

Sophisticate From the Farm

The Angela Davis

By Carolyn Anspacher

A quiet man, whose sternest admonition to combative attorneys is "Now, now — be polite!" is running the Angela Davis trial in San Jose with what he likes to call a "gentle rein."

Superior Court Judge Richard Earl Arnason, assigned from Contra Costa county to hear the volcanic case, is not customarily given either to homily or to cliché.

He is an intellectual and sophisticate, but he was reared on a family farm in North Dakota where he early learned that a good teamster doesn't need to use a curb bit if he keeps the reins in his hand.

In short, he doesn't think a good horse has to be driven all the time, which may account for the fact that opposing counsel in the Davis trial carry themselves with Chesterfieldian politesse.

IMPORTANCE

The 50-year-old Arnason is not unaware of the fact that the Angela Davis case is under international scrutiny and that many bracket it, in political and juridical importance, with the trials of Alfred Dreyfus and Sacco and Vanzetti.

He was assigned to the case just short of a year ago by California Chief Justice Donald R. Wright after six earlier judges had fallen by the wayside, victims of chal-



By Peter Breini

CONTRA COSTA SUPERIOR COURT JUDGE RICHARD E. ARNASON
Everybody remains polite under his 'gentle rein' in the courtroom

Trial Judge

lenges for bias, violent verbal assaults, and personal disinclination to serve in so explosive a matter.

At the time, the case was still based in Marin county where Arnason found himself swamped. There were eight defense lawyers, three assistant attorneys general and hostilities that were constantly evident.

A legal researcher was not made available to him and his average day ran about 16 hours — four to six of them spent at his Contra Costa home studying citations and briefs.

Arnason now describes the period as "terrible" and

"hell," but somehow it passed.

SNARL

He untangled the legal snarl that had virtually stalled the pre-trial proceedings, and, beyond that, established a working rapport among opposing counsel.

Arnason believes that there is nothing better than the jury system, and considers the adversary system "a fine device for determination of controversy."

But increasingly he conducted hearings on sensitive legal issues in the Davis case in chambers rather than in a courtroom.

"Often legal matters can be resolved in chambers where there is less formality and passions do not run so high," he said.

CONTROL

Arnason attributes his own almost exquisite control to his rearing on a farm in Grand Forks, N.D., where he was the eldest of nine children (three of them triplet sisters) and a girl cousin who was never adopted but was part of the family.

He was always called "Earl" at home (because his father was Richard) and he said he was required to

learn a great deal very early in life.

He had his elementary education in a one-room schoolhouse where the teacher taught all eight grades and never had problems with unruly students, and his high school education in Langdon.

FINANCE

Although the Arnason family, by this time, had moved from the farm to Langdon, Arnason himself continued to do farm work to finance his way through the University of North Dakota.

He had a brief stint in the service during World War II, but was discharged for medical reasons, and then came to the Bay Area to work in the shipyards.

Possibly because of an uncle who was on the Supreme Court of North Dakota and who later became dean of the University of Illinois Law School, Arnason enrolled at the University of California's Boalt Hall and was admitted to the California bar in 1945.

While waiting to hear whether he had passed the bar examination, he returned to Grand Fork to marry Joyce Locklin whom he had met four months earlier on a blind date.

PRACTICE

He began the practice of law in Oakland then moved to Antioch ("There is no Biblical connotation," he said) where he opened offices with Jerome Waldie, now a Democratic Congressman. And in 1963 Arnason was named to the Superior bench by then-Governor Edmund G. Brown.

Very little of the farm boy remains in Richard Earl Arnason and he says that none of his four children — Christine, 22, Ricky, 19, Gary 16, and David, 13 yearns to return to the soil.

"For them it's hicksville," he said.

The judge himself has pretty elaborate taste in clothes (with a predilection for double breasted vests) and his brilliantly-colored shirts and ties contrast sharply with his black legal robes.

NARROW

"I wore colored shirts long before they became popular," he said, with some satisfaction. "I never could understand why lawyers felt they always had to wear white shirts and narrow black ties in court."

He considers reading his "hobby" — everything from the most avant garde poetry to Sports Illustrated, and he

says that he and his wife have a "secret vice."

"We enjoy fine food and good wine," he said, "and we are constant restaurant-goers."

The Arnasons frequent the area's "name" restaurants and cherish the small, off-the-beaten-track ones where the preparation of food is a ritual and the wine list has distinction. One of his current pets is a small spot in Sonoma where the table cloths are red-and-white check and the cuisine superb.

SPECTATOR

At his home, which lies in a valley between Martinez and Lafayette, Arnason takes time off from his reading and legal studies to play some basketball with his younger sons, but otherwise is a sports spectator rather than a participant.

He has also been one of Northern California's key figures in the area of mental health and still is on the statewide Task Force on Mental Retardation Services.

Despite his rigidly enforced rules of courtroom decorum, Judge Arnason has managed to endear himself to all factions in the Angela Davis case.

Even a foreign newsman, covering the Davis trial for a tightly controlled press, was heard to remark: "I love that man, but for God's sake don't quote me."