

# Presidential Stakes: Two for the Prosecution

12/23/73  
W. Pass



**Jill  
Volner**

*By Joel Dreyfuss*

The way Jill Wine Volner tells it, the first love of her life was journalism and she wanted to be a political columnist when she grew up. Somewhere along the way she went astray and ended up as an assistant Watergate special prosecutor, cast in a sometimes uncomfortable spotlight because she is young, very visible in the courtroom (while, she points out modestly, most of the staff toils unheralded in the background) and, well, there's no getting around it, because she's a woman.

"I didn't want to become a copy girl," she confides, the fate of most women who tried then to get into journalism. "That's why I went to law school. I liked writing and I liked politics. I enjoyed meeting people and trying to understand them. Being a trial lawyer isn't very different from being a reporter."

She has kept a lively interest in the media and, like the rest of Leon Jaworski's staff, watches television in the evening to see how the events of the day are reported. "We watch for feedback on how we got our points across," she explains.

Who are her favorite reporters? "I wouldn't dare say," Mrs. Volner answers with all the tact of someone who has been made aware of the political sensitivity of her position in recent weeks.

At a party recently given by a prominent Republican, the reception she got was sometimes less than enthusiastic. "A number of them really gave me the cold shoulder," she says with surprise and a hint of hurt. "That's the first time I'd

See VOLNER, F7, Col. 1



**Richard  
Ben-Veniste**

*By Judy Bachrach*

"I'll tell you a story about Rick Ben-Veniste," says one acquaintance. After the President's first speech on the energy crisis, Rick was over at Fred Buzhardt's office. And Buzhardt walked out for a few minutes. So while he was gone, Rick glanced at the thermostat and noticed it read 76 degrees.

"Well, Rick pastes this note to the thermostat, and it says, 'You are in violation of a presidential edict. Turn down your thermostat.'"

"So when Buzhardt returns, Rick says real innocently, 'Fred, while you were gone, this man in a uniform came in and taped that note to your thermostat.' And Fred gets all upset and says, 'What am I going to do? What am I going to do?'"

"It got cool in Fred Buzhardt's office awful quick."

Richard Ben-Veniste scowls darkly at his plate and mutters. "I'm living in a fish bowl. A goddam fish bowl. Can't do anything."

He glances across the table where the photographer is taking pictures. The thick brows furrow.

"Hey, are you shooting my Bloody Mary as well?"

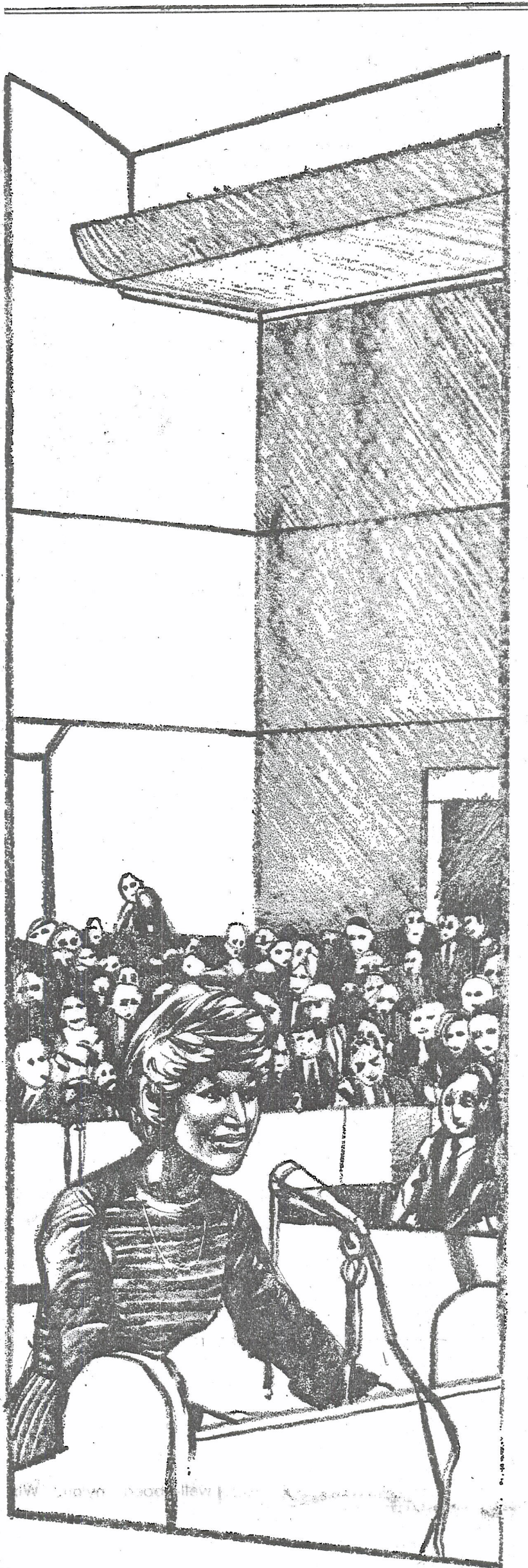
Deftly, Ben-Veniste moves the Bloody Mary to a distant corner of the table.

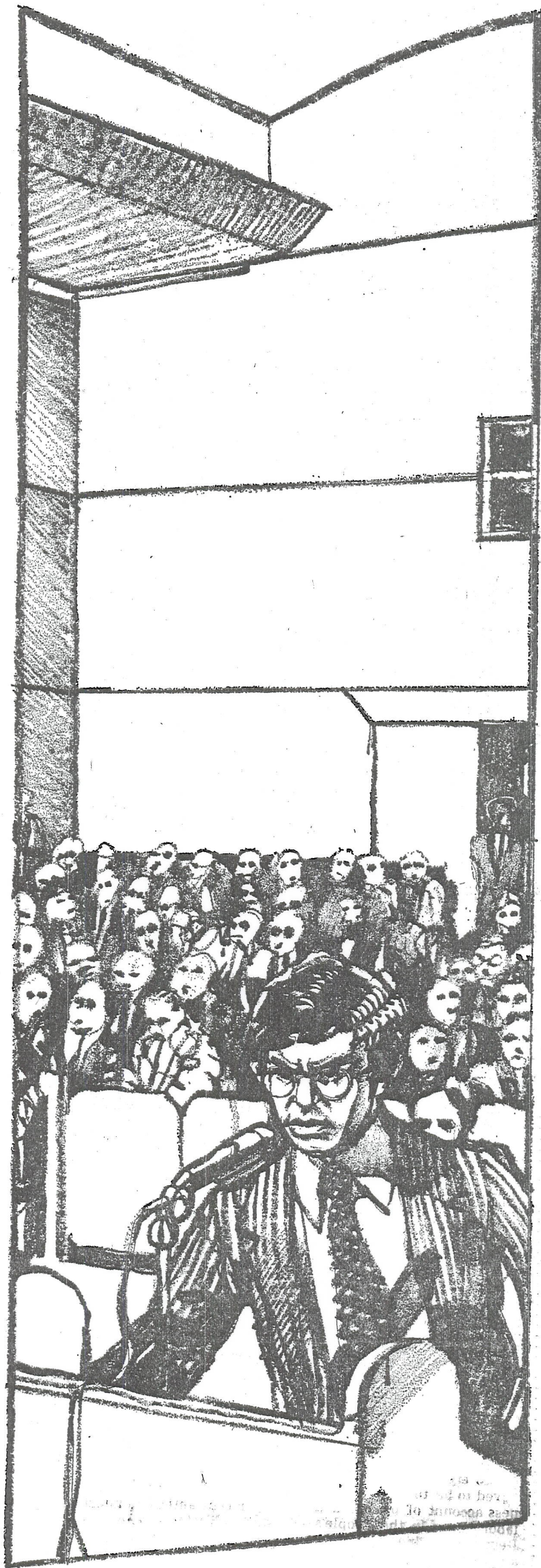
The celebrated male lawyer at the Special Prosecutor's office does not believe he should be photographed with a drink in his hand. And he does not think one should inquire closely into his personal life ("Too private"). And he can't

See BEN-VENISTE, F7, Col. 1

Drawings by David Suter for The Washington Post

Jill Volner, 30, and Richard Ben-Veniste, 30, in U.S. District Court.





talk about the Watergate case ("Unethical").

"Let's face it," sighs Ben-Veniste, "we're playing for big stakes here."

At the age of 30, Richard Ben-Veniste, newly arrived from New York, is playing for the kind of stakes upon which is predicated the fate of the administration. As acting head of Special Prosecutor Leon Jaworski's Watergate task force, he has interrogated men far older than he: Bob Haldeman and Fred Buzhardt, among the most prominent. Although he says he is "awed" by the nature of his task, in the short time he's been here Ben-Veniste has acquired the reputation of being cocky. And competent.

And he's a big admirer of Jill Volner, whom he calls "Our No. 2 man."

"No, I am not being a sexist. Jill is smart. And talented. And besides," grins the No. 1 man, "she's pretty."

Somehow all these qualities have failed to impress Ron Ziegler. More than three weeks back, the White House press secretary announced that certain people who worked for Jaworski had displayed "... a visceral dislike for this President and this administration."

"Well, I don't know who Ron—may I be informal and call him Ron?—I don't know who Ron meant by that."

Ben-Veniste arranges his features in a studiously angelic look. "There are 38 lawyers who work in our office. Now I never met Ron—so I can't believe he meant me."

Whomever Ziegler meant, the special prosecutor's office wasn't taking any chances. Fearing charges of frivolity, Ben-Veniste refused to allow the reporter even a peek at his Georgetown apartment.

"Now how would that look? How would that look if I let you see my apartment? Some other time."

Ben-Veniste launches into a Groucho Marx act, leering through glasses over a half-smoked cigar.

"I am *not* leering. An ash flew into my eye."

Thirty years ago a boy who was destined to be near-sighted in maturity was born to Irving Ben-Veniste and his wife, Toby, in Brooklyn. At the age of 6 young Richard moved with his family to a house in Laurelton, Queens. In adolescence he attended Stuyvesant High School, the refuge of some of New York's exceptional young boys.

"No I was not a precocious child." Ben-Veniste glances up from his snails with a wry smile. "Christ, what kinda question is *that*? I was not a precocious child," he said modestly.

He grabs the pad away from the

reporter. "Okay. Tell me about your life. What did you wanna be when you were a little girl? Um hmmm. And did you wear party dresses with little white socks? Purple socks? Uh-huh. And would you say these purple socks were indicative of latent frigidity?"

By 1964, Ben-Veniste had graduated from Muhlenberg College in Allentown, Pa., with a 3.67 cumulative average, a magna cum laude, a combined history and political science major and years of inactivity in Phi Epsilon Pi, his fraternity.

"The guys there resented me, I think, because I would never give them their secret handshake."

By 1967, he graduated from Columbia Law School ("But I never liked the place"). By 1968, at the age of 25, he was working at the U.S. Attorney's office in the Southern District of New York, but his salary was being paid by a Ford Foundation grant from Northwestern.

"Yeah," says Tom Fitzpatrick, who arrived at the U.S. Attorney's office three days after Ben-Veniste, "I think they took him on because, you know, here was this bright kid and they didn't even have to give him a salary."

But at the end of his first year, Ben-Veniste was getting paid by the U.S. Attorney's office. "He was one of the brightest of a bright lot," says Fitzpatrick, who is Ben-Veniste's best friend.

"And he took to that job like a duck to water. I mean we were all terrified. Even Rick must've been. But Rick never showed it."

"I was never terrified," says Ben-Veniste. "Apprehensive, maybe, over my first one or two cases."

"I remember watching Rick help try his first big case," says Fitzpatrick. "And he was amazing. I mean here was this punk kid—"

"I was a kid." Ben-Veniste chuckles. "But never a punk."

"And anyway," Fitzpatrick continues, "Rick was interrogating this witness, and the defense attorney just kept on objecting and objecting, he was that frustrated. So Rick turns more to the jury than the judge, and gets this real impish smile on his face, and says, 'But Your Honor, I'm only trying to get at the truth.'"

Somehow Ben-Veniste managed to get a lot of good cases. Fitzpatrick attributes this to "a combination of luck and timing." Ben-Veniste, who prosecuted organized crime and labor-racketeering and official corruption, says he feels a great deal of loyalty to the U.S. Attorney's office. That he was "exhilarated" because he had finally found something he liked doing. He was to stay on almost five years. Then he received another job offer.

"The first time I saw Archie Cox," says Ben-Veniste, "I thought he was very intelligent, very professional and very, very moral."

About four months later the man was fired by the President.

"We all felt—" he shrugs. "Shocked. But I like to stay away from that stuff." His broad dark features glower at the next question. "Oh okay. Okay, I felt a lot toward Cox. We got to be very close. I was with Archie the whole day—the day before he was fired. No one jumped for joy, all right? But that's not the relevant thing. The relevant thing is that we recognized our responsibility and stayed on."

Staying on has meant, among other things, that the limelight has glared with increasing intensity on a 30-year-old lawyer who says he's "sorta awed" by public interest in his private life ("I mean I didn't invent a cure for cancer or anything"). The last time a reporter asked him for personal details, Ben-Veniste (who tends to give flip answers to the press, and then kick himself when he sees them in print) replied that he slept in the nude.

"Which was a joke. And besides," the round face creases into a grin, "that was before the energy crisis. Now it's inoperative. You know," he adds unnecessarily, "I'm not Cary Grant."

"Well Rick isn't the biggest guy in

the world," Fitzpatrick agrees. "But I dunno. He sure has a way with women."

Ben-Veniste doesn't like to discuss either his height (5-feet-7) or his women. "Just say I enjoy female companionship, Yeah. Say that. Say I enjoy the companionship of women. And that I look for a sense of humor, intelligence, femininity and sexiness. But not necessarily in that order."

He isn't sure how long he'll stay in Washington, or what he's going to do when it's all over. Sometimes he simply takes time out and jots down a few autobiographical slices ("Then I stuff 'em under my mattress"). Sometimes he just wonders about the whole process of survival.

Years ago, his father's parents came over from Greece, for what reason their grandson doesn't know. They were Sephardic Jews—

"And my grandfather spoke seven languages. Seven. And then he came over here where nobody gave a damn about him. He took all those menial jobs—" For the first time Ben-Veniste's voice grows bitter. "And my mother—she was shuttled around from agency to agency. She's had a real tough life too."

His mother, says Ben-Veniste, now gets a kick out of him.

Ben-Veniste now gets a kick out of his mother. And his job. And a lot of things.

"Me?" He laughs loudly. "I just enjoy being alive."

ever been treated this way."

No doubt a few of the guests agreed with White House Press Secretary Ron Ziegler's attacks on Jaworski's staff as having a "visceral dislike" for President Nixon and it has taken a few weeks to get interviews with any of the staff members. ["This is the last interview for Jill and Rick," said a spokesman for Jaworski.]

"I feel that I am a professional," says Mrs. Volner. "I am a prosecutor. I worked under Attorney General (John) Mitchell, (Richard) Kleindienst, (Elliott) Richardson. I see myself doing a job. There are two sides to any situation. I just present one side. I never think that my personal views have ever affected my professional judgment."

However, getting at Volner's personal views seems to require a lot of the courtroom skills she has demonstrated during the Watergate investigations. She conveys an impression of low political interest in high school and college and an interest now that is more abstract than specific.

Jill Wine, 30, was born in Chicago, raised in Skokie, Ill., attended the University of Illinois. She recalls the school as "extremely conservative" in 1960. She rushed Iota Alpha Pi after her senior year in high school and

plunged right into sorority life in college. Eventually, she became president of her sorority.

Just around graduation in 1964, the stark reality of job possibilities drove her to apply to law schools because it was too late to take the Graduate Record Exam. "I was in a constitutional law class as a junior and I had taken the law boards as a lark."

An acceptance from Columbia University clinched it for her. "I thought New York would be an interesting city. I had been in New York for a sorority convention. It was an exciting city, you could feel that."

Columbia was a politically active place in the middle '60s, with the dramatic climax the student strike in 1968.

"The Bar Association said they weren't going to certify us if we didn't attend classes," she recalls. "I felt guilty crossing a picket line, but we were seniors and didn't like the idea of being around another term, or another year. My graduation was under armed guard."

She took a year off from law school after her first year, but not because of poor grades. "I was certainly in the middle of the class with a C minus average." Of course to a student who had always gotten A's, even that was a shock. "Since my goal at that time

was political writing I thought there must be an easier way."

She took a job as an editorial assistant for the Assembly of Captive European Nations for a year. She also was married to Ian Volner, who encouraged her to go back to law school, where she made the dean's list and won first prize in moot court competition in her senior year.

They moved to Washington after her graduation and she landed a job with the Justice Department's organized crime section.

"Getting the job with Justice was an accident," said Mrs. Volner. A friend of her husband heard she was job hunting and told her about possibilities with the Justice Department. "I worked for the organized crime section, not realizing that I was revolutionizing the section..." She was the first woman prosecutor there.

The attraction of the Watergate task force was natural, she says. "In terms of current events, this could be the biggest criminal trial there will ever be and I can't think of a prosecutor who wouldn't want to work on it."

The spotlight really turned to Mrs. Volner when she examined Rose Mary Woods, President Nixon's personal secretary, a "woman-woman" confrontation that was heightened by Judge John Sirica's unreconstructed com-

ment. "We have enough problems without you two ladies getting into an argument."

"A lot of attention was focused on that," she complains, "but she wasn't the only person I questioned. I don't think it was in Rick's (Ben-Veniste) mind to assign her to me because I was a woman."

One of Mrs. Volner's favorite statements is that "lawyer is a neuter term."

"I have two problems as a lawyer," says Mrs. Volner. "One, that I'm a woman. The other, that I'm young. Any young lawyer has the problem of credibility. The younger you are, the harder it is to convince the jury that you're competent."

Hardly a story has gone by without some mention of the stir Mrs. Volner's miniskirts have caused in the otherwise staid atmosphere of the courtroom. She denies any intention to attract attention.

"I'm a little sensitive about comments about my clothing," she has said. "I'm a lawyer in the courtroom. My hemline is irrelevant."

The other problem used to show up when she appeared in court and was asked whose secretary she was. "Statistically, they're more likely to be correct than if they asked me whose lawyer I was. The problem is

lessening because more and more women are going into law. Hopefully, lawyers I have tried cases with realize by the end of the trial they have to deal with me."

Does she feel pressure because she is a woman? "It's one of the things you hate to admit. But yes, it starts in law school where you have to be a little better than male applicants. To the extent that men judge women lawyers by one woman lawyer, I try to be prepared."

"Unfortunately people stereotype and characterize. If I get too aggressive they will say: 'Who does she think she is, a man?'"

If she worries about being accused of being too aggressive it doesn't show in her behavior, or in views of her by those who know her best, who talk instead about her competence and her strong will.

Her husband, Ian, is a Washington communications lawyer. "She is strong-willed but does not have a temper," he says. They both agree that their relationship hasn't been affected much by the publicity about Jill. After spending some time with both, the reason becomes obvious. They have strong independent egos and will disagree amiably and resolutely on just about anything.

For example, a discussion about

the temperature in their townhouse on a quiet street in the Kalorama area. He: "It's freezing." She: "It's comfortable." He: "It's freezing." She: "It's comfortable." An exchange of glares, a laugh and an agreement to compromise.

She cooks most of the time. "I'm a good cook." (They've had two dinner parties in the last two weeks). He does the laundry. "It's an old habit," she explains, "When we lived in New York he wouldn't let me go to the basement alone."

"Our relationship has evolved a great deal," said Mrs. Volner. "He has never been threatened by my being a lawyer. I always thought he'd be a much more interesting story to do."

That sounds like Jill Wine Volner, the journalist, again. "Well, I'm keeping all my options open. But I have considered a career in the Justice Department."

Right now she is very happy about her work. "It's a very, very good office with skilled, professional lawyers."

How about alter-ego Ben-Veniste? "I respect his ability very, very much. I find him very witty. I'm his straight man. He's never shown any chauvinism to me. He's treated me like any other lawyer."

That's probably Jill Volner's highest compliment.