

Based on an interview¹ with
Ralph W. Hardy, Jr.
Founding Member of the JRCLS
First International Chair of the JRCLS

Introduction by Joe Bentley, former JRCLS International Chair

The beginning of the J. Reuben Clark Law Society was really Elder Ralph Hardy. I'll let him tell about that, but I also want to add this personal introduction. When I was asked to head the society I was the eighth chair, and one of the first people that approached me was Ralph Hardy, offering his assistance and commending me for being willing to serve. By that time we had grown quite a bit. We had many chapters and were starting to go international. The real future of the society is far more than even we can envision as we sit here today. But Ralph's vision is greater than any of us, I think, almost any of us who've been in the society for a long time. Because of this his beginning concepts have continued to expand—not only in size, but from where we come from, all over the country and now many parts of the world.

Q: So with that introduction, it will be very meaningful for us to hear more about the initial concept, who was involved where, as many specifics as you'd like to give us.

RH: I trace the concept of the Law Society back to the founding of the J. Reuben Clark Law School. When Joe Bentley and I went to law school, BYU didn't have a law school. I was not aware that the Church was even considering a law school. In the early '70s, however, I began to hear talk that the BYU leadership and the board of trustees were thinking about a law school at BYU. Then, suddenly, the founding of the law school was announced.

Being on the hiring committee at my law firm, I saw each year more than 25 winnowed candidates and participated in making hiring hiring decisions for only a few. Thus, I wondered how all the graduates of the new J. Reuben Clark Law School would find jobs and how the new law school would succeed. I felt privileged to have gone to a good, top-tier law school, and I knew how many people on law firm hiring committees were tradition-bound and focused only on certain schools. Then, in 1975 the impressive new Law School Building was completed to house the law school. I received a beautiful invitation to the September dedication.

As I contemplated this invitation I also visited with an exceptionally able young associate at my firm whom I had recruited following his extended service as law clerk to Chief Judge John J. Sirica of the U.S. District Court in Washington during the famous Watergate case. This was D. Todd Christofferson, who would become a member of the Quorum of the Twelve Apostles. I said to him, "What do you think about this?" We both agreed that we should go to the dedication and join in this great event. It seemed apparent that the creation of the J. Reuben Clark Law School and the dedication of this magnificent building would begin to define Latter-day Saint

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members of the bar throughout the country regardless of where their legal education was received. We needed to be in Provo and be part of this celebration—part of the commonwealth of Latter-day Saint lawyers that would be centered at the J. Reuben Clark Law School.

Accordingly, we purchased some Western Air Lines tickets and flew to Utah. I well remember the dedication. Todd Christofferson and I sat on the grass behind rows of metal chairs. It was September 1975. The dedicatory ceremony was impressive. The Chief Justice of the United States was there as were several of the Twelve. What struck me about the dedication, however, was not what the Chief Justice Burger and others said, but when President Marion D. Romney of the First Presidency began speaking and gave the dedicatory prayer, he also spoke to me with a prophetic voice. He laid out the case and delivered the brief on why the J. Reuben Clark Law School was established, why it was an important development, and something of the vision of President J. Reuben Clark, Jr.

It was for me an epiphany. I said to myself, "That's it!" From that point I became actively interested in the progress and success of the J. Reuben Clark Law School and the fulfillment of its mission as articulated by President Romney. At the same time, I became more cognizant of the wider diaspora of Latter-day Saint lawyers throughout the country. In Washington, DC or wherever one practices, one tends to deal with a much narrower group of attorneys—those in a law firm, in the local bar association and those with whom one is engaged in the practice of law. I was also at the time an officer of the Federal Communications Bar Association in Washington, DC, so I was familiar with how a successful and more tailored bar associations and natural groupings of lawyers work.

Although the idea was not firmly planted in my mind at the time, I gradually began to think about this wider group of Latter-day Saint lawyers and how their association together could be a positive development both in their practice of law and for The Church of Jesus Christ of Latter-day Saints. That's how it was. This was an epiphany for me.

Q: After this epiphany, as you call it, what led to the Society?

A: The next thing I recall about the founding of the Law Society was in the mid-'80s, after Bruce Hafen had become Dean of the law school when Founding Dean Rex Lee became Solicitor General of the United States. Dean Hafen's sister, Margaret Hafen Archibald, lived two blocks away from me in Potomac, Maryland. I was serving in the Washington DC Stake presidency. One Sunday I came to my own ward and happened to see Dean Hafen, who was visiting his sister. I ended up giving him a ride home and we ended up visiting for an extended period later that afternoon. As we talked at length, our conversation turned to some of the developments at the J. Reuben Clark Law School and its founding. I told Dean Hafen about my experience of having gone to the dedication of the new Law School Building in 1975. We talked about all the Latter-day Saint lawyers around the country and I broached with him the concept of some type of Latter-day Saint bar association and the good such an undertaking might do.

I told Elder Hafen that from my perspective in Washington, DC, it would be great to have other Latter-day Saint lawyers around the country as well as in my city talk to, refer case work to and to receive referrals from. In my law firm, for example, our clients are often times other lawyers

and their clients located away from Washington. These attorneys might be practicing in Los Angeles or somewhere else. It may turn out that they would have an issue with the Federal Trade Commission, the Federal Communications Commission or the Securities and Exchange Commission, and they may be looking for a lawyer that specializes in that kind of representation. In such a case, you're not supplanting the other lawyer—you become of his or her team on a particular client engagement. The reverse is also true. I might need to find in a distant city another lawyer to handle a matter and be part of my legal team or someone to whom I could refer to a client to handle a matter entirely. Thus, one of the worthy goals of a Latter-day Saint bar association—or J. Reuben Clark Law Society, as that association came to be known—would be just getting to know more of the Latter-day Saint lawyers—and associate with them in an organization—around the country and throughout the world. In this way, the idea of the Law Society began to take shape, especially with the encouragement, enthusiasm and ideas provided by Dean Hafen.

Q: Now you had the idea, and what happened to led to the actual organization?

A: Several weeks later, Dean Hafen called me on the telephone and said, "I'm really excited about this. Let's take this idea of an LDS lawyers' association and run with it." That started a series of meetings. Dean Hafen had the bit in his teeth. He organized a group consisting of several other Latter-day Saint lawyers and some of the faculty from the J. Reuben Clark Law School. Those I remember, in addition to Dean Hafen, Scott Cameron and others at the law school were Nancy Van Slooten, Gary Anderson, Bill Ingersoll and the John Welch (a founder of Latham & Watkins). It was a talented, dedicated group of people. John Welch drafted the articles, by-laws and other formation documents. Dean Hafen volunteered that the new association could, in effect, be "nested" and nurtured at the J. Reuben Clark Law School. He also recommended that the association be called the J. Reuben Clark Law Society. My recollection is that most of these early efforts to form the Society took place in 1987.

Q: Besides the early meetings, tell us about the Washington DC event that helped start the Society.

A: Until 1987, when we formed the J. Reuben Clark Law Society, I don't recall there being another significant meeting where the Society was formally launched. But somebody at the J. Reuben Clark Law School conceived the idea to bring approximately 50 J. Reuben Clark Law School graduates back to Washington to be admitted as members of the U.S. Supreme Court Bar. If you're a member of the highest bar in of one of the states or territories and are in good standing, an attorney can make an application to the U.S. Supreme Court and, on motion, can be admitted to its bar. It's an impressive ceremony in front of the Justices. Dean Hafen suggested that this would be an opportunity for a significant event—a Dinner—where we could invite Latter-day Saint lawyers from the greater Washington area to gather with these 50 JRCLS alumni and have something of a kick-off event for the Law Society.

Dean Hafen and I put a committee together, did quite a bit of research regarding the identity and location of Latter-day Saint lawyers in the Washington, DC area who were engaged in private practice, in industry, in legal education, in the judiciary, and in Federal, state and local government entities. As a result, I sent out over my signature letters to approximately 350

lawyers in the area inviting them to a Dinner at the Washington Marriott Hotel where the former Solicitor General, Rex Lee, and others would speak. Some came back with “Return to Sender, Address Unknown.” But many responded. The big worry was whether we would get sufficient attendance given the cost of a major Dinner at the Washington Marriott Hotel.

But they came and the ballroom was filled. I think that was the first formal gathering event of the J. Reuben Clark Law Society. I conducted the after-dinner program and made gave some short remarks which were essentially my view as to what the Law Society was and what we were trying to do.

Q: They came to be sworn into the bar?

A: No, not everyone who came to the dinner. Only the 50 J. Reuben Clark Law School alumni—who came largely from the West—were admitted to the U.S. Supreme Court bar.

Q: So this was a chance just to be together?

A: This was just the chance to be together—and in a large group. As I said, it was a gathering of attorneys in the greater Washington area in all phases of the law, including government and private practice—and including lawyers who had received their J.D. degrees from a wide variety of law schools. We filled the hotel’s grand ballroom. Rex Lee, the former Solicitor General, was the featured speaker. The other short speakers were BYU President Jeffrey R. Holland, Dean Hafen and me. That was it. None of the speeches were too long and we had a nice expensive dinner. That’s the first meeting of the Law Society that I remember going to.

Q: And you were the first chairman of the Society?

A: Yes. I remained as the chairman of the Society from 1987 until sometime in 1993.

Q: Okay, let’s jump ahead to your D.C. chapter. That became one of the founding chapters. Did you also chair the chapter at the same time you were head of the Society?

A: No. I never did chair the Washington Chapter of the Society. We delegated that, and asked other people to do things. Bill Ingersoll might have been the first chairman of the Washington Chapter. Sterling D. Colton, General Counsel of Marriott Corporation, lent his support.

Q: Let’s go back to the founding and the concept. Initially you wondered why BYU had had created a law school?

A: Yes, as I indicated earlier, I had wondered about the wisdom of establishing another law school—this one at BYU—before going out to attend the dedication of the new J. Reuben Clark Law School Building in September 1975. Now, I have seen the Law Society develop and the J. Reuben Clark Law School’s superior achievement in its many undertakings and in the professional careers and lives of its graduates. I better appreciate the study of man's law in the light of God's law. I have been deeply impressed with the Law School’s outstanding graduates and I have witnessed achievement that one could not have obtained at other law schools. Added

to this, we have today the J. Reuben Clark Law Society—which is also nurtured by the Law School and which blesses law students and lawyers turned out by all of the law schools in the country. That result certainly exceeds any vision that I had at the Society's founding.

Q: So you felt like you caught the spirit of what the mission was for the BYU Law School and that really expanded your vision?

A: Absolutely. As I said before, it was an epiphany for me. The epiphany is that, "All Latter-day Saint lawyers share something in common." The J. Reuben Clark Law School is also our law school, and we are Latter-day Saint lawyers who can also take pride in the Law School's great stature and achievement. That recognition in no way diminishes the pride we feel for the law schools where we were taught our craft. At the end of the day, we find that as Latter-day Saint lawyers we must set a higher standard for our profession and how we practice. We must operate at a higher level from a moral standpoint. As Latter-day Saint lawyers, we face many of the same challenges. The Law Society affords us an opportunity to match notes, to educate each other, to strengthen each other and to reaffirm our faith as we practice law.

Q: So for the decade-plus from that time in 1975 at the dedication to the time when you had that conversation with Elder Hafen, how was that vision percolating within you?

A: The principal way it percolated within me was as a byproduct of my involvement in the process of interviewing students for my law firm and as I engaged in the practice of law in a firm that has a national practice and is required to interface with as well as hire, and refer legal counsel throughout the United States. Through this process I became more interested in the very capable Latter-day Saint lawyers I discovered around the country. However, in terms of developing a plan for a Law Society, quite honestly that didn't really come together until Dean Hafen and I spent a Sunday afternoon together and had talked it through. My best recollection is that I said something like the following that day to Dean Hafen, "There ought to be a way Latter-day Saint lawyers can associate together. We all went to different law schools, but we all have the restored gospel, our commitments and our covenants in common." Events concerning the founding of the Law Society evolved from that meeting and in subsequent telephone conversations with Dean Hafen in the ensuing weeks. Dean Hafen's vision and enthusiasm in harnessing the strengths of the J. Reuben Clark Law School—especially its distinguished faculty—really made possible the string of events and other personalities that resulted in the formal founding and launch of the J. Reuben Clark Law Society.

Q: Now you said something last night that was really interesting. You said that when you got up to talk at the first D.C. event and you made those prefatory remarks to the attorneys in that first meeting in 1987, that what the Law Society has become has far exceeded your original vision.

A. Yes.

Q: So the question is what was your recollection of your vision, then in 1987, for what the law society could be?

A: My vision was pretty pedestrian compared to what the Law Society has now become under its exceptional leadership and the nurturing given it from the beginning by the J. Reuben Clark Law School. My vision was to have, quite simply, an LDS bar association involving mature members of the bar, some from the offices of general counsel in the private sector, some from government, some from legal education and some who are involved in the judiciary. At the core, however, all would be trained lawyers sharing their membership in The Church of Jesus Christ of Latter-day Saints and its core teachings and values in common. These would be lawyers who could be part of a new association or a society. And the idea of it being nurtured and nested at the J. Reuben Clark Law School, so to speak, was perfect. Through Dean Hafen, the faculty, members of our organizing committee, the job got done. The Law Society has turned out very well—and has far exceeded my own expectations.

Now as to the picture I didn't see at the Society's founding. I didn't really have in my mind Continuing Legal Education, a significant and well edited, first class periodical, The Clark Memorandum, an international directory of Law Society members listing Contact information, practice specialties and background. I didn't see the annual Law Society Conferences held at Harvard, Columbia, Arizona State, Pepperdine, Washington, DC and other venues. I didn't see the annual Law Society devotionals telecast worldwide from the Conference Center. I didn't see the larger involvement of law students in Law Schools around the country in the Society. I didn't see the Law Society's international expansion. And the list can go on

One of the most surprising developments was what I discovered when I spoke to the annual conference of the Law Society at the Columbia Law School in New York. After my remarks, I was very pleased to see that many law students came up and introduced themselves to me and said, "I'm from the University of Kansas Law School," "I'm from Michigan," "I'm from Hastings" and so it went on from many law schools—these kids had all flown across the country to New York because they wanted to be part of the Law Society. While attending their own law schools—where they were in their most formative years in terms of legal training, organizing their thinking and their approach to identifying issues and finding solutions—at a time when they make their commitments in our profession, they wanted this close association of the Law Society.

Again, here at this annual conference, I've experienced the same phenomenon. I just met a student who came up to me, thanked me for my remarks and introduced himself. I asked him, "What do you do?" He said, "I'm at UCLA Law School." "Where are you from?" I asked. He responded, "Some little town on the Snake River in Idaho." I said, "So you came all the way up here for this?" He said, "I wouldn't miss it." Well, that's what it's about — that's something that I never thought about in 1975 talking to Dean Hafen or in 1987 when the Law Society was formed.

And the other aspect of the Law Society that I never thought about was to significantly enhance this sense of brotherhood and sisterhood that we have as Latter-day Saint lawyers—people of like mind and of common commitment—where we can meet together in a spiritual environment and be taught. I think of the four or five of the Law Society fireside devotionals that I have attended and where I have received excellent counsel from exceptional leaders of the Church. One of them I remember well was when Elder Dallin Oaks' addressed the Law Society on the

subject, “My Fathers in the Law.” I am serving as an Area Seventy and am frequently assigned to assist in the reorganization and training of stake presidencies throughout the North America Northeast Area of the United States and Canada. When I return to these stakes to provide several hours of counsel to new stake presidencies, I also convey some of the advice dispensed by Elder Oaks in his Law Society Devotional. I would probably never have heard that kind of apostolic counsel in a Church venue but for the Law Society’s Devotional with Elder Oaks. I think the fact that our society does that, not only in the professional sense, but in a decidedly spiritual context, is praiseworthy and especially valuable. In this fashion, and within this special Society, Latter-day Saint lawyers are able to hear some of the master lawyers of the Church speak to our profession as among friends—whether it’s Elder Dallin Oaks, President James Faust, Elder Lance Wickman or others who are not lawyers like President Boyd K. Packer. In the special venue offered only in the Law Society we may receive as lawyers instruction about priorities in the kingdom and essential truths of the restored gospel as they apply to our particular profession and craft.

Q: What has been the most rewarding aspect of your involvement in the growth and founding of the Law Society?

RH: First, to see the results. Just coming here to this annual conference and looking out over the crowd today — I mean, who would’ve thought? I felt the same way when I went to Pepperdine and some of the other annual conferences.

Second, I don’t care how you want to cut it: life is a series of interlocking networks, friendships and associations. But for going to these Law Society events and being involved as much as I have, I would never have known many of these people. I would’ve never have known Dean Bruce Hafen that well. I wouldn’t have known Dean Reese Hansen, Scott Cameron, John Welch, Joe Bentley or Dean Kevin Worthen. I wouldn’t have known as well a host of other Latter-day Saint lawyers around the country like John Douglas, Randy Guynn, Doug Bush, Bill Atkin, Gary Anderson—I could go on and on—my contemporaries, law students, congressional staff members, law school professors, lawyers in Church service and the like. All of these able and interesting Latter-day Saint lawyers—now part of the Law Society—are part of my own special universe. This is a lesson that every young Latter-day Saint lawyer needs to learn. I have also discovered that when I need to find a lawyer to associate, for example, in a case in Albuquerque, New Mexico, I can go to the Law Society’s Directory and find many worthy candidates that can be called upon. Finally, once again, I have viewed every Law Society fireside—nationally from the Conference Center or locally in the Washington Chapter—as a seminal event. As a practicing lawyer, I have received very clear direction from each of these fireside devotionals, and other events. All of these events and associations through the Law Society have helped refine valuable insight, tailored for my chosen profession, so that I know better what is expected of me and how I can meet the challenge.