

# Nixon's New Lawyer

Herbert John Miller Jr.

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WASHINGTON, Aug. 28—  
"He's a natural," Richard Moore said. "The job description fits him."

Like many others in Washington today, Mr. Moore, a close aide to

**Man** former President  
**in the** Richard M. Nixon,  
**News** was not surprised  
that Mr. Nixon

had chosen Herbert John Miller Jr. as his new attorney.

Government officials and lawyers point to several reasons why Mr. Miller would be the logical candidate for the job. He is, they note, a fine Republican lawyer and a man with a strong commitment to the law. But no particular political ideology. He is well-versed in the Watergate case, having represented several of its prominent figures and he enjoys old friendships with many of the men running the special Watergate prosecutor's office.

#### Ran as G.O.P. Candidate

The 50-year-old Washington lawyer has been an active participant in Republican politics and in 1970 he was an unsuccessful candidate for Lieutenant Governor of Maryland.

Mr. Miller is a native of Minneapolis, where he was born Jan. 11, 1924. For more than 20 years he has been a resident of Potomac, Md., a Washington suburb, where he and his wife, Carey, and their three children, live on a large farm that has a swimming pool and horses.

According to his friends and colleagues, Mr. Miller has achieved an outstanding reputation as a criminal lawyer. A 1949 graduate of George Washington University Law School, he first came to public attention in 1959 during the scandals involving the International Brotherhood of Teamsters. Mr. Miller was the lawyer for the court-appointed board of monitors supervising the union's affairs and the late Robert F. Kennedy was counsel for the Senate committee investigating the teamsters.

#### Joins Justice Department

Mr. Miller proved "so marvelous in that rat's nest," a former colleague said, that when Mr. Kennedy became Attorney General in 1961 he made Mr. Miller the head of the Criminal Division at the Justice Department.

Under Mr. Miller's direction, the division successfully carried on the long and complicated prosecution of James R. Hoffa, head of the teamsters' union. In addition, Mr. Miller initiated the in-



Associated Press

#### The logical candidate

dictment of Robert G. Baker, who was later convicted of income tax evasion, theft and conspiracy to defraud the Government. Mr. Baker had been secretary to the Senate Democratic majority when Lyndon B. Johnson was the majority leader.

As the most visible Republican in the Justice Department in the administrations of Presidents Johnson and Kennedy, Mr. Miller had to endure a good deal of ribbing.

"Once they bought a copy of the Attorney General's book and presented it to him, with my picture pasted above the title, 'The Enemy Within,'" Mr. Miller recalled in an interview several years ago. He declined to be interviewed today.

#### Approach Called Nonpartisan

Mr. Miller's colleagues said repeatedly that as a Republican who served in Democratic administrations, he, as one put it, "doesn't come at something from a partisan or ideological point of view."

"He believes in rigorous law enforcement," said Howard P. Willens, who was Mr. Miller's deputy at the Justice Department. "That overrode any doctrinal problem" Mr. Miller may have encountered, Mr. Willens said.

"He is known and respected by both sides," Mr. Moore said. Many who know Mr. Miller attribute this to his cheerful, almost boisterous personality.

Mr. Miller is notorious for his bad puns and he thoroughly enjoys telling jokes as well as listening to them. But he laughs loudest at his own, according to friends.

"His personality lubricates" even the most serious business dealings, said Seymour Glanzer, one of the first Watergate prosecutors. "He is warm, friendly and courteous," Mr. Glanzer said "and his forte is negotiations."

#### 'Middle of the Road'

When pressed, his friends describe Mr. Miller as a "middle-of-the-roader," but even his oldest friends are often uncertain on categorizing him. He would probably take pride in being called a conservative, one friend said, but he surrounds himself with friends and colleagues from his present law firm of Miller, Cassidy, Larroca & Lewin, who are liberals.

One of the reasons Mr. Nixon chose Mr. Miller as his attorney is that Mr. Miller has intimate knowledge of the Watergate case. He served as counsel for Richard G. Kleindienst, the former Attorney General, when he was permitted to plead guilty in May to a misdemeanor after extended discussions between Mr. Miller and Leon Jaworski, the special prosecutor. Mr. Miller has also represented William O. Bittman and Mr. Moore, two other Watergate figures.

"With his days as Assistant Attorney General, Jack has probably won the respect of many of the young men who have now turned up on the other side," in the special Watergate prosecutor's office, Mr. Moore said as he speculated on why Mr. Miller has been chosen for his new job.

#### Many 'Other Different Sides'

"There are a lot of people from Justice in a new arena, on different sides now," said one former Justice Department official, and many observers here have noted how many friends Mr. Miller has in the special prosecutor's office.

In the Kennedy Administration, Henry S. Ruth Jr. was director of law enforcement, now he is deputy special prosecutor. James Vorenberg was special assistant to the Attorney General; now he is a consultant on the prosecution team. James Neil and Phillip Heyman were his co-workers from the Kennedy days and they are now with the prosecutor's office.

Charles Shaffer and William Hundley, both lawyers for prominent figures in the Watergate case, worked under Mr. Miller at the Justice Department. Archibald Cox, the former special prosecutor, was Solicitor General when Mr. Miller was Assistant Attorney General.

In addition Mr. Miller has at least a passing acquaintance with Mr. Jaworski, who served at Robert Kennedy's request as a special prosecutor in Mississippi in 1962.