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DALLAS JUNE 9 (AP)-RELATIVES ENGAGED CLAYTON FOWLER, HEAD OF THE DALLAS CRIMINAL BAR ASSOCIATION, AS CHIEF DEFENSE COUNSEL TODAY FOR CONDEMNED SLAYER JACK RUBY.

HE WILL DIRECT AN APPEAL AGAINST THE DEATH PENALTY ASSESSED RUBY ON MARCH 14 FOR KILLING ACCUSED PRESIDENTIAL ASSASSIN LEE HARVEY OSWALD.

FOWLER, 43, WAS ENGAGED BY EARL RUBY, A BROTHER OF THE CONDEMNED MAN.

HE ACCEPTED THE CASE WITH THE UNDERSTANDING THAT HE WOULD CONDUCT FURTHER LITIGATION WITHOUT INTERFERENCE FROM THE FAMILY AND OTHER LAWYERS, FOWLER SAID.

AS THE FIFTH CHIEF COUNSEL FOR RUBY, HE REPLACES DR. HUBERT WINSTON SMITH WHO RESIGNED LAST WEEK TO RETURN TO ACADEMIC LIFE AS A PROFESSOR OF LAW AT THE UNIVERSITY OF TEXAS.

"I HAVE ACCEPTED EMPLOYMENT AS LEAD COUNSEL FOR JACK RUBY UPON THE REQUEST OF HIS FAMILY," FOWLER SAID. "AT THE PRESENT TIME, I AM CONSULTING WITH THE TWO ATTORNEYS WHO HAVE BEEN IN THE CASE SINCE THE BEGINNING, PHIL BURLESON AND JOE H. TONAHILL."

FOWLER SAID THAT FROM FOLLOWING THE CASE CLOSELY, HE NOW QUESTIONS THE ADVISABILITY OF PRESSING FOR A SANITY HEARING, HE TOOK THE VIEW IT WOULD BE PREMATURE AT THIS TIME.

"I AM NOT SURE AT THIS POINT THAT WE WILL PRESS FOR A SANITY HEARING," HE SAID. "AT THE PRESENT TIME IT APPEARS ADVISABLE TO GO THE APPEALS ROUTE. AS LONG AS JACK IS GETTING MEDICAL TREATMENT IN THE COUNTY JAIL, IT SEEMS ADVISABLE TO TAKE THE CASE TO THE APPELLATE COURTS AND FIGHT HARD FOR A REVERSAL."

FOWLER HAS KEPT 12 CLIENTS FROM GOING TO THE ELECTRIC CHAIR IN CASES WHERE THE STATE SOUGHT THE DEATH PENALTY. HE HAS A RECORD OF NO DEATH PENALTY VERDICTS.

THE DALLAS LAWYER IS A DISABLED WAR VETERAN, HAVING LOST A LEG IN A WORLD WAR II FIGHTER PLANE CRASH.

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