Texas Refuses to Act Against Lawyer Belli

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AUSTIN, Texas (AP) — The state supreme court refused Wednesday to hear Texas state bar charges against Melvin Belli, outspoken San Francisco lawyer who defended Jack Ruby last spring.

Ruby was convicted of killing accused presidential assassin Lee Harvey Oswald. Belli then was fired by the Ruby family.

The state bar contended Belli should be barred from practicing law in Texas because of his conduct during and after the Ruby trial in Dallas.

The bar sought an order to permanently enjoin Belli from reappearing as an attorney in a case in any Texas court.

Ruby was sentenced to death by the jury March 14 in what Belli called a "kangaroo court" in an outburst seen by many on nationwide television immediately following the trial.

Belli's statements, the bar said, "maligned the trial judge, the opposing counsel, the jury and the entire spectrum of judicial administration in Dallas County."

The bar said Belli's conduct "has been so grossly and flagrantly unethical, intemperature, and abusive in nature as to weaken the administration of justice and to lessen public respect for the courts and laws of this state."

The unusual bar request — the state constitution does not give the supreme court specific authority to discipline out-of-state attorneys — contained copies of resolutions passed by Houston, Fort Worth, San Antonio and Dallas bars uring state bar action against Belli.

Belli commented on the charges in a letter to the supreme court, asking for copies: "While I presently have no cases pending in Texas, I do not wish to be 'disbarred' in Texas or any other state . . . and because I am a lawyer . . . I resent anyone being publicly charged and convicted in the newspapers without the opportunity to answer."

The court furnished Belli copies of the petition, although it was not required to.

The unsigned opinion, written for the whole court, noted that Belli "is not now participating, or offering to participate, in the trial of a case in this state."

It added:

"When and if Belli seeks to participate in the trial of a particular case in the future, the matter of his qualifications as 'a reputable nonresident attorney' under the rule will be addressed to the discretion of the court in which the case is pending."