Richmond Law Firms	46	23.23%	42	23.59%	35	13.88%
Ratio of Elite Law Firm Lobbyists to Total Lawyer/Lobbyists		54.11%		66.66%		42.16%
5) Total Non-elite Law Firm Lawyer/Lobbyists	39	19.69%	24	13.48%	48	19.04%
Ratio of non-elite Law Firm Lobbyists to Total Lawyer/Lobbyists		45.88%		38.09%		57.83%

<sup>1</sup> Source: -Registration Lists of Lobbyists at the Virginia General Assembly - 1972, 1973, 1974 compiled by the Secretary of the Commonwealth (available upon request).

Thus, in 1972, the lawyer/lobbyist was a well-endowed figure at the capitol, supplying over forty percent of the manpower available for the purpose of influencing legislation. In addition, it is likewise apparent that the four firms of Hunton Williams, McGuire Woods, Christian Barton, and Mays Valentine are very heavily and disproportionately represented for their numbers of members, composing nearly a quarter of the lobbyists there as well as well over one-half of all attorneys employed in a lobbying capacity. Such sheer volume of numbers, while hardly comprising an open-and-shut matrix of power, nevertheless is most significant and telling of the potential for successful representation in the process. With one-half and one-quarter of an admittedly influential collectivity being made up of respectively the legal profession and four firms in particular, one can say without fear of contradiction that these individuals must be very much a weighty force in the Virginia legislature. Looking at these four firms specifically, the high degree of representation of these actors is equally visible. The firm of Hunton, Williams especially exhibits this phenomenon, as this single collectivity provides nearly ten percent of all the registered lobbyists in the 1972 assembly. The other three also show the identical trends to a lesser extent, as each one furnishes roughly five percent of the lobbying force. Again, while mass numbers do not reveal the entire story, such heavy distribution is by itself highly meaningful, and is one important factor in the equation of power and influence

The next General Assembly exhibits a continuation of <sup>the previous session</sup> ~~the path of its annual~~ predecessor. At the 1973 General Assembly, the first odd-year Assembly to be held under the new Virginia Constitution, some 178 lobbyists registered with the Secretary of the Commonwealth. Of these 178 agents, the legal profession provided 63 or 35.39 percent of the total lobbying forces, a drop of approximately seven percent from the 1972 figures, but a heavy representation nonetheless. The elite law firms of Richmond maintained a near identical percentage



of enrollment as in 1972, supplying 42 lawyer/lobbyists for a 23.59 ratio. Of the elite firms, the most noticeable deviation from the previous year is that of the Hunton, Williams firm, whose membership in the lobbying fraternity jumped tremendously, going from 19 to 32, an increase of over 40 percent. These 32 attorneys represented an incredible 18 percent of all lobbyists there, and with an approximately 100 lawyer staff at Hunton, Williams, it means nearly one-third of their barristers were actively engaged in lobbying at one time or another at the General Assembly. It should be noted however, that an unusual set of circumstances was responsible for this massive onslaught of Hunton, Williams people, as a special, last-minute desire to secure passage of a bill for the Chesapeake and Ohio Railway caused a large portion of the additional forces marshalled there. A more detailed examination of this Railway bill and its lobbying effort will be made in the forthcoming section on the organization\set-up of the lobbying mechanism of the large elite firms. As for the other elite firms, the McGuire Woods forces declined from nine to three lobbyists, however, it remained at a stable five percent of total lobbying enrollment. Both Christian, Barton and Mays, Valentine showed a decrease, from nine to four and from seven to three respectively, with each dropping some two to three percentage points. The non-elite lawyers also declined, declining by some fifteen positions and some six percentage points. Thus, by the second year of the official registration of lobbyists, some trends in the occupational distribution of these actors are apparent. Primary of these emerging correlations is the fact that lawyers as a whole are a declining percentage of the total lobbyists, revealing that while the absolute numbers of barristers are remaining somewhat stable, the influx of other occupational actors is reducing the share of positions held by the legal profession.

The most recent General Assembly shows a continuation of these trends when one examines the registration lists. Some 252 lobbyists formally

enrolled, an increase of 74 over the previous year and 54 over the 1972 totals. Of these lobbyists, 83 listed their occupation as attorney, some 20 more than in 1973 and a decline of two from the General Assembly of two years past. This total reveals a further decline in the percentage of representation of lawyer/lobbyists of the whole. This decline of some two additional percentage points, from 35 to 33 percent, is clearly shown in Table VI-I. As for the elite firms, their decline likewise continues, showing a loss of seven additional positions and a considerable descent in the ratio of elite law firm representation, from 23.5 percent to 13.88 percent. Non-elite firms exhibit a marked increase of some fourteen attorneys, for a six percent rise in total representation. The non-elite firm members of the profession in 1974 for the first time formed a majority of the lawyer/lobbyists contingency, surpassing the representation of the four elite firms. The elite firms themselves show some degree of fluctuation, particularly so in the case of Hunton, Williams whose corps was more than halved, dropping its percentage of the total lobbyists from the all-time high for any one single firm which it recorded the previous years to a figure of five and one half percent. The other elite firms all present increases, the largest being that of the Christian, Barton firm who more than doubled the numbers of the previous year, sending ten solicitors to the Hill. McGuire, Woods and Mays, Valentine have more marginal increases, picking up three and two additional slots respectively, while simultaneously <sup>diminishing</sup> ~~demising~~ as a portion of the whole.

Thus, after having looked at the Virginia General Assembly during the three-year time-frame of 1972-1974, several tendencies are unveiled insofar as the total lobbying forces and the occupational distribution thereof are concerned. The primary trend is the declining percentage of lobbyists which the legal profession provides. Starting with nearly 43 percent in the base year of 1972, the representation drops by almost ten points in the two ensuing

<sup>representations</sup>  
~~conventions~~. Therefore, the lawyer/lobbyist is still disproportionately represented in the Assembly, providing lobbyists in numbers far beyond its portion of the total population, but is not nearly so non-commensurate as in years past. An identical tendency is likewise apparent in the ranks of the Richmond legal elite, as the four giants of the area, after remaining stable at approximately 23 percent of the total pie, fall off to 13.8 percent for the final test year. This is indeed, as is the case with the entire legal profession, a heavy-weight representation and again beyond what a proportional enrollment of the numbers of the legal profession population would warrant. However, it is also a declining percentage, with the legal elite of Richmond being a most formidable bloc, but not nearly as large a slice of the pie as in the immediate past. Among the elite firms, with the exception of the Hunton, Williams firm in 1972, there is a measure of stability and consistency in the numbers of representatives. Finally, a ~~tertiary~~ trend is the increasing numbers of lawyers from firms other than the big four of Richmond. As for possible explanations for these trends, the one most plausible to this author is that rather than diminishing from importance due to their own decline, the legal establishment has remained very consistent in their numbers of representatives, and it is the other forces who have been on the increase. Thus, while the legal profession has kept near equal numbers the last three years, it continues to drop as a part of the total lobbyists. Such is the case for the Richmond legal elites as well. A review of the lists of lobbyists reveal a possible rationale for this phenomenon, for inasmuch as the entire state political system has been in a state of flux and change in the transition from the Byrd years, so too has this been reflected in the legislature both in terms of membership and legislative policy emerging from the body. The same change is also in evidence in the lobbying ranks as many more of the elements which have never been represented at the Assembly before, in particular organized labor, the consumer

factions, and the public employees, now are lobbying in ever increasing numbers. This transition would parallel the process which has been reflected in many other legislatures, through the entry of novel constituencies into the political arena. For pluralist theoreticians, this could possibly mark the beginnings of an influx of balancing forces, to offset the corporate and related interests power structure. Whether this is what will actually emerge very much remains to be seen; suffice it to say that for the present this offers the most visible and credible explanation for the proportional decline of lawyer representation, who traditionally look to the corporate world for its clients both in the courts and the legislature.

In summary, the previous scrutiny does reveal that the legal profession and the Richmond legal elites in particular do play a major role in terms of numerical representation in the Virginia General Assembly through its presence in the lobbying corps. However, numbers alone are incapable of telling the whole story, a phenomenon to which the following sections are addressed.

#### WHO DO THE LOBBYISTS REPRESENT?

In the equation of lobbying representation, who the client is surely presents itself as one of the most crucial ~~and viable~~ variables in reflecting power and success in the legislature world. The client representation question adds another dimension to the scenario of lobbying. A look at the appropriate appendix reveals that, in addition to being represented in large numbers at the Assembly, the lawyer/lobbyists in general and the Richmond legal establishment in particular do in fact have as <sup>we?</sup> its clients some of the singularly most powerful associations and corporations in terms of physical and economic resources as well as prestige and standing within the Commonwealth of Virginia. This is especially the case for the Richmond legal establishment, as the four largest firms are able to count as <sup>then</sup> its employers some of the true heavy-weights of the

political and economic realm. Examples of this abound in the listings of clients. The Hunton, Williams firm has among its repertoire <sup>such</sup> ~~some~~ stalwarts as the Virginia Retail Merchants Association, a group which capitol insiders generally acknowledge as the single most potent interest group in Virginia, the Virginia Automobile Dealers Association, the Virginia Restaurant Association, and other such groups as the nurses, the automatic vendors, the funeral directors, the exterminators, the associated hospitals, and the launderers and cleaners. In the corporate realm as well, Hunton, Williams has its fair share of clients, counting such powerful ~~strategic~~ entities as the Virginia Electric and Power Company, the Potomac Electric and Power Company, the Southern Railway System, the Chesapeake and Ohio Railway System, and Exxon, USA, within its fold in the past three years. The identical is true for the McGuire, Woods firm as well, having had as its clients such associations as the Associated General Contractors of America, whose business of homebuilding and related activities represents the largest employer of individuals within the Commonwealth, the Lumber Manufacturers Association, many powerful insurance-related interest groups, and the United States Brewers Association. Among its corporate lobbying clients have been the A. H. Robins Company, one of the nation's largest drug and pharmaceutical producers, Anheuser-Busch, Inc. the nation's largest brewer, Blue Cross/Blue Shield of Virginia, Minnesota Mining and Manufacturing Company, and Reynolds Metals Company,

The same situation exists in the case of the other two elite Richmond firms as well. The firm of Christian, Barton has in the past three years such influential groups as the Retail Merchants, the Home Builders Association of Virginia, the Virginia Association of Insurance Agents, the Virginia Association of Independent Insurers, the Virginia Highway Users Association, the Virginia Education Association, and the Virginia Savings and Loan League, to name but a few. Its roster of corporate lobbying clients is equally interesting, including

such names as Sears, Roebuck, Sperry and Hutchinson, the Life Insurance Company of Virginia, REA Express, Thalhimers, the Cole National Corporation, and the Southland Corporation (owners of the Seven-Eleven convenience store chain). The firm of Mays, Valentine is similarly endowed, representing such interest groups as the Virginia Bankers Association, the American Insurance Association, the Virginia Cable Television Association, the Virginia Dental Association, the Virginia Mortgage Bankers Association, and the Virginia Association of Realtors. Its corporate lobbying accounts include among others the Heckinger Company, the Standard Paper Company, the Washington Gas Light Company, the Central National Corporation, and the Home Beneficial Life Insurance Company. As for the non-elite law firm lobbyists, their accounts include any number of the most powerful corporations and associations, as documented in the following appendix. Such documentation shows that not only are the large Richmond firms and the general legal profession in evidence in great numbers at the capitol as lobbyists, but are extremely well-endowed in terms of clients as well. These barristers, particularly those of the elite Richmond law firms, count among its employers some of the most powerful and resourceful associations and corporations who operate within the Commonwealth. Thus, looking at a second key aspect of lobbying power, that of who the lobbyist represents, it becomes apparent that here too these legal actors are well represented and endowed, and are a major force and contingency to be reckoned with.

The question of who these attorneys represent quite naturally entails a second related question; How much do these lobbyists make for the services they render? Here again a partial answer may be found in the lobbyist registration listings, which require a cataloguing of the amounts of funds allotted to the lobbying effort. While these financial statements are highly incomplete and undetailed, they nonetheless represent the sole existing way to get a handle on the amount of money that changes hands in the influence and information

process. These lists show that lobbying in Virginia is in fact very big and lucrative business for its agents. Table VI-II provides a compilation of fee information for the legal profession in the past three years. The 1972 figures are very incomplete and highly conservative, possibly as a result of the fact that 1972 marked the inaugural year of operation of the enrollment system. Here the legal elite of Richmond garnered a total of some \$8,825.00, a figure that is quite obviously much too low to fit the reality of the situation. Very few of these listings actually supplied any specific monetary figure, as most either gave an indefinite hourly rate or simply stated that the fees were to be calculated after the close of the session. Of the elite firms, McGuire, Woods had the highest listed amount, some \$4900.00, with Hunton, Williams and Mays, Valentine each listing approximately \$2000.00. Christian, Barton's filings were too incomplete to obtain any dollar figure. The aforementioned article by Senator Clive DuVal presents a different finding, from his personal investigation. DuVal found Hunton, Williams receiving the largest amount of fees, in 1972, \$40,791.00, and Mays, Valentine the second highest amount, \$33,877.00, and a total of over one-half million dollars totally spent on all General Assembly related activities.<sup>5</sup> This figure would appear to much more closely approximate reality, and represents a substantial take for the legal elite. The attorneys from the non-elite firms earned a recorded \$38,205.00 for the sixty days in session in 1972, which, when combined with the total for the four Richmond elite firms, shows a combined fee schedule of some \$47,000.00 for the lawyer/lobbyist.

For the following year of 1973, the picture becomes more defined, as the number of listings revealing a specific monetary fee substantially increased

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<sup>5</sup> Ibid.

TABLE VI - II

LOBBYING FEES GARNERED AT RECENT GENERAL  
ASSEMBLIES BY LAWYER/LOBBYISTS<sup>1</sup>

<u>Law Firm</u>	<u>1972 General Assembly<sup>2</sup></u>	<u>1973 General Assembly<sup>2</sup></u>	<u>1974 General Assembly<sup>2</sup></u>	<u>Three year totals</u>
1) Hunton, Williams, Gay and Gibson	\$ 2,000.00	\$ 25,550.00	\$ 24,412.50	\$ 51,962.50
2) McGuire, Woods and Battle	4,900.00	4,625.00	6,800.00	16,325.00
3) Christian, Barton, Parker and Epps	N/A	35,014.80	14,971.34	49,985.00
4) Mays, Valentine, Davenport and Moore	1,925.00	9,800.00	27,450.00	39,175.00
5) Williams, Mullen and Christian	0.00	0.00	0.00	0.00
6) Browder, Russell, Little and Morris	0.00	0.00	0.00	0.00
7) Total for elite law firms	8,825.00	74,989.00	73,633.84	157,447.84
8) All other firms	38,205.00	34,800.00	91,327.70	164,332.70
9) Total for all lawyer/lobbyists	47,030.00	109,789.00	164,961.54	321,781.34

<sup>1</sup> Source: Registration list of lobbyists at the Virginia General Assembly - 1972, 1973, 1974 compiled by the Secretary of the Commonwealth (available upon request).

<sup>2</sup> These listed fees do not include any individual listings for which no specific monetary figure was given. Many listings simply say, "Amount to be determined at end of session", or "Annual retainer", making it impossible to actually determine lobbying fees for these lawyer/lobbyists. As a result, these figures, particularly for 1972, are ultra-conservative and represent only the tip of the lobbying iceberg at the Virginia General Assembly.



in the system's second year of operation. Here Christian, Barton took home the largest amount, some \$35,000.00, with Hunton, Williams bagging a total of \$25,500.00 and Mays, Valentine some \$9,800.00. McGuire, Woods remains at a conservative \$4,625.00, to bring up the rear of the elite Richmond firms, who amassed a healthy \$74,989.00 for the forty-five day session. The non-elite attorneys dropped slightly from the preceding year, hauling in \$34,800.00, for a total of nearly \$110,000.00 for all lawyer/lobbyists in 1973. The next year reveals more of the same trends, as the legal elites registered a near identical total of \$73,633.84. The order of these firms is shuffled somewhat, as Mays, Valentine wins the kudos for the highest amount with \$27,450.00, while Hunton, Williams occupies the second position with \$24,412.50, down slightly from the previous year's accounting. Christian, Barton dropped substantially to \$14,971.00, while McGuire, Woods rose slightly to \$6,800.00. The most dramatic fluctuation occurred among the non-elite lawyer/lobbyists, whose listed fees nearly tripled from the 1973 figure, hitting a total of over \$91,000.00. The latter increase accounts for all of the jump in total lawyer/lobbying tariffs, which were \$164,961.54 for the year. The three year totals serve to further illustrate the previously stated contention that lobbying at the Assembly is truly big business, as the four elite firms garnered \$157,447.84 and the non-elite barristers some \$164,332.70, for a total of all lawyer/lobbyists of \$321,781.34. The elite firms individually also did quite well for the three-year time-frame, with Hunton, Williams securing the largest sum, \$51,962.50, Christian, Barton the second highest, \$49,985.80, Mays, Valentine the third, \$39,175.00, with McGuire, Woods having the lowest figure of \$16,325.00. Again it should be very strongly emphasized that these figures, while large aggregates in themselves, represent only the very tip of the fee iceberg because of the incomplete listings and other factors of non-disclosure. Keeping in mind the fact that these figures are very rough and very conservative estimates

further demonstrates the very high financial stakes involved in the lobbying game within the Commonwealth, and may serve at least a partial clue to the strong lure that lobbying appears to exhibit to the legal profession in general and the Richmond legal establishment specifically.

#### THE ORGANIZATION SET-UP FOR LOBBYING SERVICES

Exactly how the elite law firms set up organizationally to provide this important lobbying service can supply a strong clue and indication of the role this task plays within the law firm itself, as well as the philosophy with which this legislative duty is approached and implemented. In looking at the Richmond legal elite, a strong consensus appears to exist as to the nature of the lobbyist/client relationship. This relationship basically can take two different forms, each of which has a large number of adherents within the workings of the Assembly. The first type of lobbyist employment would be that of an adhoc, temporary nature, whereby the terms of representation are restricted primarily to the General Assembly and the time-frame of its convenings. The second genre is that of a long-term, year-round representation, such that the client's interests are pursued in arenas other than the legislature. It is this second type of lobbying representation which most closely approximates the traditional client relationship which attorneys enjoy, and is the most frequently occurring phenomenon in the Richmond legal elite. For the most part, those clients for whom the lawyer/lobbyists are the full-time, retainered accounts of the law firm. While occasionally a lobbying client will be accepted on an adhoc basis, such engagements are rare for the four elite Richmond firms who engage in legislative activities.

Thus, the norm for these collectivities is representation and association with continuing clients. This concept perhaps may be best understood in terms of a policy which now pervades the banking industry, that of "total services".

Inasmuch as many banks now attempt to entice business by offering a multiplicity of banking services such that all a customer's financial transactions may be discharged at one establishment, so too do the elite firms of Richmond seek to provide an atmosphere in which all a client's legal matters may be pursued by a single firm even to the extent of non-traditional activities such as lobbying the state legislature. Consequently, when a client's business affairs leave the realm of the courts or the regulatory commissions and trespass the boundaries of the legislative branch, no change of representative agents is necessary, and the client is assured of having as his envoy an attorney well-versed in the general area and the specific details of the enterprise in which he is engaged. Within the firm itself, it is generally the policy that those individual firm members who work with the client account full-time during the year are the firm's lobbying representatives at the Assembly. Usually it is the middle-level and higher partners who actually register as lobbyists, as it is these actors who are in most cases in charge of the large accounts, and are frequently more familiar with the members of the legislature on a personal as well as a professional basis. So then, these lawyers for the most part view their lobbying cores as simply one of a variety of means toward securing favorable treatment or action toward their client, rather than as an end unto itself.

This phenomenon and philosophy may be vividly witnessed in one particular lobbying pursuit of the Hunton, Williams firm in the 1973 General Assembly, as well as giving a clear glimpse of the firepower that these entities are capable of marshalling for their clients. Hunton, Williams serves as local counsel for the Chesapeake and Ohio Railway, one of the largest railroad companies in the country. The Chessie System was seeking a merger and acquisition of the Greenbriar Corporation, necessitating approval of the State Corporation Commission here in Virginia as to the legality of the action, particularly as it

dealt with matters of anti-trust and corporate integration. The attorneys anticipated no problems in successfully completing the transaction, in that similar corporate take-overs had been routinely sanctioned by the Commission, and the legal agents foresaw no reason for deviation in this specific case. However, one of the commissioners threw a monkey wrench into the machinery, by making it quite clear to the Chessie representatives that the Commission would not approve or ratify this action. It would appear to the layman that Hunton, Williams and its clients were stymied, with little recourse other than to accept the dictates of the Commission. However, as luck would have it, the General Assembly was in session at the time of the veto by the Commission, so consequently the attorneys merely shifted gears and carried their fight to another arena, viewing the legislature as a court of appeals for the unfavorable disposition of the State Corporation Commission. When a law is interpreted by a judicial tribunal in a manner disadvantageous to your client, the ultimate alternative is to change the law itself, to read such that the intent of the legislation is unmistakable and favorable to the end that one desires. This is precisely what these actors did, by submitting a bill to amend the appropriate section of the Code of Virginia. However, the final deadline for submission of bills by the members of the Assembly had since passed. Undaunted, the then Governor Holton was persuaded to offer the bill at his own request, which amounted to the sole remaining vehicle for any measure to be entered for consideration at that session. Additional lobbying manpower was sent to the Hill by Hunton, Williams, because the late date and crush of business precluded the normal contingency of the firm from being capable of doing the legwork necessary to insure passage of the measure. Their efforts were successful, as the two Houses assented to the requested amendments, changing the law to permit the transaction. The Chesapeake and Ohio Railway consequently merged with the Greenbriar Corporation, (and were successful in their pursuit.)

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<sup>6</sup> Interview with E. Milton Farley, March 13, 1974.

This sequence of events better illustrates than any declarative statement the way in which these firms view their lobbying duties. The Assembly, although not usually thought of in terms of legal representation, is merely one of the several arenas in which the client's interests may be pursued. When one avenue is blocked, another means is tried, in hopes of securing there what was unattainable elsewhere. It further illustrates the "total services" philosophy of the elite firms, as well as demonstrating what a potent and successful force these lobbying actors can be in the legislative process.

#### THE STYLE OF LOBBYING REPRESENTATION

This immediate preceding section detailing the case study of the Chessie merger leads quite naturally into a discussion of the type of role these actors play within the legislature, and the style of representation they employ in the pursuit of their lobbying duties. Harmon Zeigler and Michael Baer, previously mentioned in this chapter, document three distinct "styles" of representation which they identified in their research of the Massachusetts, Utah, North Carolina, and Oregon state legislatures. These pure types are; 1) information, serving as a technically-oriented source of expertise through the provision of expert opinion to the law-makers,<sup>7</sup> 2) persuasive, whereby the lobbyists actively engage in verbally persuading the members of the legislature to their point of view,<sup>8</sup> and 3) pressure, the application of high-key tactics designed to intimidate a legislator into assuming a position favorable to the lobbyist's client.<sup>9</sup> As for the style of the lawyer/lobbyist, and that of the Richmond

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<sup>7</sup> Zeigler and Baer, p.106.

<sup>8</sup> Ibid., p.107.

<sup>9</sup> Ibid., p.111.

legal elites in particular, the style or tactic of pressure is rarely if ever employed, for very obvious reasons. Most lobbyists believe this measure to be ultimately self-defeating and generally a poor means to an end, a conclusion also reached by both Zeigler and Baer<sup>10</sup> and Holtzman<sup>11</sup> in their studies. The other less extreme styles of information and persuasion are much more frequently employed by our subjects in the Assembly.

Generally, the lawyers of the legal establishment are cast primarily in an informational role, supplying their legal expertise in the drafting and amending of legislation, and in other matters as well. There is obviously some engagement into the realm of persuasion, as the pure typology used by the academicians must be stretched slightly to fit the reality of the lobbying game. By and large, sources close to the lobbying efforts of the elite firms agree that these attorneys try for the most part to maintain a low profile and a low-key approach, dealing subtly and in a manner consistent with their tactics and personal style used in their dealings outside the legislature. This type of style is one in keeping with the respectable, "behind the scenes" image which all these actors seek to cultivate. The very splashy, public genre of lobbying and client representation employed by some agents is held in very low regard by these lawyers, who generally perform their tasks in a manner that is conservative in the stylistic sense.<sup>12</sup> Judging by the success these actors enjoy, it is a style ~~and manageric of tactics~~ which is aptly suited to their clients and to the ends they pursue.

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<sup>10</sup> Ibid., pp.120-122.

<sup>11</sup> Holtzman, pp.77-79.

<sup>12</sup> Interview with E. Milton Farley, March 13, 1974.  
Interviews with other lawyer/lobbyists and capitol insiders who choose to remain anonymous.

## THE BLUE LAWS CONTROVERSY : 1974

Finally, this paper will look to a specific policy decision and the sequence of events leading up to it in hopes of viewing the roles lawyer/lobbyists performed in this debate and measuring the input these actors had in formulating what finally did emerge from the General Assembly. The Blue Laws or Sunday Closing Laws presented themselves as one of the hotly contested issues which the body would face. The public had witnessed a running controversy over these highly complex statutes which prohibited the sale of many disparate items on the Christian Sabbath, as several judges had ruled them unconstitutional while Commonwealth Attorneys, the principal law enforcement officer for the state, in many localities called the statutes unworkable and refused to implement them within their jurisdictions. The stage was set for a continuation of the push for revision. This particular case to be examined was chosen for a variety of reasons. First of all, it was one of the most controversial and interesting bills in the Assembly this past year, drawing much coverage and attention. Secondly, it was a measure which drew highly frenzied interest group activity on both of the opposing sides of the matter. The revisionist forces were led by two of the most highly respected attorneys in the Richmond area, Henry McVey, II and William H. King, Jr. of McGuire, Woods, while the opposition found at its helm the lobbyist who according to many Capitol insiders may be the most powerful private citizen in Virginia, Sumpter Priddy, Jr. of the Retail Merchants, with back-up support provided by the Hunton, Williams firm. With such powerful actors involved in the debate, it made for a most interesting sixty days in January and February.

The actual ~~scenario~~ the measure transversed during the course of the Assembly was as follows; Realizing that some revision was highly desirable and necessary to appease their constituencies, some six blue law revision bills were submitted, ranging in their effect from total repeal of the statutes

to various forms of local option. All were placed in General Laws Committees of the respective Houses, but action was to focus in the House of Delegates Committee, where the bills lay dormant for some period of time. After some preliminary debate, the real action began in the final two weeks of the session. A House subcommittee, charged with the task of coming up with a compromise measure, reported a local option recommendation, only to have it rejected and resubmitted for study by the whole committee, for the meantime shutting off any chance for legislation in the House. Simultaneously on the Senate side a virtually identical bill found approval by its respective General Laws Committee.<sup>13</sup> By the next day, the measure's fate was very uncertain in the House, as the General Laws Committee was unsure as to what action to take.<sup>14</sup> The bill remained under consideration for a period of about one week, with odds considered no better than even for a favorable reporting to the floor.<sup>15</sup> The vote was taken in the Committee on March 5, where the members rejected the Senate version on a very close 11 to 9 tally. Once again, the hopes for a revision seemed bashed.<sup>16</sup> By the next afternoon, however, a move was afoot to revive the deceased legislation, hoping to force the committee to

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<sup>13</sup> Shelley Rolfe, "Blue Law Option, Betting Backed", Richmond Times-Dispatch, 26 February, 1974, p.B-1.

Hugh Robertson, "House Shift, Approval Seen on Major Issues," Richmond News Leader, 26 February, 1974, p.A-1.

<sup>14</sup> Shelley Rolfe, "Betting, Blue Law Futures Clouded," Richmond Times-Dispatch, February 27, 1974, p.B-4.

<sup>15</sup> Tyler Whitley and Jim Mason, "Odds Are Against Betting Bill," Richmond News Leader, March 3, 1974, p.A-1.

<sup>16</sup> Shelley Rolfe, "Betting Still Alive; Blue Law Bill Dead", Richmond Times-Dispatch, March 6, 1974, p.A-1.



vote to reconsider its previous action. The proponents sought also to make the bill more attractive to those who were leaning or undecided by reversing the local option provision from an "opt-in" situation, whereby localities would have to vote themselves under the new statute, to an "opt-out" referendum measure.<sup>17</sup> The revisionists were successful in their efforts, as on March 8, after intense work within the General Laws Committee by the anti-Blue Law delegates, the body voted to advance the "opt-out" bill to the House floor.<sup>18</sup> Amid many reports that the blue law controversy would tie up the Assembly until the wee hours of the morning on its final day, debate began and raged, ending finally with approval by both Houses of the House Committee amendments which gave the Commonwealth a new, stricter Sunday closing law with each locality possessing the option to vote itself out from under the coverage of the new statute.<sup>19</sup>

Thus, such was the somewhat bizarre, meandering course that this legislation took through the General Assembly. What then was the role played by the lobbyists and more specifically the lawyer/lobbyists in the route taken by this measure? The answer to this most difficult question to gauge as to their input appears to be that the lobbyists played a major, but not decisive, role. On the anti-revisionist side, the mail was carried for the most part by

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<sup>17</sup> \_\_\_\_\_, "Bill on Sunday Selling Just Won't Stay Dead," Richmond News Leader, March 6, 1974, p.A-8.

<sup>18</sup> Shelley Rolfe, "Panel Advances Blue Law Option," Richmond Times-Dispatch, March 8, 1974, p.A-1, A-8.

<sup>19</sup> Shelley Rolfe, "Assembly Votes Blue Law Option," Richmond Times-Dispatch, March 10, 1974, p.A-1.

George Wilbur, "Blue Law Decision Left With Localities," Richmond Times-Dispatch, March 21, 1974, p.C-11.

the Retail Merchants, which may be spelled Sumpter Priddy. He was clearly the dominant figure <sup>as he</sup> ~~of his persuasion,~~ and co-ordinated the opposition forces. The attorney/lobbyists retained by Priddy's organization from the Hunton, Williams firm played a largely technical and informational role, leaving the persuasion perhaps quite wisely to the guiles of Priddy.<sup>20</sup> On the pro-revisionist side of the ledger, the lobbyists from the elite Richmond firms played a much more conspicuous role. The lawyers from McGuire, Woods, Henry McVey and particularly William King, Jr., representing the trade association of chain drug stores and the Committee for Sunday Sales, were forced by the circumstances of the legislation's course to play a more prominent and public role than is generally their practice. The local media in fact appeared to suggest that the controversy was a King versus Priddy battle. However, all sources close to the debate interviewed by this author vigorously denied that this was in fact the case, and most charged the press with looking for a personalization of the controversy that for the most part simply was not there. While much intense lobbying did take place during the length and breadth of the legislation's course, the most strategic point appears to have been the move to reconsider the previous vote killing the Senate bill in the House General Laws Committee. However, despite the obvious maneuvering by the various interest groups and their agents, both sides saw their action as having not been decisions in forcing the reconsideration, with the most viable impetus coming internally from members of the General Laws Committee who believed the present system of closing laws untenable and foresaw grave consequences in allowing them to stay on the books for an additional ten months. Consequently, it is this author's conclusion that here the Richmond Legal Establishment did play an important role in the course of events which

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<sup>20</sup> Interviews with sources closely involved in the Blue Law controversy, and who wished to remain anonymous.

transpired in arriving at a new Blue Law, but were not able to exert what could be termed disproportionate or decisive influence in securing a favorable outcome for their clients, an opinion that appears to be supported by the combatants as well.<sup>21</sup> Finally, both sides received the legislation that emerged as a victory, with the pro-revisionist legions quite pleased at having overcome a powerful tradition and lobbying force, and the anti-revisionists feeling very glad about having stymied what they felt was an overwhelming tide for total repeal of the Blue Laws.<sup>22</sup>

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<sup>21</sup> Ibid

<sup>22</sup> Ibid

## SUMMARY AND CONCLUSION

Thus, we have looked with some detail at the Virginia General Assembly and its lobbying corps, and the role played within these legions by the legal profession and the Richmond legal establishment. <sup>We</sup> ~~To~~ return to the original emphasis of this thesis and this particular chapter, do the legal profession and the elite law firms of Richmond wield disproportionate power in the Virginia legislature through its lobbying and influence? The answer to this question is a qualified yes; On the level of simple numerical representation at the Hill, it would appear that both these entities through sheer mass of actors present are definitely a force to be reckoned with, and form easily the most potent occupational bloc at the capitol. However, as has been mentioned several times before in this paper, numbers alone, while certainly a crucial aspect of power, are incapable of being as definite as many would hope. It is on this second more subjective and ambiguous level that the qualifications must be made. As was concluded in the major case study of this section, the lawyer/lobbyists played a major but not decisive role in the Blue Law controversy. However, it must be said that the chosen subject was probably an atypical issue, being very much in the public eye and having two, well-staffed and ably-represented opposing forces. The case study of Hunton, Williams and Chessie Railway System merger which preceded the Blue Law study perhaps more closely approximates both the policy area and the type of "non-sexy" issue in which these actors are usually embroiled. Here the agents probably do wield disproportionate power for their clients in certain cases, although even in such an environment as this, it is very difficult to gauge influence, and to say these lobbyists are dominant is an over-simplistic approach to a very complex and intricate process which at times appears to be designed to purposefully defy concrete analysis. Suffice it to say, however, that in a highly visible and emotionally involved issue such as the Blue Laws, even here the

legal profession and the legal elites of Richmond did play a most important role, and very much made their presence known, and furthermore, all these remarkable events took place in a governmental arena not traditionally associated with the elite law firms or the legal profession as its primary source of favorable rulings, policy, and transactions.

## CHAPTER VII

## SUMMARY AND CONCLUSIONS

Thus, we have completed this glimpse at the world of the Richmond Legal Establishment, a territory foreign to the non-legally oriented layperson of this area, yet one which is vitally important not only in the larger legal profession and community, but in the total ebb and flow of the social, economic, and governmental forces which shape the Commonwealth as well. This thesis has looked at these elite lawyers in some detail from a variety of disparate angles, ranging from the artificially constructed indices of the second chapter to the actual arena of combat explored in the preceding chapter on the General Assembly. Its purpose has been to develop a clearer understanding not only of the large law firms of the area, but of the entire legal profession as well, and in pursuing this goal several conclusions about these actors and their environment may be deducted from the measures and gauges utilized in this study. These primary conclusions and observations are;

- 1) The data assembled along with the more subjective notions uncovered in the course of this investigation have again confirmed a point which is extremely well-documented and widely accepted both among the academics and the general public, but one which bears repeating particularly as it applies to this specific geographical area. The indices and the more subjective criteria clearly show once again that the legal profession as a whole is very influential, respected and potent, forming what probably is the single most powerful occupational bloc within the Commonwealth, wielding power far beyond its proportion of the population in the affairs of state.

- 2) The data further suggests that there is a correlation between success in the legal profession and success in other aspects of life such as income, community standing, and membership and leadership in other political, economic, and social bodies and organizations. This comes close to the Mills concept of a power elite, with an interlocking of areas of influence within society provided by certain individuals who are capable of exerting themselves in a variety of enterprises. However, while this correlation does at least lean in the direction of an elitist theorem, the reality of the situation dictates that the Mills concept is certainly overly-simplistic to actually describe a social system within a community such as Richmond. There probably is a social elite, an economic elite, and a power elite, with a degree of interchange and interlock existing between these blocs within the Richmond area, but the pure Mills concept is too inflexible to suit the more pliable and fluid system which appears to be in existence here.
- 3) Finally, the data further suggests that there is in existence within the Metropolitan Richmond area a legal elite which can be differentiated from the masses of lawyers by both constructed, artificial measures of power and elitism and by looking at a particular governmental arena where these actors engage in representative activities. This research appears to confirm that, as in most human endeavors, a differentiation by relative standing and prestige likewise occurs in the legal profession, as confirmed by the fact that the attorneys themselves responded to the portion of this study's survey by clearly rank-ordering and distinguishing the law firms of the Richmond area. It does, therefore, appear that lawyers themselves recognize that at least some type of legal power structure does exist. However, as for

the second concept entailed by the legal establishment theory, that being these law firms who are differentiated do wield disproportionate power and influence for their clients, the matter is far from being quite so cut-and-dried. To say these firms do wield disproportionate power is again in all probability an over-simplification of a situation which, although far from the pure pluralist model, nevertheless is not the clear case of unchecked and irresponsible power that some chroniclers of attorneys, most notably Joseph Goulden, have made it out to be. The legal establishment does exert a tremendous amount of influence as has been demonstrated previously in this paper, but the legal community, while certainly feeling the pulse and movement of the elite firms, is now so diverse and specialized that it is impossible for any one firm or several firms to exert domination in all or even most aspects of legal practice. A sentiment expressed frequently to this author was the fact that the wide sweep of the law which now permeates virtually every aspect of life precludes the exertion of a firm in more than a handful of practices. However, it is a tribute to these collectivities that they are capable of influencing people and policy to the extent they do in a world of increasing departmentalization and specialization. This preceding discussion is not intended to dissuade the reader from concluding that the elite firms of Richmond are very special and important entities, for they most certainly are, and their reach and pull does not end at the boundaries of the Richmond Metropolitan Area, but in fact extends throughout the Commonwealth and the region. However, the rush to the judgment reached by such writers as Goulden that these lawyers are simply ultra-high powered influence-peddlers capable of turning water into wine must be



tempered by the reality of the situation. These lawyers are definitely very good at their profession, but the Goulden concept is overstating what is basically a valid thesis at its roots. This author's judgment and disagreement with many of the power elite theorists is not in the ultimate validity of their view of the situation, for it is the closest model to describing the workings of the legal establishment within its own profession and the larger society, but instead with the intensity with which it has been applied. Yes, there is a legal elite; however, its ranks and membership are broader and more fluid than the term "power elite" would imply, its power and influence though considerable is not as all-encompassing and dramatic as elitist theorists would probably care to admit, and it does not operate in the conspiratorial manner frequently associated with elitism. The attorneys of these firms most certainly are an elite in many senses of the word: yet even with the great resources they possess, as one lawyer from one of the elite firms told this writer regarding the power they possess, "I have no doubt in my mind that if we went up to the Hill (General Assembly) with some half-cocked idea that they (the legislators) would tell us to go to hell."

Perhaps the best way to view these special actors and the role and function they play is to borrow an almost Marxian concept, for it would appear that this is a case of the "haves" of the corporate and governmental world being financially able to employ as their agents the "haves" of the legal world. This again is a gross oversimplification of the relationships and positions which these collectivities enjoy; However, in the financial world of high stakes in which they function, for these law firms, it is perhaps most realistic to use an economic model, for these bodies are very much a reflection of and a product

of the economic system of the Commonwealth.

Thus, it is hoped that the preceding chronicle will familiarize and sensitize others to the existence and practices of this most select band of very talented individuals. This preceding wish also may serve an educational purpose in itself, for it contains a notion which doubly cuts to the heart of the environment and the circumstances under which these collectivities flourish. First of all, these law firms are above all a collection of many very highly skilled technicians, bringing together some of the most qualified and well-trained attorneys to form an assembly of talent which is unsurpassed not only in the Richmond area, but in the state and perhaps even the region. Secondly, these entities do operate in an environment that is favorable to the pursuit of their clients' interests, in which there is a general public unawareness of the types of matters these actors deal in. Each of these factors contribute to the great success these firms enjoy. Borrowing from a point made repeatedly above, while Goulden may have been over-zealous in his coining of the term "superlawyers" to describe what he believed to be a very special genre of attorneys, he was on the right track in suggesting that some barristers and their law firms are more powerful and influential than their brothers, and do play a major role in the functioning of society. Such is the case here in Richmond, as there is in existence a body of attorneys whose collective expertise, standing, and prestige does differentiate them from the masses, and who form what certainly must be one of the most anonymous yet influential cliques within the Commonwealth.

## THE LEGAL ESTABLISHMENT : A VIABLE CONCEPT?

Thus, having dissected the legal elite, it remains to pass judgment on the methodological tool utilized in this study, the concept of the legal establishment, in hopes of determining whether this tactic is capable of shedding light upon and developing a better understanding of the legal world. This writer's opinion is that the theory of a legal establishment or elite does have much potential for enlightening the state of knowledge of the legal profession. It is a concept which does recognize and document the reality of the differentiation that apparently takes place within a profession, and takes as its central premise the sound judgment that all lawyers are not possessing of equal ability or standing. Such a thrust is certainly well along the road to obtaining a valid description of the reality of the legal world. However, as with all methodological models which seek to both describe and prescribe in a social system, the legal establishment theory is not without its shortcomings, the primary one of which is a tendency to use this tool as a normative, ideological weapon. Here again a strategic point must be belabored, as the body of writing on the elite law firms symbolized by the Joseph Goulden book, The Superlawyers, takes what is a valid methodological concept and utilizes it to indict these bodies and the entire political system. The problem is that this primarily ideological attack severely discolors and disfigures what should be a more descriptive tool, resulting in an abuse of the theory. A book such as Goulden's makes for fascinating reading, but is suspect as political research. Again, the dispute here is not a challenge of the validity of the legal establishment theorem, but a questioning of the intensity and the manner in which it has been previously applied. Perhaps another problem lies simply in the appellation this approach has assumed, for, unfortunately, the very term "establishment" conjures up a variety of normative notions and concepts in

the minds of many, as the tumult of the past decade has made this a red flag word. Among those who are well-entrenched within the economic system such as the elite attorneys who are the subject of this study, to be termed "establishment" frequently invokes an immediate hostility as well as pegging the researcher as an anti-status quo altruist. If the research model can be kept on a more neutral plane, the legal establishment concept does have the potential to greatly enlighten the existing state of the arts as to these powerful yet largely anonymous private actors in the social and economic system. Future researchers of the legal profession should certainly keep this concept in mind as they look at the broad expanses of the present day attorney's world, for it does offer a means to get a handle on what may appear to be at first a large, undifferentiated mass of lawyers. Such a methodological tool as the legal establishment theory thus may serve an eminently useful purpose by helping to develop a more realistic and better understanding of what has been an under-researched and often misunderstood profession. It is hoped that it has done so in this particular case, and a clearer perception and knowledge of the large law firms and the legal profession in general in the Metropolitan Richmond area has been the result.

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APPENDIX A  
SAMPLE QUESTIONNAIRE USED  
IN SURVEY OF RICHMOND LAWYERS  
JANUARY - FEBRUARY 1974



STEPHEN C. ST. JOHN  
5209 NEW KENT ROAD  
RICHMOND, VIRGINIA 23225

DEPARTMENT OF POLITICAL SCIENCE  
UNIVERSITY OF RICHMOND

January 12, 1974

Mr. Donald Jones  
509 Grant Avenue  
Richmond, Virginia

Dear Mr. Jones:

I am currently a senior at the University of Richmond, and am engaged in an Honors research project in the department of Political Science dealing with the legal profession in the Richmond Metropolitan Area. A major section of this thesis will attempt to deal with the sociological composition of Richmond lawyers, and with the attitudes and opinions held by them regarding their profession and their fellow barristers.

It is in this connection that you as an active practicing attorney have been chosen to be surveyed to elicit data regarding the local legal profession. Enclosed along with this letter is a survey consisting of a brief series of questions dealing with the social and economic backgrounds of lawyers, and culminating in a single question soliciting your opinion regarding the ranking of certain local law firms as to their relative standing, power, and expertise. Your participation in this study by filling out this questionnaire will greatly aid my research as well as contributing to a better understanding of your most important profession. Also enclosed for your convenience is a stamped, addressed envelope in which to return your completed survey.

Your replies to these questions will be completely anonymous and used only in the aggregate to compile a composite portrait of Richmond lawyers. As you will see when you examine the survey, it bears no identifying marks which could in any way link a questionnaire to any individual respondent. Furthermore, each individual survey will be seen by no one but me, and will be kept in the strictest confidence.

While I realize you have tremendous demands on your time, I hope you will be able to spare the few brief moments necessary to complete and return this survey. Your cooperation will be greatly appreciated.

Thank you very much.

Yours truly,

*Stephen C. St. John*  
Stephen C. St. John

STATISTICAL SURVEY OF RICHMOND LAWYERS

The following questions deal with the social and economic backgrounds of lawyers, and the attitudes and opinions held by them. Please answer these questions as completely and accurately as possible. Your identity will be completely anonymous, and your replies will be kept in the strictest confidence and used only in the aggregate to sketch a portrait of lawyers as a group who practice in this area.

Thank you very much for your cooperation.

PART I

The social and economic backgrounds of lawyers

In answering these questions, either check the appropriate box, or write in your answer where the word "specify" appears.

1) What is your present age?

25 - 30 \_\_\_\_\_

40 - 45 \_\_\_\_\_

55 - 60 \_\_\_\_\_

30 - 35 \_\_\_\_\_

45 - 50 \_\_\_\_\_

60 - 65 \_\_\_\_\_

35 - 40 \_\_\_\_\_

50 - 55 \_\_\_\_\_

over 65 \_\_\_\_\_

2) Where did you attend college as an undergraduate?

\_\_\_\_\_ (specify)

3) What was your undergraduate cumulative grade-point average, and your rank in your graduating class?

Grade point average \_\_\_\_\_ on a scale of \_\_\_\_\_ (specify)

Rank in class \_\_\_\_\_ out of a class of \_\_\_\_\_ (specify)

4) Are you a member of any of the following honor societies?

Phi Beta Kappa \_\_\_\_\_

Beta Gamma Sigma \_\_\_\_\_

Omicron Delta Kappa \_\_\_\_\_

Order of the Coif \_\_\_\_\_

Blue Key \_\_\_\_\_

Any departmental honor society

\_\_\_\_\_, i.e. Pi Sigma Alpha

(Political Science), Psi Chi  
(Psychology) etc.

5) Where did you attend law school?

<u>In State</u>	<u>Out-of-state</u>
University of Virginia _____	_____ (specify)
University of Richmond _____	
Washington and Lee _____	
William and Mary _____	

6) What was your rank in your graduating class in law school?

Class rank \_\_\_\_\_ out of a class of \_\_\_\_\_ (specify)

7) Were you a member of or a participant in any of the following law school activities or organizations?

Law review _____	Law school newspaper staff _____
Legal aid society or similar program _____	Moot court team _____
	Any other review or publication of your law school _____

8) Are you a member of a law firm now? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what is the approximate number of lawyers employed by your firm?

Less than 5 \_\_\_\_\_ 10 - 20 \_\_\_\_\_ 30 - 40 \_\_\_\_\_

5 - 10 \_\_\_\_\_ 20 - 30 \_\_\_\_\_ over 40 \_\_\_\_\_

9) What was your first position secured after having graduated from law school?

Judicial clerkship \_\_\_\_\_ Law firm \_\_\_\_\_ Other \_\_\_\_\_

Government service \_\_\_\_\_ Teaching position \_\_\_\_\_

10) What was your approximate income, derived solely from the practice of law, for the past year?

under \$10,000 _____	\$17,500-\$20,000 _____	\$27,500-\$30,000 _____
\$10,000-\$12,500 _____	\$20,000-\$22,500 _____	\$30,000-\$32,500 _____
\$12,500-\$15,000 _____	\$22,500-\$25,000 _____	\$32,500-\$35,000 _____
\$15,000-\$17,500 _____	\$25,000-\$27,500 _____	over \$35,000 _____

11) In which of the following areas of the law do you devote the majority of the time you spend in practice?

Criminal practice \_\_\_\_\_ Estate planning \_\_\_\_\_ Patent Work \_\_\_\_\_

Civil practice \_\_\_\_\_ Corporate practice \_\_\_\_\_ Other \_\_\_\_\_



12) Are you a member now, or have been a member in the past, of any of the following organizations?

- |                                               |                          |
|-----------------------------------------------|--------------------------|
| Junior Chamber of Commerce _____              | Commonwealth Club _____  |
| Chamber of Commerce _____                     | Downtown Club _____      |
| Country Club of Virginia _____                | Civitan Club _____       |
| Any other Richmond area<br>Country Club _____ | Lion's Club _____        |
| Optimists _____                               | Kiwanis _____            |
| Rotary Club _____                             | Bull and Bear Club _____ |

13) Have you ever participated in any of the following activities?

- Held or run for political office \_\_\_\_\_
- Served on governmental board (i.e. school board, etc.) \_\_\_\_\_
- Served on advisory committee to government \_\_\_\_\_
- Served on professional advisory committee, (i.e. committee of the Bar) \_\_\_\_\_

14) How do you classify yourself politically on the ideological spectrum?

Very conservative \_\_\_\_\_ conservative \_\_\_\_\_ moderate \_\_\_\_\_ liberal \_\_\_\_\_

very liberal \_\_\_\_\_

15) Do you tend to identify with, or sympathize with, either of the two major political parties, or do you consider yourself an independent?

Democratic Party \_\_\_\_\_ Republican Party \_\_\_\_\_ Independent \_\_\_\_\_

PART II

The attitudes and opinions of Richmond Lawyers

The following is a list of certain law firms in the Richmond Metropolitan Area. Please read this list, and select the law firms which you consider to comprise the legal elite of Richmond, that is, the firms which you consider to be the most powerful, the most prestigious, or possessing the most legal expertise and the highest standing in the Richmond legal community.

Designate your choice by circling the name of those law firms which you consider to constitute the Richmond legal elite.

May, Garrett, Miller and Parsons

Cutchins, Wallinger, Christian and House

Bremner, Byrne and Baber

Edward E. Lane and Associates

Williams, Mullen and Christian

White, Cabell, Paris and Lowenstein

Hunton, Williams, Gay and Gibson

Obenshain, Hinnant and Dolbeare

Mays, Valentine, Davenport and Moore

Browder, Russell, Little and Morris

Christian, Barton, Parker, Epps and Brent

Wallerstein, Goode and Dobbins

McGuire, Woods and Battle

Allen, Allen, Allen and Allen

Florance, Gordon and Brown

Sands, Anderson, Marks and Clarke

Taylor, Hazen, Bryant and Kauffman

Rogers, Cudlipp and Gwathmey

Greene, Buxton and Poindexter

Cohen, Abeloff and Staples

Anderson, Haw, Parkerson and Beazley

Hirschler and Fleischer

APPENDIX B  
LISTING OF THE INDIVIDUAL  
MEMBERS OF THE LAW FIRMS  
WHO COMPOSE THE LEGAL ESTABLISHMENT

HUNTON, WILLIAMS, GAY AND GIBSON

Thomas Benjamin Gay	R. Kenneth Wheeler
Eppa Hunton, IV	Jack H. Spain, Jr.
George Dandridge Gibson	Robert F. Brooks
Archibald Gerald Robertson	Michael W. Maupin
Patrick A. Gibson	John H. Shenefield
H. Brice Graves	Paul M. Thompson
H. Merrill Pasco	John J. Adams
John W. Riely	Patrick J. Milmoie
Francis V. Lowden	William L. Bramble
B. Warwick Davenport	George Hettrick
Joseph C. Carter, Jr.	John E. McDonald, Jr.
Robert Buford	James E. Farnham
E. Milton Farley, III	David F. Peters
Lewis T. Booker	Walter F. Witt, Jr.
George C. Freeman, Jr.	Guy T. Tripp, III
Harry Frazier, III	Dewey B. Morris
James A. Harper	Hill B. Wellford, Jr.
Walter H. Horsley	Gordon F. Rainey, Jr.
Evans B. Brasfield	Allen C. Goolsby, Jr.
George M. Sadler	Turner T. Smith, Jr.
Richard G. Joynt	Harry J. Warthen, III
Norman A. Scher	C. Grice McMullan, Jr.
Joseph M. Spivey	Randolph F. Totten
Hugh H. White, Jr.	Thomas G. Slater, Jr.
William A. Pusey	T. S. Ellis, III
James Featherstone	Guy K. Tower

HUNTON, WILLIAMS, GAY, AND GIBSON (continued)

Lathan M. Ewers, Jr.

E. Montgomery Tucker

Virginia H. Hackney

W. Taylor Reveley, III

John B. Ashton

C. Porter Vaughan, III

Eugene E. Derryberry

Mark S. Dray

Benjamin C. Ackerly

Daniel A. Carrell

Arnold H. Quint

Harry D. Saunders

G. H. Gramel, Jr.

Beverly C. Read

Donald P. Irwin

Dennis P. Brumberg

Alfred J. Byrne

Anthony J. Obadal

Robert S. Parker

Manning Gasch, Jr.

Thomas J. Manley

Junius Waverly Pulley, III

Jay T. Swett

Allen C. Barringer

Carl W. Tobias

Phylliss L. Renick

David S. Brollier

Thomas J. Matkov

James A. Jones

Joseph C. Kearfott

Jeffery H. Weitzman

David M. Shaw

William C. S. Rowe

Jack W. Burtch, Jr.

Melvin C. Thomas

McGUIRE, WOODS AND BATTLE

William H. King

Alexander W. Neal

Thomas C. Gordon, Jr.

J. Gibson Harris

John S. Battle, Jr.

Carle E. Davis

Robert H. Patterson, Jr.

William A. Perkins, Jr.

Robert L. Burrus, Jr.

Willard I. Walker

Thomas L. Newton, Jr.

Henry H. McVey, III

Thomas S. Word, Jr.

Gordon H. Rosser, Jr.

John M. Oakly, Jr.

Alexander H. Slaughter

R. Gordon Smith

William R. Waddell

Joseph C. Wool, Jr.

John W. Bates, III

James L. Sanderlin

David C. Landin

John W. Patterson

Franklin M. Tatum, III

Guy W. Horsley, Jr.

Sally L. James

William H. King, Jr.

J. Robert Brame, III

T. Nelson Parker

Ernest R. Geisler, Jr.

Rosewell Page, III

O. Randolph Rollins

William F. Gieg

Marshall H. Earl, Jr.

W. Birch Douglass, III

Charles R. Swartz

William L. Taylor

Leslie A. Grandis

J. Waller Harrison

W. Carter Younger

Murray H. Wright

Alfred L. Shilling

Robert E. Payne

J. Warren Wood, III

Gilbert E. Schill, Jr.

Wellford L. Sanders, Jr.

F. Rogers Toms, Jr.

Stuart W. Settle

Frank W. Bubb, III

W. Allen Ames, Jr.

William G. Barkley

MAYS, VALENTINE, DAVENPORT AND MOORE

Charles S. Valentine

John S. Davenport

Richmond Moore, Jr.

R. Westwood Winfree

C. Denny White

Charles L. Reed

Henry T. Wickham

F. Elmore Butler

William R. Cogar

John F. Kay, Jr.

Angus H. Macaulay

John W. Edmonds, III

James C. Roberts

Andrew J. Ellis, Jr.

John P. Ackerly, III

Collins Denny, III

Harold E. Starke, Jr.

Fred W. Palmore, Jr.

Wilson E. Sheridan

Michael Armstrong

Bowlman T. Bowles

C. Cotesworth Pickney

F. Claiborne Johnston, Jr.

Horace H. Edwards

M. Pope Taylor

Philip J. Bagley, III

David L. Norton

Kenneth F. Farino

Richard L. Grier

John S. Barr

William Joe Hoppe

Langhorne H. Smith

Bradfute W. Davenport, Jr.

John C. Moore

Russell V. Palmore, Jr.

CHRISTIAN, BARTON, PARKER AND EPPS

Robert T. Barton, Jr.

Richard McDearmon

A. C. Epps

Andrew J. Brent

Brockenbrough Lamb, Jr.

R. Harvey Chappell, Jr.

Richard H. Catlett, Jr.

Charles W. Laughlin

John C. Kenny

Alexander Wellford

George G. Gratten, IV

Michael L. Soffin

Delman H. Eure

Fred A. Crowder

Robert Craig Hopson

Augustus Charles Epps, Jr.

Roderick B. Matthews

Cecil F. Bowmer

J. Edward Betts

C. Daniel Stevens

Lee F. Davis, Jr.

Beverly L. Crump

Hullihen Williams Moore

Michael W. Smith

Steven R. Larson

Paul G. Turner

Charles F. Midkiff

David D. Redmond

W. McIlwaine Thompson, Jr.

William R. Shands

James W. Tredway, III



WILLIAMS, MULLEN AND CHRISTIAN

Fielding L. Williams

George R. Humrickhouse

R. Colston Christian

Fred G. Pollard

Walter E. Rogers

Robert N. Pollard, Jr.

Frederick T. Gray

Frank W. Hardy

Russell Alton Wright

Randolph B. Chichester

John O. Peters

William R. Shelton

Robert E. Eicher

John Williamson Moore, III

Julious P. Smith

Samuel W. Hixson, III

Fielding L. Williams, Jr.

Denis F. Soden

Philip deB. Rome

Robert L. Musick, Jr.

BROWDER, RUSSELL, LITTLE AND MORRIS

John B. Browder

George B. Little

John B. Russell

James W. Morris, III

Phillip B. Morris

Robert G. Butcher, Jr.

Rufus G. Coldwell, Jr.

Robert M. White

J. Terry Parsley

David D. Addison

R. Carter Scott, III

Malcolm E. Ritsch, Jr.

John H. O'Brien, Jr.

R. Hunter Mason

James K. Cluverius

Thomas D. Stokes, III

Thomas Davidson, Jr.

William Dwight Jones

James H. Price

APPENDIX C

LETTER FROM THE FIRM OF

MAYS, VALENTINE, DAVENPORT AND MOORE

LAW OFFICES

MAYS, VALENTINE, DAVENPORT & MOORE

1200 ROSS BUILDING

P. O. Box 1122

RICHMOND, VIRGINIA 23208

TELEPHONE (804) 649-0751

January 18, 1974

JOHN RANDOLPH TUCKER  
(1923-1964)

COLLINS DENNY, JR.  
(1926-1964)

DAVID J. MAYS  
(1924-1971)

HORACE H. EDWARDS  
M. POPE TAYLOR  
COUNSEL

CHARLES S. VALENTINE  
JOHN S. DAVENPORT, III  
RICHMOND MOORE, JR.  
R. WESTWOOD WINFREE  
C. DENNY WHITE  
CHARLES L. REED  
HENRY T. WICKHAM  
F. ELMORE BUTLER  
WILLIAM R. COGAR  
JOHN F. KAY, JR.  
ANGUS H. MACAULAY  
JOHN W. EDMONDS, III  
JAMES C. ROBERTS  
ANDREW J. ELLIS, JR.  
JOHN P. ACKERLY, III  
COLLINS DENNY, III  
WILSON E. SHERIDAN  
MICHAEL ARMSTRONG  
BOWLMAN T. BOWLES, JR.  
C. COTESWORTH PINCKNEY  
F. CLAIBORNE JOHNSTON, JR.

PHILIP J. BAGLEY, III  
DAVID L. NORTON  
KENNETH V. FARINO  
RICHARD L. GRIER  
JOHN S. BARR  
WILLIAM JOE HOPPE  
BRADFUTE W. DAVENPORT, JR.  
HAROLD E. STARKE, JR.  
JOHN C. MOORE  
FRED W. PALMORE, III  
RUSSELL V. PALMORE, JR.

FILE NO.

Mr. Stephen C. St. John  
5209 New Kent Road  
Richmond, Virginia 23225

Dear Mr. St. John:

You have written a number of letters to attorneys in this office requesting certain biographical and financial information from them and also requesting an evaluation from several standpoints of twenty-two law firms in Richmond.

While we would be glad to help you in any reasonable and proper way, we, for a number of reasons, do not desire to engage in an evaluation of our fellow lawyers in other law firms.

Much of the biographical information which you seek is available in publications such as Martindale-Hubbell. Also I believe there are published income figures for lawyers over the State of Virginia classified according to the size of firms. You might get some help from the Virginia State Bar Association on that.

Sincerely yours,



F. Elmore Butler

15:150

APPENDIX D

OTHER CORRESPONDENCE

LAW OFFICES  
BELL, ELLYSON AND WILKINS  
SUITE 620 MUTUAL BUILDING  
NINTH AND MAIN STREETS  
RICHMOND, VIRGINIA 23219

MAURICE H. BELL, JR.  
WILLIAM GAINES ELLYSON  
GORDON A. WILKINS

AREA CODE 703

649-7021

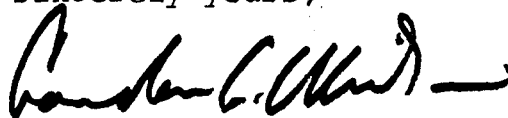
January 17, 1974

Mr. Stephen C. St. John  
5209 New Kent Road  
Richmond, Virginia 23225

Dear Mr. St. John:

I would be very much interested in securing a copy of your analysis upon its completion.

Sincerely yours,



Gordon A. Wilkins

GAW:ds

Enclosures

LAW OFFICES  
**Mc GUIRE, WOODS & BATTLE**  
ROSS BUILDING  
RICHMOND, VIRGINIA 23219

CABLE ADDRESS MCWOBAT  
TELEPHONE (804) 643-8341

CHARLOTTESVILLE, VIRGINIA OFFICE  
COURT SQUARE BUILDING  
TELEPHONE 296-5121

January 22, 1974

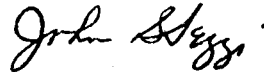
Mr. Stephen C. St. John  
5209 New Kent Road  
Richmond, Virginia 23225

Dear Mr. St. John:

Your questionnaire to some of our attorneys has crossed my desk and I would be most interested in knowing whether the information you obtain can be made available to interested parties. It would be of interest to us to have this information available to compare with our total group, in addition to determining whether we are adequately represented in the associations you have listed.

Please let me know if this data will be available and if there is any cost.

Sincerely yours,



John G. Iezzi  
General Manager

JGI/f

LAW OFFICES  
OTT, MORCHOWER, THOMPSON & McMULLAN

113 NORTH FOUSHEE STREET  
RICHMOND, VIRGINIA 23220

MATTHEW N. OTT, JR.  
MICHAEL MORCHOWER  
JOHN B. THOMPSON  
C. GRICE McMULLAN, JR.

January 16, 1974

TELEPHONE (804) 643-0147

Mr. Stephen C. St. John  
5209 New Kent Road  
Richmond, Virginia 23225

Dear Mr. St. John:

I have your letter of January 12, 1974 with its enclosure and I respectfully decline to complete your questionnaire.

Yours very truly,



Matthew N. Ott, Jr.

MNO, Jr:dr



APPENDIX E  
LAWYER/LOBBYISTS IN RECENT  
SESSIONS OF THE VIRGINIA  
GENERAL ASSEMBLY

INDIVIDUAL LAWYER/LOBBYISTS IN RECENT GENERAL ASSEMBLIES

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
E. Milton Farley	Hunton, Williams	Va. Passenger Bus Assoc.	X	X	X
		Va. Funeral Directors Assoc.	X	X	X
		Chesapeake and Ohio Railway		X	
Walter H. Horsley	Hunton, Williams	Va. Assoc. of Launderers and Cleaners	X		
		Automatic Vendors Assoc. of Va.			X
		Va. Retail Merchants Assoc. Car and Truck Rental and Leasing Assoc. of Va.	X		X
		Fredericksburg Area Chamber of Commerce			X
					X
Robert S. Parker, Jr.	Hunton, Williams	Va. Retail Merchants Assoc.	X		
Joseph C. Carter, Jr.	Hunton, Williams	Va. Retail Merchants Assoc.	X	X	X
		Va. Assoc. of Premium Service Companies	X		
		Va. Automobile Dealers Assoc. Chesapeake and Ohio Railway		X	X
Evans B. Brasfield	Hunton, Williams	Virginia Electric & Power Co.	X	X	X
		Virginia Assoc. of Personnel Services	X		
		Motion Picture Assoc. of America	X		X
		Snelling and Snelling of Richmond Pan-American School of Richmond			X
Turner T. Smith, Jr.	Hunton, Williams	Virginia Electric & Power Co.	X		
David F. Peters	Hunton, Williams	Va. Retail Merchants Assoc.	X		X
		Automotive Trade Assoc. of Va.	X		
		Va. Automobile Dealers Assoc. Chesapeake and Ohio Railway		X	X
		Nationwide Check Corp.			X

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
Mark S. Dray	Hunton, Williams	Va. Assoc. of Launderers and Cleaners		X	
		Automatic Vendors Assoc. of Va.			X
		Va. Retail Merchants Assoc.			X
		Car and Truck Rental and Leasing Assoc. of Va.			X
Eppa Hunton, IV	Hunton, Williams	Virginia Hospital Assoc.	X	X	
		Stewart-Warner Corp.	X		
Dennis P. Brumberg	Hunton, Williams	Va. Passenger Bus Assoc.	X	X	X
		Va. Funeral Directors Assoc.			X
H. Brice Graves	Hunton, Williams	Self-employed		X	
James E. Farnham	Hunton, Williams	Virginia Electric and Power Co.		X	
Harry Frazier, III	Hunton, Williams	Chesapeake and Ohio Railway		X	
George H. Hettrick	Hunton, Williams	Chesapeake and Ohio Railway		X	
George C. Freeman, Jr.	Hunton, Williams	Chesapeake and Ohio Railway		X	
Alison Kay Schuler	Hunton, Williams	Chesapeake and Ohio Railway		X	
Richard G. Joynt	Hunton, Williams	Chesapeake and Ohio Railway		X	
John W. Riely	Hunton, Williams	Chesapeake and Ohio Railway		X	
George D. Gibson	Hunton, Williams	Chesapeake and Ohio Railway		X	
A. J. T. Byrne	Hunton, Williams	Va. Pest Control Assoc.		X	
C. Hodson Goddin	Hunton, Williams	Va. Nurses Association	X		X
		Va. Funeral Directors Assoc.	X		
Joseph M. Spivey	Hunton, Williams	Va. Nursing Home Assoc.	X		
		Virginia Electric and Power Co.	X		
Eugene E. Derryberry	Hunton, Williams	Va. Pest Control Assoc.	X		

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
Robert P. Buford	Hunton, Williams	Va. Pest Control Assoc.	X	X	X
		Va. Restaurant Assoc.	X		
		Chesapeake and Ohio Railway		X	
Walter F. Witt, Jr.	Hunton, Williams	Va. Restaurant Assoc.	X		
Gordon F. Rainey, Jr.	Hunton, Williams	Travelers Motor Club	X		
H. Merrill Pasco	Hunton, Williams	Travelers Motor Club	X		
		Southern Railway System	X		
		Exxon Co., U.S.A.		X	
Guy K. Tower	Hunton, Williams	Va. Assoc. of Premium Service Companies	X		
Carl W. Tobias	Hunton, Williams	Va. Dental Laboratories Assoc.			X
Walter F. Witt, Jr.	Hunton, Williams	Va. Restaurant Assoc.			X
Guy T. Tripp, III	Hunton, Williams	Potomac Electric & Power Co.			X
Henry H. McVey, III	McGuire, Woods	A. H. Robins Co.	X	X	X
		Va. Manufacturers Assoc.	X		
		Lumber Manufacturers Assoc. of Va.	X		
		Minnesota Mining & Manufacturing Co.	X		X
		United States Brewers Assoc.	X		
		Associated General Contractors of America	X		X
		Blue Cross of Virginia	X		
		Blue Shield of Virginia	X		
		Anheuser-Busch, Inc.	X	X	X
		Reynolds Metals Co.		X	
		A. Smith Bowman Distillery		X	
		Association of Independent Insurers			X
		Committee for Sunday Sales			X
		Natl. Assoc. of Chain Drug Stores			X
		Va. Assoc. of Ophthalmology and Otolaryngology			X
Natl. Assoc. of Social Workers			X		

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
William H. King, Jr.	McGuire, Woods	A. H. Robins Co.	X	X	
		Va. Manufacturers Assoc.	X		
		Lumber Manufacturers Assoc. of Va.	X		
		U. S. Brewers Assoc.	X		
		Associated Gen. Contractors of America	X	X	
		Blue Cross of Va.	X		
		Blue Shield of Va.	X		
		Anheuser-Busch, Inc.	X	X	
		Minnesota Mining and Manufacturing Co.	X		
		Committee for Sunday Sales			X
		National Assoc. of Chain Drug Stores			X
		Va. Assoc. of Ophthalmology and Otolaryngology			X
		Natl. Assoc. of Social Workers			X
		Alexander Neal, Jr.	McGuire, Woods	United States Brewers Assoc.	X
Anheuser-Busch, Inc.	X				
Reynolds Metals Co.				X	
John S. Battle, Jr.	McGuire, Woods	Minnesota Mining and Manufacturing Co.	X		
		Prince William County Board of Supervisors			X
William H. King	McGuire, Woods	Blue Cross of Va.	X		
		Blue Shield of Va.	X		
T. Nelson Parker	McGuire, Woods	Va. Assoc. of Life Underwriters	X		
		Va. League of Mutual Life Insurers	X		
		Atlas Underwriters, Inc.	X		
		EMMCO Insurance Co.	X		
J. Robert Brame, III	McGuire, Woods	Lumber Manufacturers Assoc. of Va.	X		
William A. Perkins	McGuire, Woods	Merck and Company	X		
J. Waller Harrison	McGuire, Woods	Prince William County Board of Supervisors			X

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
Alfred L. Schilling	McGuire, Woods	Prince William County Board of Supervisors			X
William R. Shands	Christian, Barton	Sears, Roebuck and Co.	X		
		Group Health Association	X		X
		Va. Retail Merchants Assoc.	X		
		Cole National Corp.	X	X	X
		Life Insurance Co. of Va.	X	X	X
		REA Express, Inc.	X		
		Home Builders Assoc. of Va.	X	X	X
		Thalhimer Brothers	X		
		Sperry and Hutchinson Co.	X	X	X
		Va. Assoc. of Independent Insurers	X		
		Syndor Hydrodynamics	X		
Carl F. Bowmer	Christian, Barton	Natl. Assoc. of Theater Owners of Va.			X
		Sears, Roebuck and Co.	X		
		Group Health Assoc.	X		
		Va. Retail Merchants Assoc.	X		
		Cole National Corp.	X		
		Life Insurance Co. of Va.	X		
		REA Express, Inc.	X		
		Home Builders Assoc. of Va.	X	X	X
		Thalhimer Brothers	X		
		Sperry and Hutchinson Co.	X	X	
		Va. Assoc. of Independent Insurers	X		
Syndor Hydrodynamics	X				
Alex W. Parker	Christian, Barton	Cole National Corp.	X		
		Thalhimer Brothers	X		
		Home Builders Assoc. of Va.	X		
		Sperry and Hutchinson Co.	X		
		Syndor Hydrodynamics	X		
R. Harvey Chappell, Jr.	Christian, Barton	Thalhimers	X		

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>	
Alexander Wellford	Christian, Barton	Sears, Roebuck and Co.	X			
		Group Health Association	X		X	
		Va. Retail Merchants Assoc.	X			
		Cole National Corp.	X	X	X	
		Life Insurance Co. of Va.	X	X	X	
		REA Express, Inc.	X			
		Home Builders Assoc. of Va.	X	X	X	
		Thalhimer Brothers	X			
		Sperry and Hutchinson Co.	X	X	X	
		Syndor Hydrodynamics	X			
		Natl. Assoc. of Theater Owners of Va.				X
		Va. Assoc. of Insurance Agents	X			
		Va. Highway Users Assoc.	X	X		
Va. Savings and Loan League				X		
Richard McDearmon	Christian, Barton	Syndor Hydrodynamics	X			
		Va. Highway Users Assoc.		X		
A. C. Epps	Christian, Barton	Va. Education Assoc.	X	X		
		REA Express, Inc.	X			
A. J. Brent	Christian, Barton	Va. Highway Users Assoc.	X	X	X	
		Va. Assoc. of Insurance Agents	X			
		Va. Retail Merchants Assoc.	X			
		Sears, Roebuck Co.	X			
		Va. Savings and Loan League			X	
Hullihen Williams Moore	Christian, Barton	Va. Highway Users Assoc.	X			
Robert T. Barton	Christian, Barton	Group Health Assoc.	X	X	X	
		Natl. Assoc. of Theater Owners of Va.			X	
		Va. Collectors Assoc.			X	
J. Edward Betts	Christian, Barton	Va. Education Assoc.	X	X		
Roderick B. Matthews	Christian, Barton	Syndor Hydrodynamics	X	X		
		The Southland Corp.		X		

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
Lee F. Davis	Christian, Barton	Home Builders Assoc. of Va. Va. Savings and Loan League Va. Highway Users Assoc.		X	X X X
Michael W. Smith	Christian, Barton	Va. Education Assoc.			X
John W. Edmonds, III	Mays, Valentine	Va. Bankers Assoc. Va. Industrial Development Corp. Home Beneficial Corp. Va. Mortgage Bankers Assoc. American Express Company	X X	X  X X	X   X X
James C. Roberts	Mays, Valentine	Home Beneficial Life Insurance Co. Traffic Safety Systems, Inc. American Insurance Assoc. Va. Cable Television Assoc. Community Systems Corp. Va. Chiropractors Assoc. Va. State Crime Clinic, Inc. Va. State Lodge, Fraternal Order of Police	  X X X	  X X  X	  X X X X X  X
John W. Ackerly, III	Mays, Valentine	Va. Dental Assoc.	X		
Henry T. Wickham	Mays, Valentine	Va. Mortgage Bankers Assoc.	X		
C. Cotesworth Pickney	Mays, Valentine	Va. Mortgage Bankers Assoc. Am. Insurance Assoc. Va. Bankers Assoc.	X X		  X
Angue H. Macaulay	Mays, Valentine	Va. Assoc. of Realtors Car and Truck Rental and Leasing Assoc. of Va. Va. State Beauty School Assoc. Standard Paper Manufacturing Co. Heckinger Co. Washington Gas Light Co.	X  X X	X  X X X	   X X X X



<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
William G. Thomas	Other	Va. Assoc. of Taxicab Operators			X
		Va. Architects Gov. Affairs Comm.			X
		Va. Consumer Finance Assoc.		X	X
		Va. Beer Wholesalers Assoc.	X	X	X
Clarence B. Neblett, Jr.	Other	Va. Motorcycle Dealers Assoc.	X	X	X
Martin P. Burks	Other	Norfolk and Western R. R.	X		X
Harry Gordon Lawson	Other	Woodmen of the World Life Insurance Society	X		
Francis V. Lowden, Jr.	Other	Va. State Chamber of Commerce	X		
Garland M. Harwood, Jr.	Other	Va. Railway Assoc.	X		
		Va. Savings and Loan League	X	X	
		Natl. Assoc. of Independent Insurers	X	X	
		Va. Wholesalers and Distributors Assoc.	X	X	
		Va. Council for Free Enterprise		X	
J. Vaughan Gary	Other	Va. Wholesalers and Distributors Assoc.		X	
W. S. Cudlipp, Jr.	Other	Va. Credit Union League	X		X
John M. Levy	Other	Neighborhood Legal Aid Society	X		
Gammiel G. Poindexter	Other	Neighborhood Legal Aid Society	X		
Paul D. Stotts	Other	Outdoor Advertising Assoc. of Va.	X	X	X
Kelly E. Miller	Other	Outdoor Advertising Assoc. of Va.	X	X	X
S. Strother Smith, II	Other	United Mine Workers, District 28	X		X
J. Maurice Miller, Jr.	Other	Richmond Corp.	X	X	X
David G. Karro	Other	Legal Aid Society of Roanoke Valley	X		

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies <sup>9</sup>		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
Beecher E. Stallard	Other	Va. Chiropractic Assoc. Teamsters, Local 592	X X		
Nicholas A. Spinella	Other	Va. League of Social Services Executives		X	
Jay J. Levit	Other	Teamsters Local 592	X		
Norwood H. Davis, Jr.	Other	Blue Cross/Blue Shield of Va.	X		
Vincent J. Mastracco, Jr.	Other	Rosso and Mastracco, Inc.	X		
Paul M. Shuford	Mays, Valentine	Va. Council of Independent Business Colleges Speech and Hearing Assoc. of Va. Va. Council for Free Enterprize Va. Wholesale Wine Dealers Assoc. Central National Corp.	X X X X X	X	
John F. Kay, Jr.	Mays, Valentine	Fellowship Square Foundation, Inc.	X		
Beverly Randolph	Other	Va. Railway Assoc. Norfolk and Western R. R.	X	X	X
Richard J. Stahl	Other	Va. Motorcycle Dealers Assoc.	X	X	
Thomas N. Parker	Other	Am. Mutual Insurance Alliance	X	X	
duVal Radford	Other	Va. Railway Assoc. State Farm Insurance Co.	X X	X X	X
Archie B. Ellis	Other	Richmond, Fredericksburg, and Potomac R. R.	X		X
W. F. Hazen	Other	Va. Assoc. of Broadcasters	X		
William G. Thomas	Other	Va. Consumer Finance Corp.	X		

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies			10
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>	
George H. Parsons	Other	Richmond Corporation First Fund of Va.	X	X	X	
William Read Miller	Other	Medical Society of Va.	X	X	X	
John B. DuVal	Other	Medical Society of Va.	X		X	
Bruce A. Beam	Other	Appalachian Power Co.	X		X	
B. H. Randolph, Jr.	Other	Va. Soft Drink Assoc.	X		X	
Stanley G. Barr, Jr.	Other	Rosso and Mostracco, Inc.	X			
Montie S. Meeks	Other	United Mine Workers, District 28	X			
Reginald N. Jones	Other	Landscape Architects of Va., Inc. Medical Planning Corp. Golden Skillet - East, Inc.	X X			X
John F. C. Glenn	Other	Reynolds Metals Co.	X			
Hugh Thompson, Jr.	Other	Christian Children's Fund	X			
Leslie M. Mullins	Other	Westmoreland Coal Co.	X			
E. H. Williams, Jr.	Other	Va. Highway Users Assoc.		X	X	
J. Calvitt Clarke, Jr.	Other	Allstate Insurance Co.		X	X	
Joseph W. Folger	Other	Independent Garage Owners of Va. Va. Gasoline Retailers Assoc.		X X	X	
W. Curtis Sewell	Other	Va. Council of Business Colleges Va. Assoc. of Taxicab Operators		X X	X	
Melvin R. Manning	Other	U. S. Brewers Assoc. Va. Aviation Trade Assoc.	X	X	X	X

Representation at  
General Assemblies 11

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at		
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>
Lewis Markel, Jr.	Other	Va. Society for Human Life	X		
		Environmental Development Corp.	X		
		Va. State Assoc. of Professional Firefighters		X	
Eugene W. McCaul	Other	University of Richmond	X		
William M. Amrhein	Other	Va. Railway Assoc.	X		
W. H. C. Venable	Other	Va. Public Employees Coalition	X		
John L. Gayle	Other	American Legion	X		
W. Curtis Sewell	Other	Va. Beer Wholesalers Assoc.			X
		Va. Consumer Finance Assoc.			X
		Va. Architects Gov. Affairs Comm.			X
Joseph A. Pugh, Jr.	Other	Norfolk Savings and Loan Co.			X
Harold O. Miller	Other	Va. Coalition of Public Employees			X
Howard W. Dobbins	Other	Marriott Corp.			X
Harry G. Lawson	Other	Va. Sheriffs Association			X
E. R. Feinman	Other	Va. Cemetery Assoc.			X
Frank A. Piccolo	Other	Self-employed			X
David S. Mercer	Other	Va. Assoc. of Taxicab Operators			X
		Va. Architects Gov. Affairs Comm.			X
		Va. Consumer Finance Assoc.			X
		Va. Beer Wholesalers			X
Frances A. Sutherland, Jr.	Other	Life Insurance Co. of Virginia			X
Walter B. Fidler	Other	Va. Manufacturers Assoc.			X
		Standard Products Co.			X
		Va. Psychological Assoc.			X

<u>Lobbyist</u>	<u>Law Firm</u>	<u>Client(s)</u>	Representation at General Assemblies			12
			<u>1972 GA</u>	<u>1973 GA</u>	<u>1974 GA</u>	
George William Warren, IV	Other	Common Cause of Va. Va. Consumer Advisory Council			X	
Richard M. Price	Other	Va. Hearing Aid Dealers Assoc.			X	
William B. Ingersoll	Other	Va. Land Assoc.			X	
Herndon P. Jeffreys, Jr.	Other	Va. Land Assoc.			X	
Elise B. Heinz	Other	ERA Central			X	
David C. Dorset	Other	Va. Wholesale Wine Dealers			X	
Walter W. Regirer	Other	Consular Corps Va. Medicare & Medicaid Council			X	
David A. Sutherland	Other	Va. Liason Council of Cosmetology			X	
Nicholas A. Spinella	Other	St. Mary's Hospital of Richmond			X	
G. Elliott Cobb, Jr.	Other	Union Camp Corporation			X	
John J. Nangle	Other	National Assoc. of Independent Insurers			X	
John A. K. Donovan	Other	Accountants Society of Va.			X	
W. Griffith Purcell	Other	Accountants Society of Va.			X	
James D. Davis	Other	Rentax, Inc.			X	
Joseph E. Baker	Other	Hampton Roads Grocers Group			X	
Bernard M. Fagelson	Other	Committee for Sunday Sales			X	

APPENDIX F  
CLIENTS REPRESENTED IN A  
LOBBYING CAPACITY BY LAW FIRMS  
BEFORE RECENT GENERAL ASSEMBLIES

HUNTON, WILLIAMS, GAY AND GIBSON

1972 LOBBYING CLIENTS

Virginia Passenger Bus Association  
Virginia Funeral Directors Association  
Virginia Association of Launderers and Cleaners  
Virginia Retail Merchants Association  
Virginia Association of Premium Service Companies  
Virginia Electric and Power Company  
Motion Picture Association of America  
Virginia Association of Personnel Services  
Automotive Trade Association of Virginia  
Virginia Hospital Association  
Stewart Warner Corporation  
Virginia Nurses Association  
Virginia Pest Control Association  
Virginia Restaurant Association  
Travelers Motor Club  
Southern Railway System

1973 LOBBYING CLIENTS

Virginia Passenger Bus Association  
Virginia Funeral Directors Association  
Chesapeake and Ohio Railway  
Virginia Retail Merchants Association  
Virginia Automobile Dealers Association  
Virginia Electric and Power Company  
Automatic Vendors Association of Virginia

Virginia Hospital Association  
Virginia Pest Control Association  
Exxon Company, U.S.A.

1974 LOBBYING CLIENTS

Virginia Passenger Bus Association  
Virginia Funeral Directors Association  
Virginia Retail Merchants Association  
Car and Truck Rental and Leasing Association of Virginia  
Fredericksburg Area Chamber of Commerce  
Virginia Automobile Dealers Association  
Virginia Electric and Power Company  
Motion Pictures Association of America  
Snelling and Snelling of Richmond  
Pan-American School of Richmond  
Nationwide Check Corporation  
Automatic Vendors Association of Virginia  
Virginia Nurses Association  
Virginia Pest Control Association  
Virginia Dental Laboratories Association  
Virginia Restaurant Association  
Potomac Electric and Power Company



McGUIRE, WOODS AND BATTLE

1972 LOBBYING CLIENTS

A. H. Robins Company  
Virginia Lumber Manufacturers Association  
Minnesota Mining and Manufacturing Association  
United States Brewers Association  
Associated General Contractors of America  
Blue Cross of Virginia  
Blue Shield of Virginia  
Anheuser-Busch, Inc.  
Virginia Association of Life Underwriters  
Virginia League of Mutual Life Insurers  
Atlas Underwriters, Inc.  
EMMCO Insurance Company  
Merck and Company

1973 LOBBYING CLIENTS

A. H. Robins Company  
Anheuser-Busch, Inc.  
A. Smith Bowman Distillery  
Blue Cross of Virginia  
Reynolds Metals Company

1974 LOBBYING CLIENTS

A. H. Robins Company

Minnesota Mining and Manufacturing Association

Associated General Contractors of America

Anheuser-Busch, Inc.

Association of Independent Insurers

Committee for Sunday Sales

Virginia Association of Ophtalmology and Otolar yngology

National Association of Social Workers

Prince William Board of Supervisors

CHRISTIAN, BARTON, PARKER AND EPFS

1972 LOBBYING CLIENTS

Sears, Roebuck and Company  
Group Health Association  
Virginia Retail Merchants Association  
Cole National Corporation  
Life Insurance Company of Virginia  
REA Express, Inc.  
Home Builders Association of Virginia  
Thalhimer Brothers  
Sperry and Hutchinson Company  
Virginia Association of Independent Insurers  
Syndor Hydrodynamics  
Virginia Association of Insurance Agents  
Virginia Highway Users Association  
Virginia Education Association

1973 LOBBYING CLIENTS

Cole National Corporation  
Life Insurance Company of Virginia  
Home Builders Association of Virginia  
Sperry and Hutchinson Company  
Virginia Highway Users Association  
Virginia Education Association  
Group Health Association  
Syndor Hydrodynamics  
The Southland Corporation

1974 LOBBYING CLIENTS

Group Health Association

Cole National Corporation

Life Insurance Corporation of Virginia

Home Builders Association of Virginia

Sperry and Hutchinson Company

National Association of Theater Owners of Virginia

Virginia Savings and Loan League

Virginia Highway Users Association

Virginia Collectors Association

Virginia Education Association

MAYS, VALENTINE, DAVENPORT AND MOORE

1972 LOBBYING CLIENTS

Virginia Bankers Association  
Virginia Industrial Development Corporation  
American Insurance Association  
Virginia Cable Television Association  
Community Systems Corporation  
Virginia Dental Association  
Virginia Mortgage Bankers Association  
Virginia Association of Realtors  
Car and Truck Rental and Leasing Association of Virginia  
Virginia State Beauty School Association  
Virginia Council of Independent Business Colleges  
Speech and Hearing Association of Virginia  
Virginia Council for Free Enterprise  
Virginia Wholesale Wine Dealers Association  
Fellowship Square Foundation, Inc.

1973 LOBBYING CLIENTS

Virginia Bankers Association  
Home Beneficial Corporation  
Virginia Mortgage Bankers Association  
American Insurance Association  
Virginia Cable Television Association  
Virginia Chiropractors Association  
Virginia Association of Realtors

1973 LOBBYING CLIENTS (cont'd)

Virginia State Beauty School Association

Standard Paper Manufacturing Company

Heckinger Company

Central National Corporation

1974 LOBBYING CLIENTS

Virginia Barbers Association

Virginia Mortgage Bankers Association

American Express Company

Home Beneficial Life Insurance Company

Traffic Safety Systems, Inc.

American Insurance Association

Virginia Cable Television Association

Virginia Chiropractors Association

Virginia State Crime Clinic, Inc.

Virginia State Lodge, Fraternal Order of Police

Standard Paper Manufacturing Company

Heckinger Company

Washington Gas Light Company

ALL OTHER FIRMS

1972 LOBBYING CLIENTS

Virginia Chiropractors Association

Teamsters, Local 572

Blue Cross/Blue Shield of Virginia

Rosso and Mastracco, Inc.

Virginia Railway Association

Virginia Motorcycle Dealers Association

American Mutual Insurance Alliance

State Farm Insurance Company

Richmond, Fredericksburg and Potomac Railroad

Virginia Association of Broadcasters

Virginia Consumer Finance Corporation

Virginia Beer Wholesalers Association

Norfolk and Western Railway, Inc.

Woodmen of the World Life Insurance Society

Virginia State Chamber of Commerce

Virginia Savings and Loan League

National Association of Independent Insurers

Virginia Wholesalers and Distributors Association

Virginia Credit Union League

Neighborhood Legal Aid Society

Outdoor Advertising Association of Virginia

United Mine Workers, District 28

Richmond Corporation

Legal Aid Society of Roanoke Valley

First Fund of Virginia

1972 LOBBYING CLIENTS (Cont'd)

Medical Society of Virginia  
Appalachian Power Company  
Virginia Soft Drink Association  
Landscape Architects of Virginia, Inc.  
Medical Planning Corporation  
Golden Skillet - East, Inc.  
Reynolds Metals Company  
Christian Childrens Fund  
Westmoreland Coal Company  
United States Brewers Association

1973 LOBBYING CLIENTS

Virginia Consumer Finance Association  
Virginia Beer Wholesalers Association  
Virginia Motorcycle Dealers Association  
Virginia Savings and Loan League  
National Association of Independent Insurers  
Virginia Wholesalers and Distributors Association  
Virginia Council for Free Enterprise  
Outdoor Advertising Association of Virginia  
Richmond Corporation  
Virginia League of Social Services Executives  
Norfolk and Western Railway, Inc.  
American Insurance Alliance  
Virginia Railway Association  
State Farm Insurance Company



1973 LOBBYING CLIENTS (Cont'd)

Medical Society of Virginia  
Virginia Highway Users Association  
Allstate Insurance Company  
Independent Garage Owners of Virginia  
Virginia Gasoline Retailers Association  
Virginia Council of Business Colleges  
Virginia Association of Taxicab Operators  
United States Brewers Association  
Virginia Society for Human Life  
Environmental Development Corporation  
Virginia State Association of Professional Firefighters  
University of Richmond  
Virginia Railway Association  
Virginia Public Employees Coalition  
American Legion

1974 LOBBYING CLIENTS

Norfolk and Western Railway, Inc.  
Virginia Railway Association  
Richmond, Fredericksburg, and Potomac Railway, Inc.  
Virginia Association of Taxicab Operators  
Virginia Architects Government Affairs Committee  
Virginia Consumer Finance Association  
Virginia Beer Wholesalers Association  
Virginia Motorcycle Dealers Association  
Virginia Credit Union League

1974 LOBBYING CLIENTS (Cont'd)

Outdoor Advertising Association of Virginia  
United Mine Workers, District 28  
Richmond Corporation  
First Fund of Virginia  
Medical Society of Virginia  
Appalachian Power Company  
Virginia Soft Drink Association  
Landscape Architects of Virginia, Inc.  
Virginia Highway Users Association  
Allstate Insurance Company  
Virginia Gasoline Retailers Association  
United States Brewers Association  
United States Aviation Trade Association  
Virginia Architects Government Affairs Committee  
Norfolk Savings and Loan Company  
Virginia Coalition of Public Employees  
Marriott Corporation  
Virginia Sheriffs Association  
Virginia Cemetery Association  
Life Insurance Company of Virginia  
Virginia Manufacturers Association  
Standard Products Company  
Virginia Psychological Association  
Common Cause of Virginia  
Virginia Consumer Advisory Council  
Virginia Hearing Aid Dealers Association

1974 LOBBYING CLIENTS (Cont'd)

Virginia Land Association

ERA Central

Virginia Wholesale Wine Dealers

Consular Corps

Virginia Medicare and Medicaid Council

Virginia Liason Council of Cosmetology

St. Mary's Hospital of Richmond

Union Camp Corporation

National Association of Independent Insurers

Accountants Society of Virginia

Rentax, Inc.

Hampton Roads Grocers Group

Committee for Sunday Sales

Source: Required registration lists of lobbyists in the Virginia General Assembly - 1972, 1973, 1974 - compiled by the Secretary of the Commonwealth (available upon request).

APPENDIX G  
RESIDENTIAL DISTRIBUTION  
OF RICHMOND LEGAL ELITES

193V16/2321  
09/08/09 11481 FF Group

