

VOLUME 19 | 2024

# THE STEADY HAND

## CALIFORNIA LEGAL HISTORY

JOURNAL OF THE CALIFORNIA SUPREME COURT HISTORICAL SOCIETY

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ARTHUR GILBERT\*

# Literature and Music —Keys to Judging

*My personal journey: We are more than our professions*

## California Judges College—*Circa* 1976

I am seated in a dimly lit room with the others in the audience viewing an image on a screen center stage. The person on the stage, a silhouette, standing to the side of the screen speaks into his hand-held microphone.

“Please describe what you see.”

To myself, I answer this question and the others that follow.

“I see a room.”

“Describe the room.”

“The room is empty, no furniture, just four walls, a floor and a ceiling.”

“Anything else?”

“No, ... just wooden walls, a wooden floor, and ... and the ceiling.”

“The ceiling is ....”

“Is ... unremarkable.”

“In what way?”

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\* Arthur Gilbert has been a judge for almost a half century. He has been a pianist most of his life. He is presiding justice, Court of Appeal, Second Appellate District, Division Six, State of California. He was appointed to the court as an associate justice in December 1982. He was elevated to presiding justice in 1999. He began his legal career in the Los Angeles City Attorney’s Office, as a deputy city attorney trying cases in the Criminal Division. He entered private practice a year later and practiced law for a decade. He was appointed to the Los Angeles Municipal Court in 1975. He was elevated to the Los Angeles Superior Court in 1980. In his private life, he is a writer and a musician. He regularly writes for *Los Angeles Daily Journal*, California’s largest legal newspaper. He is a concert pianist and is the lead pianist with the Los Angeles Lawyers Philharmonic Orchestra and Big Band of Barristers.

“In what way is the ceiling unremarkable?”

“Yes.”

“It is simply a flat floor, ... a regular ceiling.”

“You seemed a bit uncertain about the ceiling.”

“Not really.”

“You hesitated.”

“I did?”

“You did.”

“Mmm...maybe so.”

“Why the hesitation?”

“Can’t say.”

“Let show the same room with people in the room.”

“Sure. That might liven things up a bit.”

The slide changed. I looked and felt the slap, the jolt, that accompanies a sudden insight. The people in the room had to duck because the floor, the walls, and the ceiling were slanted. One wall was longer than the opposite wall, showing the ceiling sloping at an angle.

That jolt, or was it the slap? Oh yes, it was both. They stayed with me ever since and have served as my guide in every case, every motion, every ruling I have made in my judicial role from then to now and I expect in the future. If I were to grade myself on how well I have followed this guide (I am a tough self-grader), I would give myself a B ... maybe a B+. I will not hazard a guess as to the grades I receive from litigants and their counsel.

The slap-in-the-face insight I am sharing with you brings to mind Bugs Bunny and Porky Pig. Bugs Bunny is a wise-cracking, irreverent, fast-talking, fearless con-rabbit. Porky Pig, on the other hand, is a stuttering, shy, non-aggressive, sweet, gentle pig. Five-year-olds and professors of astrophysics have one thing in common. We, like they, do not question the anomalous characteristics of the personalities of Bugs or Porky. And, of course, there is nothing unusual about them talking. Things are not always what they seem, and sometimes they are.

And what does this have to do with literature and judging? For many years Professor (ret.) and appellate attorney Robert Gerstein and I taught a course at the California Judges College on standards of review vis-à-vis the hard case, the case for which there is no ready answer. These are cases where plugging

in a statute or citing a case is not likely to supply a satisfactory resolution. The legal philosopher Ronald Dworkin uses as an example the case many of us wrestled with in law school, *Riggs v. Palmer* (1889) 115 N.Y. 506.

Defendant poisons his grandfather because he suspects his grandfather is about to disinherit him. What follows is the probate proceeding. Grandson claims he is entitled to inherit under the will. Residual beneficiaries contest his claim. Please note in 1889 there were no statutes in New York that prohibited convicted murderers from profiting from their crimes. A literal interpretation of the statute, what some would call “following the law,” results in the grandfather’s estate going to his errant grandson.

I have presented this case to various groups of judges in different venues, and the responses have been wide and varied. One view is that we are charged with “following” the law, not deciding how we think the law ought to be. To rule in favor of the grandson is to usurp the role of the Legislature. Ruling in favor of the grandson will send a message to the Legislature to change the law if that body deems it appropriate.

In a two-to-one decision, the *Riggs* court ruled that under society’s principles of fairness and equity, one should not profit from one’s wrong. Under that rationale, the residual beneficiaries prevailed over the grandson. In *Riggs*, an argument that supports the majority position is that a literal interpretation of the statute leads to an absurd result. I think it’s safe to assume, most rational people would agree. But the dissent questioned under what authority may a judge decide a case where there is no established legal authority.

In some cases, a literal application of the law is so absurd—that only one solution would be acceptable to most people. Or is that just my view in a hypothetical case involving the Vehicle Code? Let’s say the code prohibits vehicles in the park. I’ll go out on a limb and guess that most people would consider such a law eminently reasonable.

Cars driving in the park create a hazard for children, animals, and those who might throw a ball, of whatever sport, too high to a catcher caught off guard or blinded by the sun. There he goes running off the grass into an oncoming “vehicle.” And gas driven cars make noise and contribute to pollution.

Motorized wheelchairs travel at around 3 to 5 miles per hour. Assume a disabled person is traveling in a motorized wheelchair at 3 miles an hour and receives a ticket from a traffic officer. Is the ticket warranted? I think it best not to write anymore about such a case. I could get such a case and would have to recuse myself.

What does the familiarity with, if not the study of literature, have to do with judging the *Riggs* case, or any case, where in some quarters there is apparently no ready answer? Some would argue nothing. But in some indefinable way I would counter, it gives judges a broader insight of ways to decide the hard case.

To go back a way, say around the 5<sup>th</sup> century BC, we might consider *The Oresteia*, the chilling trilogy by Aeschylus. I credit my dear friend and mentor, the late Professor Herb Morris, for directing my attention to *The Oresteia*. Herb's influence and spirit drives me to write this and other articles on literature and the arts.

Don't want to give away the plots, but the three plays, "Agamemnon," "The Libation Bearers," and "The Eumenides," are about murder, fury, punishment, and, to surely pique your interest, justice.

To attain that end, we require a trial. How else do we achieve justice? Knew that would get your attention. The three plays progress, if you will, from violence and revenge to justice. Judges who decide homicide cases involving gang revenge cases are regularly confronted with themes portrayed in *The Oresteia*. In the third play, "The Eumenides," the goddess Athena creates the idea of a trial over which she sits as the judge. The forward-thinking Greeks knew who would make a good judge.

Franz Kafka's *Penal Colony* and *The Trial* make us see the law from an exaggerated and distorted perspective of trial and punishment for defendants caught up in the legal system. These works illustrate how arcane is our system of justice and punishment from the perspective of the ordinary citizen who may become a defendant. Judges take note in approaches to sentencing, and Herman Melville's *Billy Budd* illustrates how a strict application of the law can lead to grave injustice, an understatement in Billy Budd's case. In addition to current writers, read Emily Dickenson, Tolstoy, Ralph Ellison, George Eliot (a woman), Dostoevsky, W.E.B. Du Bois. Add to this list hundreds more... in your spare time.

Shakespeare's *Measure for Measure* gives us insights about judging that applies from the play's inception to the present. The play opens with the Duke, who governs Vienna. He is speaking with his trusted adviser about the deplorable state affairs in the city. Immorality is rampant, and something must be done about it. But the Duke is a "softy." He loves his citizens and does not have the heart to enforce the laws prohibiting immoral conduct. The Duke is an all-purpose ruler. He is also a judge who is reluctant to enforce the law. To attain some insight into the principles of judging, he decides to temporarily turn the task over to someone who will take on the responsibility he has shirked. The

Duke decides to take a leave of absence and meld into society disguised as a monk. This will give him the opportunity to see how his replacement handles the job. What better way to gain insight when he returns to office?

But who to appoint? The Duke turns to his advisor, named... get ready, Aeschylus. No doubt Shakespeare read “The Eumenides.” Does this remind you of the present day? One can imagine a Governor meeting with the appointments secretary to discuss the qualification of an applicant for a judicial appointment.

They decide on a seemingly upright citizen known for his integrity and rectitude, Angelo. Angelo, a strict law and order judge, turns out to be anything but an angel. Through the play’s twists and turns, its subplots, and conclusion, we learn that absolute justice is impossible. But we learn that in a society where there is too much leniency or too much rigidity, there is no justice.

Would help to include in your extracurricular reading a few legal philosophers. Maybe H.L. Hart, Ronald Dworkin, Lon Fuller, my classmate George Fletcher, to name a few, in your spare time. The point is a familiarity in the humanities and philosophy helps judges see the room with people inside. In subtle ways, this background enhances their ability to interpret statutes, case law, and decision making.

Many judges write not only legal opinions and statements of decision, but fiction, biographies, columns, and poetry. There are too many to mention in the space of this article. But I asked one of them, prize winning poet and San Luis Obispo Superior Court Judge Craig van Rooyen, to what extent, if any, poetry influences his approach to judging.

### **Craig van Rooyen**

“Poetry and judging are at the core of my identity and often make uncomfortable bedfellows. The older I get, the more I’m willing to risk affirming the reality of an interior life, the one we often suppress to appear sane to our fellow citizens. And since appearing sane is important to a judge, writing poetry for me is a great risk. Poems seek words for the unsayable, so, by definition, are always failures—but meaningful failures. Judges don’t like to admit failure, so again, writing poetry is a great risk. Hence, I flinch whenever someone walks into my courtroom and mentions having read one of my poems.

“Even if poems are always failures, however, at their best they can give the reader (and *writer*) *an experience of fierce interiority that is life-affirming. We all need to*

*be assured* that joy and sorrow and despair and longing and the appreciation of beauty exist in other people too. This assurance slakes loneliness. So, writing or reading a poem is a way to know you are not alone in the world. As a judge, I put on a robe to create a separation between me and the litigants because the role requires that separation. Poems, on the other hand, are always tearing away at the separations of time and the body.

“Still, there are similarities between writing and judging. Both seek clarity, both love simplicity, and both use words to pursue understanding. Both involve conversations with the great minds of the past. The point of that conversation in judging is to approach what Plato called the Just City. We will never enter completely the Just City, just like Moses never entered the promised land, but taking part in the conversation that pushes us closer is an absorbing and meaningful way to live. The point of the conversation in poetry is to make peace with our mortality. Death, then, is the engine of poetry and the payoff is moments of transcendence. Of course, we will never completely make peace with our mortality, but having the conversation with other people who feel and think deeply is an absorbing and meaningful way to live.

“In the end, writing and judging both require great compassion, so I like to think each can inform the other in the same person. Compassion is, I believe, one of the basic laws of the universe. Although we do not have an equation for it, compassion is as real as gravity or entropy or the space-time continuum. To the extent that poetry and judging give expression to compassion they are giving expression to the same deep reality we can never completely grasp.”

Familiarity with literature makes us better writers able to express the rationale for our decisions. Of course, our style is expository. The poet’s style is often indirect, creative, and suggestive. As van Rooyen so eloquently states, poetry in all its forms in indefinable ways informs what we do. The absence of literature in our education is a loss, as it is in the loss of words and expressions from our lexicon. Van Rooyen’s prize winning poem eloquently makes the point.”

### **“Respair” by Craig van Rooyen**

First published in the *Cincinnati Review*, issue 17.1, 2020.

*Every six minutes another word is dropped from the lexicon.*

Who says there’s no use anymore for *woolfell*,

the skin of a sheep still attached to the fleece?

And when did we stop calling tomatoes *love apples*?



I need somewhere in the world for there still to be  
 A *fishwife* who understands the economy of flesh  
 grown taut under shimmer-skin laid out in open air.  
 Call me a sentimental fool, or better yet a *mooncalf*,  
 but I already miss the ten words that went extinct  
 in the last hour—before I learned their names  
 or tried to say something smart to make you love me.  
*Piepowder, drysalter, slugabed*, forgotten  
 like the names of the enlisted in the army of Alexander the Great.  
 And where have they gone? Gathered on shrinking ice  
 with other victims of our inattention, floating out into a rising sea?  
 Like the last day my grandfather remembered my mother's name.  
 So don't mind me in the bathtub on my hands and knees  
 trying to keep my grandpa's mind, a polar bear,  
 and the word *poltroon* from spinning down the drain.  
 It's been left to me to save everything by remembering.  
 Before the cock crowed, Peter *thrice* denied Christ, and  
 twenty words marched off into the dark, never to be uttered again.  
 Fortunately, that night, we retained *dumbass* and *forgiven*,  
 two words it would be hard to live without these days.  
 And if I could, I'd turn myself inside out to resurrect  
*respair*, that forgotten Emmaus Road word for  
 the return of hope after a long period of desolation.

### A Diversion

After some reflection on the foregoing, let's shift to a story about an event that occurred on April 25, 2004. Peter Stump was the principal cellist for the Los Angeles Philharmonic. He was such a renowned artist that the Philharmonic loaned him a Stradivarius cello. Stradivarius did not limit his matchless talent to violins. The cello was insured for a mere \$3.5 million. Mere? Guess you are aware there are not many around. The Stradivarius cello is priceless. There are only 60 in the world. You expect more? It was 320 years old in 2004. You can do the addition.

On the evening of April 25, Stump was performing in Santa Barbara with a chamber ensemble. He lives in the Silver Lake district of Los Angeles. Stump drove home after the concert. It's a long drive, approximately 95 miles. Maybe the traffic was light in the evening, but we can safely assume Stump arrived home after midnight. And as you shall soon deduce, Stump was extremely tired.

The cello, or in musician's argot, the "Strad" was in a case. And that case was "encased" in another case. Stump set the case against the wall of his front porch in Silver Lake. He opened the front door and sleepily made his way into the house. Oh yes, what about the "Strad"?

It stayed outside on the porch ensconced in two cases. Shall I continue?

Sometime in the middle of the night, while Stump was sleeping (a reasonable assumption), a young person was riding a bicycle in the neighborhood and saw the cello case on Stump's front porch. I will not hazard a guess why someone would be riding a bicycle at such an hour. Let's say, it is not in the record.

The curious lad, or shall we call him "thief," got off his bicycle, ran up to the front porch, grabbed the cello, and peddled off not so gentle into that good night. In his haste to leave the scene, he crashed into something, probably a trash can.

How do I, we, know this? No judge or lawyer should assume facts that are not in the record. I, we, know what happened because a neighbor's security camera caught the entire incident on video with sound. It's in the record. Bet you are dying to know what happened when Peter Stump woke up the next morning. Sorry, it's not in the record... but I, we, can imagine. The feelings in the pit of his stomach or in other parts of his anatomy were probably far more acute than suffering a reversal from the Supreme Court, federal or state.

Stump had to tell the Philharmonic Association of the loss. Hard to keep something like this under wraps. It was front page news in publications across the world. When I read about it, I winced. Can't help it. I felt like it was my fault. It's just me.

A few days later a lady was driving in the Silver Lake area and noticed a cello case in a dumpster. Apparently, she was not a news junkie. She didn't know about the missing cello until a week later. The cello was returned to the Philharmonic in a condition that was repairable, and presumably the lady, who doesn't read the newspaper, received a \$50,000 reward.

This story crawled into my brain, settled there, and refused to leave. I found the story so compelling that I included it in the talks on opinion writing I have given over the past two decades.

You may ask, "What does this story have to do with law?" Maybe nothing, but for a moment, let the question linger. How does Stump "actualize," if you will, himself as a musician? He does so through his instrument, the cello. Musicians' instruments are the tools of their trade. How well they use them covers a wide range from phenomenal to not so good. And what are the tools of

the trade for lawyers and judges? Nothing so tangible as a physical instrument.

Our tools are simply words. It's for you, dear reader, to decide if my relating Stump's story held your interest. Please do not feel it necessary to let me know whether I succeeded or failed. Of course, every case involves a story. There may be disputes about parts of the story based on relevance or accuracy. The client relates the story to the lawyer. The lawyer may relate a version of the story to opposing counsel. And we expect accurate and relevant parts of the story to be related to the judge in pleadings, motions, and in trial.

The judge may be called upon to write an opinion, a judgment, a statement of decision, or a variety of other responses. But even a seemingly dull tax case may be told with clarity and concision in pleadings and motions. On second thought, maybe a tax case is a bad example. Explaining statutes makes the writing enterprise all the more challenging. The facts in a reinsurance case may not be as conducive to hold a reader's interest as those in the *Palsgraf* decision (*Palsgraf v. Long Island R. Co.* (1928) 248 N.Y. 339), but they can and should be told with clarity to enhance the reader's comprehension.

Peter Stump expresses himself with notes played and interpreted with his cello. Judges and lawyers' tools are words. How we use them makes all the difference. Musicians listen to music and the interpretation of other musicians which inform their own interpretation. So too does what we read. In an indefinable way, what we read can open our minds and inform our style and manner of thinking and writing. But unlike the poet who writes to understand, we write to be understood. I do not recommend James Joyce's *Finnegans Wake* or even *Ulysses* as a model. We may learn from fiction, but we must write with clarity after a careful analysis of the arguments which we must first view with skepticism.

What lawyers and judges read in statutes, cases, contracts, and briefs requires care with an open mind and a healthy degree of skepticism. Like the musician, who uses notes with care and inflexion to tell a story that resonates with the listener, we must do the same with our words.

What a perfect transition to music and the law. What may have been under wraps in the past is out in the open. There are many lawyers and judges who are musicians. And this takes me back to my personal journey.

I come from a family of musicians. In his early 20s, my father played piano professionally in Chicago. He hung out with the great trumpet player Bix Beiderbecke and Hoagy Carmichael, the composer of "Stardust." For younger readers, I hope I am not making an unwarranted assumption. If

you have never heard of “Stardust,” check it out on YouTube. Dad played in a band that backed a vaudeville show that was followed by a movie on the Orpheum Circuit. He also played in a dance band on a boat that sailed around Lake Michigan.

My mother also came from a musical family. My grandfather was reputed to have been the principal flutist with the New York Symphony, which later became the New York Philharmonic. My mother and then my aunt taught me classical music, but I was interested in jazz.

I grew up listening to Art Tatum, Fats Waller, Duke Ellington, Benny Goodman, and Artie Shaw, to name a few. I later marveled at the genius of Charlie Parker, Dizzy Gillespie, Bud Powell, Bill Evans, Herbie Hancock, and dozens of other artists.

Later in life I became close friends with the great clarinetist Artie Shaw who had a friendly rivalry with clarinetist Benny Goodman. I am convinced Shaw was a certifiable genius. The profound lesson he taught me may be summed up in six words: “Good enough is not good enough.” Advice to readers: To follow that rule 100 percent of the time will ensure you have a miserable life.

Shaw had a photographic memory. He knew the writings of the Greek and modern philosophers. He not only read the authors of contemporary literature of the mid to late 20<sup>th</sup> Century but knew many of them. Once he asked me what author I was reading at the time. I replied, *Swann’s Way*, the first of Proust’s seven novels under the rubric, *A la recherche du temps perdu*, or, if you prefer, *In Search of Lost Time*. Shaw replied, “Ah yes” and began quoting passages from this monumental work. To tackle this work is a marvelous journey for any intrepid reader. Warning for those not familiar with the work: it is written in a stream of consciousness style where sentences go on forever. Wonder if any legislators... never mind. Admission: I barely got through *Swann’s Way*. It is challenging and enlightening, but not a model for writing a statement of decision. I am saving the other six novels for when I retire.

When I was around 12 or 13 years old, my Dad took me to hear Art Tatum at Sardi’s in Hollywood, not far from where we lived at the time. I had every recording Tatum ever made. Dad urged me to go up to the piano to see the master at work. I nervously made my way among the tables of drinking and smoking patrons to get to the piano. I still see the annoyed look on the large blonde server (that’s not what they called them then) with the tray of drinks above her head when I almost walked into her.

I reached the piano and watched Tatum’s fingers playing at lightning speed over the keys, with endless improvised variations on the chord changes

of the tune he was playing. It was at that moment I knew I had better go to law school. I still played the piano and studied briefly with the legendary Sam Saxe when I was a senior in high school. The singing group The Four Preps was the rage with classmates of mine at Hollywood High School. The Four Preps made the hit parade with their song, “Twenty-six Miles Across the Sea, Santa Catalina is the Island for Me.” The wonderful pianist Lincoln Mayorga, also a close friend, was their pianist. When Lincoln was out of town, I rehearsed The Four Preps for their appearance at the Hollywood Bowl.

My writing career as a columnist began when I was a high school student. I wrote a jazz column for a professionally done slick magazine called the *Student Journal*. I recall interviewing the legendary jazz great and exponent of the West Coast jazz style, trumpet player Shorty Rogers. At that time, he was playing a Flugelhorn, which I described as a trumpet with a thyroid condition. Being an overeager teenager, I asked Shorty a question. Of course, I do not remember the exact words, but it went something like this: “So Shorty, to what extent are your improvised lines influenced by Stravinsky’s rhythmic patterns and polytonality.” Shorty looked at me for a moment as though he were contemplating the magnitude of my question, and said, “Hey man, you got a match?”

When I was a freshman at UCLA, I stopped taking lessons. Sam Saxe was disappointed and predicted one day I would wind up in a lawyer’s band. How prescient he was.

I played a few gigs in college but did not start playing seriously again until I was in my 40s. In the late 1960s, when I was practicing law, I attended a concert featuring the great sitarist Ravi Shankar and tabla virtuoso Alla Rakha. I was “turned on” (not to be misinterpreted)—how about “blown away”—by the intricate rhythms and micro-tonality of Indian music which could sound “off key” to audiences used to hearing the western tempered scale.

Ravi Shankar wanted to foster an appreciation of Indian music and culture. He opened a music school on the outskirts of Beverly Hills. I signed up to take tabla lessons with the master Alla Rakha. During the day I was a lawyer wearing monogrammed shirts and silk suits. At night I changed into my simple white smock and tried to be comfortable sitting cross-legged before my table drums as Alla Rakha put me and other students through the paces.

One evening after classes were over and most students had left, I stayed with one or two other students to get some extra pointers from Alla Rakha. But who should drop in but violin virtuoso Yehudi Menuhin. Alla Rakha insisted we play for Menuhin. Somehow, we pulled it off. I want to believe that

Menuhin meant it when he said we were wonderful. We had a lively discussion about the differences between western and Indian music. I also spent an hour or so speaking in a similar vein with Geroge Harrison after he joined us during a tabla session. I was taken by how down to earth and human were these two singular artists.

I kept my Indian music life and law separate and tried to keep it a secret from my partners, fellow lawyers, and judges in the local legal community. One evening, as I was trying to work my way through the complex rhythm of a raga, a television crew from PBS came to the school and filmed a half-hour show of Ravi's music school. There I was in the front row. Of course, someone from the bar association saw the show and at the next bar meeting I was "outed."

It now occurs to me that immersing myself in Indian music and the Indian culture was similar to my experience years later as a student at the Judges College, viewing an image of what I thought was an empty room. What a difference it made to my approach to thinking about music by this exposure to another culture's profoundly different music. These experiences open the mind, make it more receptive.

I kept up with my music when I first became a judge and studied harmony and theory with vibraphonist Charlie Shoemake and pianist Terry Trotter. I played an occasional gig, but everything changed when I met Gary Greene. Sam Saxe had a clear crystal ball. I am the pianist with the Big Band of Barristers, a swing band made up of lawyers and a judge now and then. This talented, amiable group of lawyers and I meet regularly at my house where we rehearse for our gigs. We play big band of arrangements, mostly of the past, and some more modern "hip" charts. Many of the musicians earned their livelihood in music before going to law school. There is a limit as to how long a musician can keep playing on the road when the pay is not regular, and the road ahead uncertain.

Gary Greene is a lawyer in Los Angeles. But he is also a violinist and conductor who, like me, grew up in a musical family. His late uncle, Ernst Katz, founded the Jr. Philharmonic Orchestra in 1937, the year I was born. It was there in the delivery room that I sensed music was going to be part of my life and that I would be playing in the Big Band of Barristers. That Gary had not been born yet is beside the point. The Jr. Philharmonic, under the baton Ernst Katz, thrived for decades. Gary succeeded his uncle as conductor of the Jr. Philharmonic and celebrated its 75th Anniversary with a concert at Walt Disney Concert Hall.

As a youngster, Gary joined the orchestra as its concertmaster. He worked closely with his uncle and learned every aspect of running an orchestra. This involves more than conducting the full orchestra, but rehearsing sections of the orchestra, for example, the string section, the brass section, and then putting it all together with the full orchestra.

When music is part of your life, no matter your profession, it stays with you in one form or another. You can still play the piano, guitar, drums, or whatever your instrument when not attending to your profession. Gary the lawyer was no different. But in his case, there is what to ordinary human beings would be an insuperable obstacle. His “instrument” is an orchestra.

In early 2009, Gary let the legal community know that he was forming an orchestra composed (pardon the expression) of musicians who were part of the legal community. This includes lawyers, judges, paralegals, other legal staff, and law students. The announcement read: “Wanted: Legal Musicians”; it was published throughout Los Angeles in bar association bulletins and legal newspapers.

In Gary’s words, “more than 100 legal musicians responded to form the Los Angeles Lawyers Philharmonic.” With Gary as conductor and 30 legal musicians, the orchestra made its debut on January 30<sup>th</sup>. The concert was a success and 10 more followed that year.

In their second year, they performed another 10 concerts, including their Walt Disney Concert Hall debut. The Mayor of Los Angeles and City Council proclaimed the LA Lawyers Phil “LA’s only legal orchestra.” Gary, who does not sleep, trust me, he doesn’t. I receive emails from him in the middle of the night while I am sleeping. I read them the next day. I am sure it was in the middle of the night he came up with the idea to form a legal chorus. In 2011, he debuted his chorus Legal Voices at Disney Hall. What did they sing? Something easy for the first performance? How about Beethoven’s 9<sup>th</sup>? It was a stunning performance. By 2012, the orchestra grew to 75 members and the chorus exceeded 100.

The musical fare ranged from Mozart to Duke Ellington. The orchestra was invited to return for its third performance at the Radio and Television News Association’s Golden Mike Awards in 2012, but there was only room for 18 musicians. That gave Gary the idea to form a new and musical ensemble, a big band like the swing bands of the 30s and 40s, Glenn Miller, Benny Goodman, Count Basie, and Artie Shaw. Gary again reached out to his colleagues and got together 18 lawyers and judges with jazz and big band backgrounds including some who played with Stan Kenton and Les Brown among other great bands.

I was the piano player. If you think the title “judge” cuts you any slack in an orchestra, band, or combo, forget it. Everyone has to “cut” it. We had our debut concert at the Universal Hilton on January 21, 2012. The enthusiastic reaction of the audience we interpreted as a success. Thereafter we were booked for several other gigs. Within a month we were invited to participate in a nationwide competition of lawyer bands sponsored by the American Bar Association.

The competition was fierce. You know how competitive lawyers are. Out of several hundred bands, we made the finals, along with four other bands to compete in the final round of competition in Chicago. We traveled to Chicago and, because my hotel room did not have a piano, I practiced on the writing table. The competition took place the evening of August 4, 2012, at the prestigious Chicago Art Institute.

We performed in an elegant room where even the parquet floor was an art piece. The sound equipment was first rate including the grand piano I played on. Our three other competitors were a rock band, a singing group, and who remembers the personnel of the other group. Each of the finalists performed in other rooms in the art gallery. The 2,000 in attendance strolled from room to room where they compared and evaluated the five finalists.

I will not keep you in suspense any longer. The Big Band of Barristers won the contest by an overwhelming majority vote. The Big Band of Barristers became America’s #1 Legal Band. Soon after, the band released its first CD, “The Chicago Album” featuring some of the classic music from the Golden Era of Big Bands. Numerous concerts followed and kept on coming. The Mayor of Los Angeles and the City Council proclaimed the LA lawyers as “LA’s only legal orchestra.” The vote was unanimous. How often does that happen? Proves the point that music brings people together, even politicians.

The orchestra and band played in a variety of venues, many for charities at venues like Disney Hall, jazz clubs, and outdoor summer concerts. The orchestra and band backed performers, including Dick Van Dyke, Pat Boone, Florence Henderson, Lanny Kazan, and Carol Channing. The MC for the band was our beloved June Lockhart.

But one of my most memorable experiences was playing a piece written by my dear friend, the past editor of this publication, the phenomenal Selma Moidel Smith, lawyer, editor, composer, to name just a few of her many skills. She composed over 100 compositions, and I had a solo on one of her tangos the Big Band of Barristers performed. Selma was in the audience. Numbers go on for infinity. That may be the number of times I rehearsed the piece. Selma gave me a high five. What a relief!



So, what is the relationship, if any, between playing music and judging? My colleague and good friend Justice Helen Bendix is a highly talented violist. Here is her eloquent view on the subject.

**How Being a Musician Has Informed My Work as a Judge —Helen Bendix**

“Making music and serving justice are related. Both thrive on beauty of expression. Both serve aesthetic and moral goals that are unique to our species.

“Being on an appellate panel of four is not dissimilar from playing in a string or piano quartet. Both require active listening for what is not explicit, or in musical parlance, ‘the rests are as important as the notes.’ Both start with a baseline of learning rules. In music, that is reading music and playing in tune, all in the context of changing rhythms and dynamics. For justices, the baseline is knowledge of ever-changing law and procedures to implement the law. The magic, however, happens in the expressive communication among musicians and justices that produces a convincing performance or opinion. A memorable performance or opinion rests on four players learning their respective parts, patiently listening to other members’ interpretations, and being open to differing ideas and aesthetic values.

“The same is true in the trial court. A jury trial can be aesthetically beautiful and at the same time, further justice if the participants follow lessons one learns as a musician. Sometimes counsel has the solo, and sometimes only a minor part. At all times, however, counsel must listen attentively to opposing counsel; counsel must perceive what is not said (the rests) and the arguments themselves (the notes and rhythms). Like the sharing of a musical phrase among members of a quartet, counsel responds to the themes being developed during the trial. Counsel must also use all his or her senses to discern how the jury is responding to the performance and to be responsive to the cues counsel is receiving. The trial judge, like a conductor, is responsible for the tempo or tempi of the trial and enforcement of the rules. Absent the judge’s active listening and control, the trial would be dissonant and out of step.”

Other musicians in the orchestra have expressed similar views. Retired attorney Jerry Levine, who played drums for the band and, let’s use a fancy word, “percussionist” for the orchestra was a music major. He thought it was the perfect major for law school. “It taught me to be analytical in reading music, and later, statutes and how to interact with others in interpreting music.”

My involvement in the arts continues to make a difference in an ineffable way that enriches my view of life. And this in turn deepens my insight into how I decide cases. Empty rooms are not always what they seem to be.

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GARY S. GREENE\*

# Lawyers and Judges in Harmony

By day, we are civil litigators, trial attorneys, deputy district attorneys, criminal defense attorneys, in-house counsel, sole practitioners, partners at large law firms, superior court judges, court of appeal justices, law professors, paralegals, law students and the like. But, by night, we comprise the Los Angeles Lawyers Philharmonic, and the concert stage is our *courtroom*.<sup>1</sup> Our members include conservatory graduates, professional musicians, and some hobbyists who are dusting off instruments they played in their youth. In addition to practicing law and adjudicating, we perform music—from the great classical works to popular Broadway musicals and more – in front of thousands of enthusiastic fans, often at the Walt Disney Concert Hall<sup>2</sup> and many other major venues throughout the Los Angeles area.

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\* Gary S. Greene is an attorney for almost a half century, a violinist, and a conductor. He is founder and maestro of the Los Angeles Lawyers Philharmonic and Legal Voices, and the bandleader of his Big Band of Barristers. Earlier, he was concertmaster and conductor of the Jr. Philharmonic Orchestra, the acclaimed young people's symphony founded in 1937 by his late uncle, Maestro Ernst Katz. Greene has led the Los Angeles Lawyers Philharmonic and Legal Voices, and the Jr. Phil, in most major classical works and has conducted popular pieces for legendary performers, including Edward Asner, Jordan Bennett, Debby Boone, Pat Boone, Richard Chamberlain, Carol Channing, Kevin Early, Robert Goulet, Peter Graves, Florence Henderson, Carol Lawrence, June Lockhart, Brock Peters, Stefanie Powers, Debbie Reynolds, Mickey Rooney, Sha Na Na, Dick Van Dyke and Michael York. He was named the 2010 "Person of the Year" by the *Metropolitan News-Enterprise* for not only entertaining the legal community but also for having done much to unify it. He was recognized as, "A Man with a Briefcase and a Baton—the Only Lawyer from Whom Judges Take Direction." In 2012, Greene was presented with the prestigious Board of Governors Award from the Beverly Hills Bar Association. In 2024, the UCLA Alumni Association presented Greene with the 2024 UCLA Community Service Award for "his legacy of sharing his love of music to bring people together and engaging others in giving back." He earned his BA summa cum laude from UCLA, and he was awarded membership in Phi Beta Kappa. He earned his JD from Loyola Law School.

<sup>1</sup> "Los Angeles Lawyers Philharmonic, <https://lalawyersphil.org>. The Los Angeles Lawyers Philharmonic (that encompasses the orchestra, chorus, and big band) is a 501(c)(3) nonprofit corporation. The City and County of Los Angeles proclaimed them to be "LA's Only Legal Orchestra and Chorus." Their repertoire includes major classical works, as well as Broadway and motion picture scores.

<sup>2</sup> "Getty Museum Presents, Sculpting Harmony," <https://gehry.getty.edu>, with narration by architect and designer Frank Gehry and music by the Los Angeles Philharmonic.

## Founding a Legal Orchestra

The idea of forming an orchestra composed of lawyers goes back to 2008 when I was introduced to a judge of the Los Angeles County Superior Court who kept his trumpet in chambers. I did not know that about Judge Brett Klein (now retired) when I appeared before him in previous years. But it was during our conversation at an event in the summer of 2008 that we began talking about music. Judge Klein went on to tell me that he knew other judges who are fine musicians such as Aviva Bobb (a violinist) and Helen Bendix (a violinist and violist). And I began thinking about other colleagues in the legal profession who are musicians. So, I immediately thought we could have the makings of a *legal* orchestra. As a musician, I was familiar with the Doctor's Symphony in Los Angeles.<sup>3</sup> So, I thought, "Why not an orchestra composed of lawyers and judges?"

An idea is one thing. Bringing an idea or dream into reality is another. The musicians would need a music library, a rehearsal venue, a concert venue, together with a staff to organize the venture through communication with the legal profession. In the beginning, I was the "staff." Fortunately, I had the background for such a duty. Shortly, I encouraged my daughter, Debra Marisa Greene (now Kaiser), to take on the huge task of executive director. For the past 15 years, she has been the staff, handling communications with the legal newspapers, law firms, bar associations, law schools, scheduling auditions; obtaining music and organizing the library; managing the musicians; producing and promoting concerts; selling tickets and more.

I was brought up in a musical family and played violin with my late uncle, Ernst Katz, and his orchestra. He was a concert pianist, composer, and conductor. He was about to launch his career in music during the 1930s when the world was suffering the dire effects of the Great Depression. People did not have jobs, money, or hope. He told me it became clear the timing was not right for him to begin a professional music career. So, he conceived another idea to use his talents and give young people in his community what they needed: Hope through music. With dedication and perseverance, on January 22, 1937, he formed his orchestra of young musicians. It became the Jr. Philharmonic

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<sup>3</sup> "The Los Angeles Doctors Symphony Orchestra is one of the oldest community orchestras in the United States. Founded in 1953 by Dr. Reuben Strauss with 35 doctors, dentists, veterinarians, nurses, and allied health care professionals, it boasted 70 members at the time of its first concert at the Philharmonic Auditorium in downtown Los Angeles in 1954. The orchestra's mission is to offer high-quality, affordable concerts to the diverse communities of Southern California, to support important medical causes, and to provide musical growth and fellowship for its performing members. (LADRSymphony, <https://www.youtube.com/@LADRSymphony?app=desktop> and see, "OrchestraNovaLA," <https://www.youtube.com/@LADRSymphony?app=desktop>).

Orchestra of California.<sup>4</sup> He conducted it for 72 years with the motto, “Give Youth A Chance to Be Heard.” He never received any remuneration. He mentored thousands of young people, including me. Under his baton were the makings of famous conductors such as Leonard Slatkin and Jorge Mester, and notable musicians, including Flea of the Red Hot Chili Peppers, and many others who became members of orchestras around the world. Other Jr. Phil alumni pursued careers in law, medicine, and other professional fields.

In 1967, I became concertmaster (first violinist) of the Jr. Philharmonic Orchestra and worked with my uncle for many, many years. So, decades later, when I felt the calling to form my *legal* orchestra, I was prepared. While pursuing my legal education. I learned that musical training teaches discipline and a methodology to achieve success and provides a sound foundation for becoming a lawyer.

During December of 2009, I sent announcements to bar associations and the legal newspapers looking for lawyers, judges, law students, and legal staff who were advanced musicians and would like to become members of an orchestra. Within days, I received many emails from interested legal professionals.

While I anticipated that many played instruments in high school, I was shocked to learn there were so many graduates from music conservatories such as Juilliard, New England Conservatory, Berklee College of Music, Cleveland Institute, San Francisco Conservatory, USC Thornton School of Music and UCLA Herb Alpert School of Music, among others.

Nearly 100 musicians auditioned, and I selected 30 from this initial group of legal professionals to form the Los Angeles Lawyers Philharmonic for its debut.

We owe a great deal to Roger and Jo-Ann Grace of the *Metropolitan News-Enterprise* for obtaining our initial rehearsal space and for the opportunity to make the Los Angeles Lawyers Philharmonic’s musical debut at the *Met News* Person of the Year Dinner at the Jonathan Club in Los Angeles on January 30, 2009. We surprised the bench and bar with our performance. That evening, we received requests to play for the Los Angeles County Bar Association and the Los Angeles Law Library.

Tony Award winning and Emmy nominated actress, June Lockhart, is a good friend of mine and loved our legal musicians. She attended nearly all of our performances and most of our rehearsals for many years. In 2015, the LA Lawyers Phil created the June Lockhart Humanitarian Award (the “Junie”) and made the initial presentation of the award to June Lockhart on June 13, 2015

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<sup>4</sup> “Jr. Philharmonic Orchestra of California,” <http://jrphil.atspace.com>.

at Walt Disney Concert Hall. Since then, recipients of the “Junie” included composer/song-writer Richard Sherman, actor Edward Asner, attorney/composer Selma Moidel Smith, actor Hal Linden and our executive director, Debra Marisa Greene Kaiser.

When I announced that I was forming an orchestra for members of the legal profession, one of the first individuals to contact me was Selma Moidel Smith.<sup>5</sup> She told me about her background as an attorney and a composer, and she expressed her enthusiasm for my new venture. She shared her music with me, and soon we performed it to capacity audiences at Walt Disney Concert Hall in Los Angeles. For her 95<sup>th</sup> birthday, we performed a concert in her honor. It was attended by many attorneys as well as members of the supreme court, court of appeal and superior court. She and I became good friends. She attended many of our concerts. On June 29, 2019, I presented Selma with the June Lockhart Humanitarian Award (the “Junie”) at the Los Angeles Lawyers Philharmonic’s 10<sup>th</sup> Anniversary at Disney Concert Hall. The orchestra performed one of her works, the “Beguine” from her composition, *Espressivo*.

It was my hope to bring the legal community together in harmony. I was fortunate to have a gift for music and a very special and gifted uncle, Ernst Katz.<sup>6</sup> Many years ago, I learned that music is not only a universal language that expands our communication skills, but it is also relaxing in stressful times and reinvigorating as we return to our day jobs.

## A Chorus is Born

About two years after I formed the Los Angeles Lawyers Philharmonic, I received numerous complimentary emails from attorneys and judges impressed with the advent of a legal orchestra in Los Angeles. However, while many said they would like to be part of such a legal musical organization, they did not play an instrument; they were singers. So, in January of 2011, I sent word to bar associations and legal newspapers that I was forming a chorus for lawyers, judges, law students, and legal staff. I received responses from nearly 200

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<sup>5</sup> Smith was editor-in-chief of *California Legal History* for 13 years, from 2009 through 2022. She was admitted to the State Bar of California in 1943, number 18,051. Compare her Bar number with your Bar number. She is a lawyer, composer, and music educator, <https://www.selmamoidelsmith.net>. The year before Smith was admitted to the Bar, Annette Abbott Adams was appointed by Governor Culbert Olson to be presiding justice, Court of Appeal, Third Appellate District, the first woman to serve on the Court of Appeal, and the first woman to sit, albeit temporarily, on the California Supreme Court, <https://thehill.com/100-women-who-have-helped-shape-america/517912-annette-adams>.

<sup>6</sup> “He was like a musical Mother Teresa,” said entertainer Pat Boone, who performed at several concerts. “He had that kind of passion and personality to completely sacrifice his other interests to enrich and nurture the lives of young people through music.” (Elaine Woo, “Ernst Katz dies at 95; founder and conductor of Jr. Philharmonic Orchestra,” *Los Angeles Times* (August 16, 2009), <https://www.latimes.com/local/obituaries/la-me-ernst-katz16-2009aug16-story.html>).

singers. Auditions were held at Southwestern Law School where a chorus of 100 was assembled to begin rehearsals on April 30, 2011. Officially named, “Legal Voices of the Los Angeles Lawyers Philharmonic,” we had our chorus.

An ambitious goal for the chorus was to make its debut at Walt Disney Concert Hall, performing Beethoven’s *9<sup>th</sup> Symphony*. Los Angeles Superior Court Judge Rolf M. Treu (now retired) not only joined the chorus but worked with its members on the proper German pronunciation of Friedrich Schiller’s poem, “Ode an die Freude,” for the final movement of Beethoven’s *9<sup>th</sup> Symphony*. Rehearsals were focused and intense. On July 30, 2011, I was privileged to lead the orchestra and chorus in a triumphant performance of the final movement of Beethoven’s epic symphony. We received a standing ovation from the capacity house. Since then, the chorus has performed major works annually at Disney Concert Hall with the Los Angeles Lawyers Philharmonic, including Carl Orff’s *Carmina Burana*; Beethoven’s *Choral Fantasy*; Mozart, Brahms, Fauré, and Rutter *Requiems*; Bernstein’s *Chichester Psalms*; and countless opera, Broadway, and motion picture scores.

In the fall of 2012, I appointed Jim Raycroft, then a 30-year member of the Los Angeles Master Chorale,<sup>7</sup> to serve as Legal Voices’ third Choral Director. The chorus harmonizes with voices that are more commonly heard in courtrooms than on the concert stage.

### **Worldwide Recognition**

The word was out. The Los Angeles Lawyers Philharmonic was not merely a group of amateurs; they were real musicians who could perform on the level of major professional orchestras. The Associated Press picked up on our unique orchestra and ran an article covered by newspapers around the world. The *New York Times* wrote its headline: “To Get to This Orchestra? Law Practice, Law Practice.”<sup>8</sup>

Australia Supreme Court Justice George Palmer read about the Los Angeles Lawyers Philharmonic in Sydney, Australia. He is an accomplished composer, having his works performed by the London Symphony and other orchestras around the world. Justice Palmer sent the orchestra one of his compositions, *Ruritanian Dances*, and flew to Los Angeles for our orchestra’s performance at Walt Disney Concert Hall. On July 30, 2011, Palmer was honored on stage by the then-Los Angeles County Superior Court Presiding Judge Lee Edmon.

<sup>7</sup> “Los Angeles Master Chorale,” <https://lamasterchorale.org>.

<sup>8</sup> “To Get to This Orchestra? Law Practice, Law Practice,” *New York Times* (December 31, 2009), <https://www.nytimes.com/2010/01/01/arts/music/01orchestra.html>.

The then-sitting president of the Republic of Croatia, Ivo Josipović, an attorney and composer, also read about the Los Angeles Lawyers Philharmonic. He told me of his desire to have our orchestra perform one of his works. On July 21, 2012, we performed his, *Pater Perotinum Millennium Celebrat*, at Walt Disney Concert Hall. President Josipović wrote: “I was pleasantly surprised listening to the recordings of your orchestra of judges, lawyers, civil servants, and professional musicians. I must admit that Croatian law experts are not so good in music and have not yet established an orchestra similar to yours.”

In 2012, a lawyer, Karen DeCrow, began her article in the New York State Bar Association’s monthly magazine this way: “Los Angeles is home to the Lawyers’ Philharmonic. Gary S. Greene maestro. Greene has brought surprising harmony out of his herd of jurist trumpeters, litigator cellists, law clerk vocalists, and brought us an evening of enjoyment,” wrote Mark Haeefele in his review of a performance by the orchestra.”<sup>9</sup>

### **A Big Band Is Formed**

The LA Lawyers Phil was selected to perform at the annual Golden Mike Awards Ceremony hosted by the Radio & Television News Association (RTNA) of Southern California in 2011. The orchestra also performed there in 2012. But, in 2013, I was told there would not be enough space for the orchestra. They wanted a smaller group of about 18 musicians. Rather than reduce the size of the orchestra, I created an 18-piece big band like the popular bands of the 1930s and 40s. I did so by reaching out to legal professionals seeking jazz musicians to form Gary Greene, Esq. & His Big Band of Barristers.<sup>10</sup> The Big Band made its debut on January 19, 2013, at the Golden Mike Awards attended by several hundred news reporters, news anchors, and news directors, as well as television and radio station staff.

### **Our Musical Groups Are Philanthropic**

During the 15 years of their existence, the musical groups have raised tens of thousands of dollars for organizations such as the American Diabetes Association, Bet Tzedek Legal Services, Beverly Hills Bar Foundation, Los Angeles County Bar Association’s Counsel for Justice, Hollywood Remembers World AIDS Day, Inner City Law Center, Magen David Adom, Public Counsel, The Salvation Army, Shriners Hospitals for Children, The Thaliens, UCLA

<sup>9</sup> Karen DeCrow, “Trials in Opera, The Portrayal of Lawyers and the Legal Profession,” *NYSBA Journal*, 38 (October 2012), [https://nysba.org/app/uploads/2020/04/October12\\_WEB.pdf](https://nysba.org/app/uploads/2020/04/October12_WEB.pdf).

<sup>10</sup> Former Presiding Justice Robert K. Puglia, Third Appellate District, grew up with the Big Bands in the 1940s. He was a lifetime fan of Big Band music and a world-class collector of recordings of that genre of music all his life. To appreciate him and his work as a jurist, see George Nicholson, “Introduction,” 2024 issue, “Justice Puglia’s passin,” *supra*.



Center for Autism Research/Treatment and Ascencia (which raises funds for the homeless).

In 2023, the orchestra performed a Concert of Hope in which the musicians played violins recovered from the Holocaust to celebrate the triumph of the human spirit. The concert raised funds for both the Violins of Hope project<sup>11</sup> and the City of Hope, one of the nation's leading comprehensive cancer centers. Music always prevails!

The orchestra, chorus, and big band perform in numerous venues including Walt Disney Concert Hall, Dorothy Chandler Pavilion, Moss Theater, Shrine Auditorium, UCLA Royce Hall, the Academy's Samuel Goldwyn Theater, The Wallis, Wilshire Ebell Theatre, Saban Theatre, Los Angeles City Hall, Catalina Club, Cicada Club, and the LA Law Library, as well as performances in the Art Institute in Chicago and in the Library of Congress in Washington, DC.

In 2017, two orchestras were awarded Gold Medals for their international broadcast performances by the New York International Radio Program Competition: the New York Philharmonic and the Los Angeles Lawyers Philharmonic. The Los Angeles Lawyers Philharmonic won the Gold Medal for its recording of Bernard Herrmann's score in the remake of Norman Corwin's iconic broadcast of, "We Hold These Truths," commemorating the 225<sup>th</sup> Anniversary of the Bill of Rights and the Constitution of the United States of America.

### **Lawyers and Doctors in Harmony**

I was determined to bring two professions, law and medicine, together through music. So, I invited the Los Angeles Doctor's Symphony to join forces with the Los Angeles Lawyers Philharmonic to perform a joint concert and raise funds for legal and medical charitable organizations. On December 8, 2019, the two orchestras shared the stage at the Wilshire Ebell Theater. Maestro Greene, Esq., and Maestro Ivan Shulman, M.D., each conducted the combined orchestra for half the concert. When they played music, there was harmony among lawyers and doctors.

It was a very memorable evening. Bringing our two professions together in rehearsals and on the concert stage was a heartwarming experience for everyone involved. The audience roared its approval.

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<sup>11</sup> "Violins of Hope' is a project of concerts based on a private collection of violins, violas and cellos, all collected since the end of World War 2. Many of the instruments belonged to Jews before and during the war. Many were donated by or bought from survivors; some arrived through family members and many simply carry Stars of David as decoration." Violins of Hope, <https://www.violins-of-hope.com>.

## Music During the Pandemic

During the COVID pandemic, members of the LA Lawyers Phil and Legal Voices made two virtual recordings. The first was part of the Violins of Hope project. We played and sung a Holocaust remembrance piece titled, *Schlof Main Kind*. It has been viewed by thousands globally. The second was a gift for Music Mends Minds,<sup>12</sup> a music support group for those suffering from neurocognitive disorders such as Alzheimer's, dementia and Parkinson's Disease. The piece we recorded virtually was *The Music Mile*. It became the theme song for Music Mends Minds. It was written by Broadway composer Larry Hochman and Nick Stephens with lyrics by Megan Petersen.

On June 12, 2021, when in-person rehearsals were not possible due to the pandemic, Legal Voices Choral Director Jim Raycroft and I conducted a Choral Car Concert. Members of the chorus were singing a cappella through microphones from inside their vehicles parked in a lot in Los Angeles. This unique performance was recorded and can be seen on YouTube.<sup>13</sup>

## The Lawyers Harmonize with Celebrities

Many celebrities have performed with the Los Angeles Lawyers Philharmonic including Paul Anka, Ed Asner, Pat Boone, Richard Chamberlain, Michele Greene, Bill Handel, Florence Henderson, Carol Lawrence, Hal Linden, June Lockhart, Alan Rachins, Dick Van Dyke, Betty White and Michael York. Composers Richard M. Sherman and Charles Fox have conducted the LA Lawyers Phil in their Oscar, Emmy, and Grammy winning compositions and became honorary members.

## Officials and California Supreme Court Justices Participate

Chief Justice Tani Cantil-Sakauye was a guest conductor of the Los Angeles Lawyers Philharmonic on January 27, 2012. Former California Governor George Deukmejian, on January 27, 2012, and the then-Los Angeles Mayor Antonio Villaraigosa, on September 24, 2009, also conducted the orchestra. Many members of the California Supreme Court attended our performances, including former Chief Justice Ronald M. George, Justices Carol A. Corrigan, Martin J. Jenkins, Goodwin H. Liu, Ming W. Chin (now ret.), Carlos Moreno, (now ret.) and Kathryn M. Werdegar (now ret.).

<sup>12</sup> Welcome To Music Mends Minds, <https://www.musicmendsminds.org>. "Music Mends Minds is a nonprofit that strives to foster worldwide communities among afflicted individuals and their families, friends, volunteers, and caregivers, all of whom can thrive on socialization and music-making."

<sup>13</sup> "Ave Maria" is one of the songs performed during Los Angeles Lawyers Phil's Choral Car Concert on June 12, 2021 <https://www.youtube.com/watch?v=81ACg3DyJBo>.

We are all volunteers. To this day, every musician who has performed with the Los Angeles Lawyers Philharmonic, Legal Voices, and Gary Greene, Esq. & His Big Band of Barristers, do so because he or she loves music. The mission of the LA Lawyers Phil, Legal Voices, and my Big Band of Barristers is to bring together and enhance the lives of legal professionals in harmony, provide an outlet away from the trials and tribulations of their daily work, raise funds for organizations that provide legal services for those who cannot afford such services, as well as for other charitable causes and civic events, and most importantly, entertain the public by our concerts.

If you are a musician and either a lawyer, judge, law student or legal staff person, audition for our orchestra, chorus, or big band. If you enjoy hearing marvelous music, attend our concerts. Help us bring the legal community together in harmony. It'll make the world a better place. Visit [www.LALawyersPhil.org](http://www.LALawyersPhil.org).



*Maestro Greene leading the Los Angeles Lawyers Philharmonic during a performance at Walt Disney Concert Hall (circa 2010). Published with permission of the Los Angeles Lawyers Philharmonic; photo by Steven Eichner.*



*Former Governor George Deukmejian leading the LA Philharmonic on January 27, 2012. Published with permission of the Los Angeles Lawyers Philharmonic; photo by Michael Kohan.*



*Los Angeles Mayor Antonio Villaraigosa leading the orchestra on September 24, 2009. Published with permission of the Los Angeles Lawyers Philharmonic; photo by Michael Kohan.*



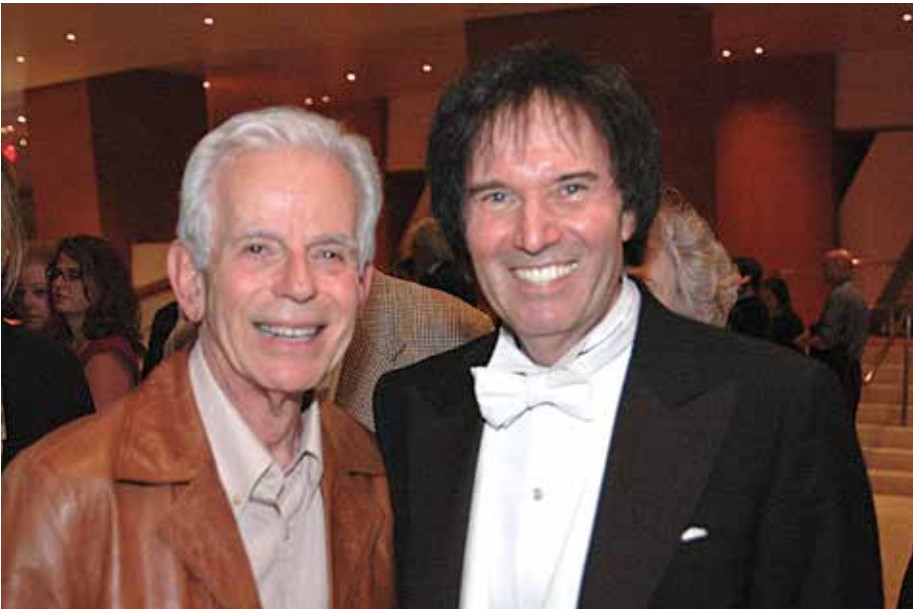
*Chief Justice Tani G. Cantil Sakauye conducts the Los Angeles Lawyers Philharmonic in concert at the Jonathan Club in Los Angeles to a standing room only audience on January 27, 2012. Published with permission of the Los Angeles Lawyers Philharmonic; photographer: Michael Kohan.*



*Robert Hirschman, Esq., bass; Justice Arthur Gilbert, piano; Barbara Gilbert, singer; Joseph Di Giulio, Esq., alto saxophone; July 30, 2011, LA Lawyers Philharmonic's 2nd Anniversary at Walt Disney Concert Hall. Published with permission of the Los Angeles Lawyers Philharmonic. Photographer: Michael Kohan*



*Presiding Justice Arthur Gilbert, Gary S. Greene, Esq., Chief Justice Tani G. Cantil Sakauye (ret.), Justice Ming Chin and LA Superior Court Presiding Judge Kevin Brazile at the Italian American Lawyers Association annual Supreme Court Night. December 7, 2017. Photographer: Michael Kohan*



*Justice Gilbert and Maestro Green, July 15, 2010, Walt Disney Concert Hall, Los Angeles. Published with permission of the Los Angeles Lawyers Philharmonic. Photographer: Michael Kohan*





*Maestro Gary S. Greene, Esq., violinist and Judge Aviva Bobb (ret.), Los Angeles Superior Court; Chief Justice Ronald George (ret.), then Presiding Judge of the LA County Superior Court; and now Appellate Justice Lee Edmon, violist, and then Los Angeles Superior Court Judge and now Appellate Justice Helen Bendix, December 7, 2010. Published with permission of the Los Angeles Lawyers Philharmonic; photographer: Michael Kohan.*



*Gary S. Greene, Esq., Justice Kathryn Werdegart (ret.), Selma Moidel Smith, Esq., December 1, 2015, Casa Italiana. Published with permission of the Los Angeles Lawyers Philharmonic; photographer, Michael Kohan.*



*Supreme Court Justice Carlos Moreno (ret.) and Maestro Greene, Esq. at the Italian American Lawyers Association annual Supreme Court Night, December 7, 2010. Published with permission of the Los Angeles Lawyers Philharmonic; photographer: Michael Kohan.*



*Maestro Greene and Selma Moidel Smith, June 29, 2019, Walt Disney Concert Hall, Los Angeles. Published with permission of the Los Angeles Lawyers Philharmonic, Photographer: Michael Kohan*





*The Los Angeles Lawyers Philharmonic and Legal Voices accepting applause during a performance at Walt Disney Concert Hall on July 30, 2011. Justice Arthur and Barbara Gilbert (lower left; she in off-red) and the combo are pictured next to the piano. Published with permission of the Los Angeles Lawyers Philharmonic; photo by Bob Young.*

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# Building an Icon:

## *The Making of Walt Disney Concert Hall*

Walt Disney Concert Hall captured the eyes and ears of the world from the moment it opened, radically reshaping the cultural landscape of Los Angeles. Lillian B. Disney, in honor of her late husband Walt Disney, donated \$50 million to the Music Center for a new concert hall. The Disney family had a long-standing association with the Music Center, and the donation was a reflection of her husband's love of music, a love he had shared with the world in his collaboration with conductor Leopold Stokowski to combine classical music with animation in the 1940 film *Fantasia*.

It took 16 years from Lillian B. Disney's initial gift in 1987 to the time Walt Disney Concert Hall was ready for the public. When it finally opened in October 2003, it was recognized as an architectural masterpiece and acoustical marvel, forever changing the musical landscape of Los Angeles.

Architect Frank Gehry envisioned a place in which people would come together and feel comfortable doing so—an iconic destination with which people would identify and think of as their own. He wanted to create 'a living room for the city' where music would be accessible to great numbers of people.

The building of Walt Disney Concert Hall became ever more complicated, and the decision-making turned cumbersome and lengthy. A complex mesh of political, planning, management, and bidding problems led to a shutdown of the project in 1994. But in 1996, through press articles, key events, professional support, and a fund-raising campaign, Walt Disney Concert Hall began to show signs of life. When it at last opened in October 2003, this architectural masterpiece and acoustical marvel forever changed the musical landscape of Los Angeles.