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Halleck adjusts bridle on his horse as he bustles himself with chores outside his home in Gaithersburg as his judgeship ends.

Photo by Chris Hendrick—The Washington Post

Halleck's Verdict: 'Free at Last'

By Laura A. Kiernan

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Charles White Halleck poked around the squash and green beans in the garden outside his Gaitersburg home yesterday and lamented about the state of the weeds. He cooked a breakfast of eggs and grits and shooed the house cats off the stove. He shook his head at the condition of the rail fence that borders the gravel drive.

Halleck, whose 12-year career on the D.C. Superior Court bench ends today, is relaxed. The bitterness, infighting and pressures of his two-year battle to retain his judgeship are behind him. He sleeps better at night now, Halleck said, and the tension within his family has been relieved.

He is, Halleck said, "Free at last."

Last May, President Carter ended the controversy that swelled around Halleck's renomination to the Court for a 15-year term when he announced he would not submit Halleck's name to the Senate for confirmation.

So, on Monday, Halleck, well known for his stinging courtroom comments and liberal philosophies, becomes a partner in a private Washington law firm. He is leaving Superior Court with no regrets.

"You ask anybody," Halleck said. "I was a damn good judge."

Nobody will ever say he was a rubber stamp for prosecutors who came into his courtroom, Halleck said.

"I managed to rub some noses . . . the wrong way," he said, referring to the U.S. Attorney's Office, which Halleck contends conspired with the D.C. Commission on Judicial Disabilities and Tenure to block his reappointment.

The commission eventually found Halleck "qualified" for reappointment, a ruling that left to the President the decision on Halleck's judgeship.

The son of a former House minority leader, Rep. Charles A. Halleck (R-Ind.), and the product of an establishment upbringing, Halleck's conservatism gave way during his years on the bench.

He let his crew-cut hair grow long and added a beard. He was divorced from his first wife, whom he once described as a "housewife and mother," and married a criminologist, his current wife, Jeanne. He participated in a "psychodrama" during which he lived for a time as an inmate at Lorton Reformatory and exchanged life histories with a prisoner named James (Cheball) Irby. He was outraged by the treatment of May Day demonstrators in 1971.

Halleck became known to some as the friend of the "little man" and

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Halleck proudly displays bounty from his home vegetable garden.

HALLECK, From C1

he handed out fewer tough sentences. But his bluntness on the bench got him in trouble with the D.C. Court of Appeals, which often reversed his rulings and also condemned some of his courtroom procedures.

The issue, his critics said, was judicial temperament. His courtroom, they said, lacked dignity and courtesy.

"What is judicial temperament? Nobody's ever defined it," said Halleck over his morning coffee yesterday.

"The things they said about me . . . are done day in and day out by judges who have life tenure" and who do not have to worry about re-nomination, he said.

The problem, Halleck said, is the monumental backlog of cases at Superior Court and lawyers who ask for unnecessary delays before a trial.

"A judge has to crack down on them and not put up with it," Halleck said. In turn, he said, that judge earns a reputation for being "irascible, short-tempered and not nice."

"You start leaning, you start pushing, you start crowding and you run the risk of getting called intemperate," Halleck said.

"If I had felt it was more important to be a judge all my life than to say what I believed in then, I wouldn't have said some of those things," Halleck said.

Being a Superior Court judge "is not a fun job," Halleck said.

He enjoyed the job in earlier years, Halleck said. But with seven children, three of whom may be in college this fall and three of whom have orthodontist's bills, and an ex-wife to support, he began to feel the financial constraints of his job. As a judge, he will earn \$49,000 this year, he said. Meanwhile, colleagues he left at a prestigious Washington law firm in 1965 to assume the bench now are earning more than \$100,000 a year.

"If it hadn't been for this go-round with the system, I would have left a long time ago," Halleck said. "But once I got into this business, it was a matter of principle."

He was locked in, Halleck said, once the controversy about his re-nomination became a public concern.

Halleck said he thought, "If I run and I quit, then I acknowledge . . . all that stuff is true, that I'm an evil person . . . there's nothing to do but see it through."

"I've seen the whole thing through. I haven't backed off one step," he said yesterday.

After the judicial tenure commission found Halleck "qualified," President Ford submitted Halleck's name to the Senate District Committee for approval. But the nomination languished there for months until being reported out to the full Senate in late 1976.

After reading in The Washington Post about a confidential new disciplinary proceeding against Halleck, the Senate refused to vote.

It cost me the reappointment," Halleck said of the newspaper story.

The incident reminded him, he said, of his grandfather, Abraham Lincoln Halleck, a lawyer who once was accused wrongly in a newspaper of taking kickbacks on construction of a new courthouse in his hometown.

"Why did you print all those things about me? Why did you print all those lies?" Halleck said his grandfather asked the man running the newspaper.

"I was just trying to sell my paper," Halleck said the man told his grandfather.

"I have no bitterness," Halleck said about his own experience, although he admits to being "a little upset at the time."

At that point, Halleck went to U.S. District Court here and claimed that the judicial tenure commission mishandled his renomination and had no grounds to take disciplinary action against him.

The court upheld the commission's action and said the commission had the right to make public statements about the conduct of sitting judges. That conduct, however, must be such that the commission could remove the judge from the bench, the court said. Until the Court made its decision, the commission was blocked from issuing any statements on Halleck.

Halleck said yesterday that he saw that Court ruling as "vindication." The ruling established the Court's right to constrain the commission, and by limiting public statements that can be made about a judge's conduct, protects confidentiality.

Now, Halleck said, "the commission cannot breathe over a judge's shoulder for every little move he makes . . . to that extent, what I have done is liberate all the rest of the judges."

As a judge, Halleck said, a person is "supposed to be courteous, patient; you're supposed to be like a boy scout."

"I got a little impatient," he admitted, "but I wouldn't change a bit."