

**INTERVIEW WITH JUSTICE JOHN E. WALLACE, JR.
APRIL 18, 2018**

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PART 1 OF 5

Working Hard & Playing Hard: Memories of Growing Up in South Jersey

Justice Wallace discusses his youth in Pitman, New Jersey, how his parents' families (his mother's from Barbados and his father's from Northern Florida) came to settle in South Jersey, and his early education at the local grammar school, Summit Avenue School, and Pitman High School (1956-1960). He describes the role athletics played in his young life, from playing Little League and junior football to high school varsity football, basketball, and baseball. His father owned and operated small businesses, including a dry cleaners and a taproom, where Justice Wallace worked as a teenager. He then recounts his decision to attend the University of Delaware, where he earned a grant-in-aid scholarship and played football. In Newark, Delaware, he encountered discrimination when some restaurants around the college campus refused him service.

Illingworth: This begins an oral history interview with retired New Jersey Supreme Court Justice John E. Wallace, Jr., on April 18, 2018, in Woodbury, New Jersey, with Shaun Illingworth of the Rutgers Oral History Archives, for the New Jersey Supreme Court Oral History Program. Justice Wallace, thank you so much for sitting down with me today.

Justice Wallace: Good morning, Shaun. My pleasure. Do you mind if I just call you Shaun?

SI: Oh, yes, please.

Justice Wallace: Very good.

SI: All right. To begin, can you tell me where and when you were born?

Justice Wallace: Yes. I was born March 13, 1942, in Pitman, New Jersey. I was told that I was born in my actual home at 446 Muriel Avenue, that I was one of four children in the family. I have three older sisters. I think, whether for good luck or not, my mother wanted to have me at home, hoping that I would be a boy, since they had sought a boy of one of the four children that they had.

SI: So, you're the youngest of the family.

Justice Wallace: I'm the youngest in the family of four children, correct.

SI: Tell me your parents' names, for the record.

Justice Wallace: Yes. My father was John E. Wallace, Sr. My mother was Evelyn C. Weeks Wallace. My mother was from--her family was from Barbados--and my father's family was from the northern part of Florida.

SI: Now, do you know how they came to settle in New Jersey?

Justice Wallace: Well, my father's family moved when he was seven years old from Florida to Glassboro, and my mother's family had been living in Atlantic City, New Jersey. When my mother went on to Glassboro Normal School, I guess she was seventeen about the time. [Editor's Note: Founded in 1923 as Glassboro Normal School, the institution has grown into Rowan University (adopting the Rowan name in 1992), a large public research university.]

The Glassboro Normal School was, of course, in Glassboro, New Jersey. My father lived there, and one of the social events was, some of the young men in the area would socialize with the African-American women going to the Glassboro Normal School. That's how my parents met, many years ago.

SI: So, your mother, she wasn't born in Barbados--was she?

Justice Wallace: No, she was born in Atlantic City, but my mother's parents were both born in Barbados.

SI: Now, what was your father doing at that time? Why was he in the Glassboro area?

Justice Wallace: Well, my father lived in Glassboro since he was age seven to--yes, age seven--so, he was a resident of Glassboro. My parent's family lived, actually, on property that is now owned by Rowan University, on Carpenter Street. So, he grew up there and lived there and was in the area when they had social activities with the students at the Glassboro School.

SI: Did your mother wind up becoming a teacher?

Justice Wallace: No, she did not. In fact, after meeting my father, shortly thereafter, they married and started a family. My father had been to Bordentown Manual Training School in Bordentown, New Jersey. He had left--let me back up a little bit--he had left school, I guess in the eighth grade, to work. It was a tough time for his family, and [he] did all sorts of jobs.

After being out of school for several years, he was able to attend the Bordentown Manual Training School and learned various trades. When he came out, he did a number of jobs, always willing to do what it would take to be successful and have money on the table, learned how to press in a dry-cleaning facility, was a very outgoing individual and got along well with people.

[Editor's Note: The institution that became known as the Bordentown School originally began in 1886 as a vocational school run out of a private home in Bordentown by African Methodist Episcopal minister Reverend Walter A. Rice, who had been born into slavery and later put himself through college. The State of New Jersey took over the institution in 1894, transforming it into the Manual Training and Industrial School for Colored Youth. For most of its existence, the school occupied a campus on the site of a farm formerly owned by Commodore Charles Stewart, who commanded the USS *Constitution* during the War of 1812, which led to the school being called "The Ironsides Normal School." On this 400-acre campus, working-class African-American boys and girls received vo-ag and academic instruction from middle-class and above African-American teachers on a model representative of Booker T. Washington's efforts, leading to the school being called the "Tuskegee of the North." The institution attracted dignitaries such as Albert Einstein and Paul Robeson as lecturers and turned out alumni who became lawyers and doctors, as well as those skilled in the vocations promoted at the school. The Bordentown School desegregated in 1948 after the adoption of the 1947 New Jersey Constitution and closed in 1955.]

SI: Did your mother work outside of the home?

Justice Wallace: She did. At some point, she worked at Owens-Illinois, which was a major manufacturing facility in Glassboro, New Jersey. She worked there for a number of years.

Then, ultimately, when my father, who had been a presser and spotter for a local dry-cleaning facility in Pitman, New Jersey, he, at some point, had a disagreement with the owner, who they were good friends, but my father was pretty strong-willed. The disagreement was such that he felt he could no longer continue working there. So, he resigned.

A short while later, the owner of the dry-cleaners realized that he really couldn't continue without my father, who was essentially operating the business. So, he sold the business to my father and my father became a business owner of a dry-cleaning facility in Pitman, New Jersey, back in the early '50s.

SI: What was the name of the business?

Justice Wallace: It was Pitman Cleaners, as named by my father. Before that, it was Hagerman Cleaners.

SI: So, tell me about your earliest memories of growing up in Pitman.

Justice Wallace: Well, I guess my earliest memories were, I was always outside playing, doing something of a kid's activity. We lived close to our athletic fields for the high school, so, I would always be down there. We had Little League facilities when I was coming up and I recall going out for Little League at age nine. I was a fairly good athlete, so, I made the team.

One of the things I do remember is my first Little League game. I did not start the game, but, in the latter innings, I was put in right field, which traditionally seems to be where the younger players go. A fly ball was hit to me. I had, in fact, borrowed someone else's glove, because, even though I was a short[stop], really, infielder, I had been able to acquire a first baseman's glove. So, you can't use a first baseman's glove in the outfield. So, I borrowed a friend's glove.

In any event, the ball was hit to me in right field and I ran over and made the catch. That was the beginning of a successful Little League career, because, thereafter, I started. In fact, when I came up to bat later on in the game, I laid down a bunt and beat it out. So, things started well for me.

SI: So, what was the neighborhood like? Was it--like, would you describe it as working class? Was there a particular ethnicity or group that dominated?

Justice Wallace: Yes. Pitman had very few African-American families in the town. As I recall, there were two of them on my street--actually, three--and they were all brothers. My father lived in the last house on the left-hand side of Muriel Avenue and I had an uncle who lived directly across the street, and then, another uncle who lived midway in the block.

At that time, I guess there was another family at the very start, beginning of the street end. Now, there were four African-American families living on this block, that I can recall. It was not always African-American, but, by my memory, by the time I started growing up, there were four African-American families living on the street.

SI: Now, organized sports would play a part in your life, but what about, like, pick-up games and stuff like that? Was that a regular part of your life?

Justice Wallace: Oh, it was a regular part of my life. In fact, my older sisters would go to camp each summer, but I would not go to camp, because of playing both organized and just pick-up. As you go through school, during various periods of your life, after school, you'd get together and you'd play touch football, or even light tackle. During

baseball season, it would be baseball and, basketball season, it would be basketball. So, I was always outside doing something, but, around five o'clock, you always had to make your way back to home, so that you were there in time for dinner.

SI: In your household, with one side coming from Barbados, the other from the South, were there any traditions kept up, whether in cooking or lifestyle?

Justice Wallace: Not that I knew of. Everything was just normal to me. You came home; Mom and Dad, we all, we normally would have dinner together. But, my father was a very industrious individual. After he had acquired the dry-cleaning establishment, he then had an opportunity to become a partner in a taproom facility in Glassboro, the next town over. He did that for several years with a partner, and then, ultimately, bought that partner out and rebuilt the [bar], another establishment nearby.

SI: You said it was a "tack" room.

Justice Wallace: Taproom, I'm sorry.

SI: Taproom, sorry.

Justice Wallace: A bar, a local bar, taproom facility in Glassboro, New Jersey.

SI: Did that service the college area or more of a local [clientele]?

Justice Wallace: No, it was more of a local area in the, what they called the Lawns section of Glassboro, and it was, I think, the only African-American facility, bar, entertainment-type [place], there in Glassboro at the time.

SI: I'm curious--this is jumping ahead a little bit--but, with your father owning these businesses, did he enlist you to come help out?

Justice Wallace: Well, all of the family members participated in the dry-cleaning facility. We would. My sisters would wait at the counter for customers coming in the summertime, and after school, on some occasions. Generally, I guess I was in the eighth grade before I started. I learned how to do everything in the cleaning plant, from putting the clothes in the solvent cleaner to spotting the clothes, and then, actually pressing clothes. So, I learned a lot over the years.

When I became seventeen years old, able to drive, my father was one of the [few], his cleaning plant was one of the few, that had pick-up and delivery. So, they had two or three trucks. When a driver would go on vacation during the summer, I would pick up and take that driver's route and make pick-up and delivery. That was a little easier, because you're outside of a very hot cleaning plant otherwise, if you're working inside.

SI: So, tell me what schools you went to, growing up in Pitman.

Justice Wallace: I started out with the Summit Avenue School. It was a school that you went from kindergarten through eighth grade. It no longer exists. They cleared it out about, gee, thirty years ago. They just tore down the building, but it was a very interesting school.

I was the only African-American in my class from kindergarten through high school, but it was just--I didn't recognize that, didn't realize that. I was just one of the kids in the class, and I always did well from my academic standpoint. I was fairly athletic, got along well with my classmates and did various activities with them after school.

SI: So, there wasn't any isolation.

Justice Wallace: No, none at all, none at all. I was a leader in the class. When we first started having elections for class president, I would generally be elected to president. So, things went well.

SI: You described your father's taproom as an African-American taproom, like, I assume, a hangout.

Justice Wallace: Yes.

SI: Was there that kind of separation in the area? Were there areas, to put it another way, places you wouldn't feel comfortable going?

Justice Wallace: I personally did not feel that way. I'm sure others may have, and this was a primarily black bar. Everyone was welcome, but it was pretty much known that it was an African-American establishment, that a lot of African-Americans would attend and have good times.

SI: So, growing up, were there other activities or institutions that were a part of your life, like church or Boy Scouts?

Justice Wallace: Yes, in fact, both of them. As a youngster, I attended the First Baptist Church in Glassboro, New Jersey. My grandmother was very active in that church. Both my parents were Episcopalian, but my uncle who lived across the street was Baptist. He regularly attended church, so, I would generally go to church with him, and it was a very pleasant experience, growing up in the Baptist Church.

They had a lot of activities for youngsters. You had a Christmas recital, Easter recital, where you would have to say a little piece as part of your Sunday school program. It was a good atmosphere. I got to see and meet African-Americans, whereas in Pitman, where I grew up, there were very few. So, I did not interact with them the way I did with others on Sunday morning when I would go to Glassboro.

SI: Was the church a place where you would go to see speakers as well? Do you remember anybody coming through?

Justice Wallace: No, I do not recall that. You'd have the minister, who delivered the ceremony, and you'd go to church. Sunday school was, like, ten to eleven-thirty, and then, church would start after that. So, I would leave early and come home sometime after one.

SI: So, you mentioned Boy Scouts as well.

Justice Wallace: Oh, yes. I was first a Cub Scout, and then, graduated on to Boy Scouts--another rewarding experience, but I had my first sort of exposure to discrimination as a Boy Scout. Our club had decided to do an overnight at Oberst Lake in Glassboro, the next town over. We went and, when I got there, they said that I could not stay, because I was black.

That was my first exposure and that left a little bitter taste in my mouth for Boy Scouts, since the two were related somewhat. I would have thought they would not have gone to a place that I could not attend, but they [did]--and, maybe, they did not know. Of course, I'm a kid, so, I'm not aware of all the things that were going on. So, that was my first exposure to discrimination, and I guess I was in eighth grade at the time.

SI: Now, what subjects interested you the most in school?

Justice Wallace: I liked English a lot, history. They were the two. Spanish and Latin, I enjoyed. I was not big on science, although I did okay in the courses, but, for some reason, I just didn't take to it.

SI: Do any of your teachers stand out as mentors or influential?

Justice Wallace: Well, I had a lot of good, influential teachers, especially my English teacher in high school. She made it clear it was very important to understand and learn the English language, as well as the literature portion of it. She was wonderful. My history teacher was also my football coach, so, I looked up to him a lot; a number of grade school [teachers]. I guess my first male teacher was--I did not have until sixth grade--and Charles Wolff was his name. He was an outstanding teacher, and I enjoyed having a male teacher for a change.

SI: So, playing for school, did they have that in junior high or grade school or did that only start in high school?

Justice Wallace: The only program we had in junior high was seventh and eighth grade basketball, and that was my first exposure to organized basketball. I should take that back. They also had Army and Navy football. It was, I guess, like the midget football programs today, but, in Pitman, I think we only played two or three games a year. One of them would be on Mischief Night and some other time during the season.

So, you only played two or three games and it was called Army-Navy. One group was called "Army;" the other group was called "Navy." You practiced on the same field, but you had different coaches, and then, you would play your game, the few games. We were one of the few towns that had lights at our football stadium, the high school football stadium. So, it was a big thrill for us, us seventh and eighth graders, to go to the stadium and have a game on those nights that we played.

SI: When you got into high school, was football your major sport, or were you equally devoted to all the sports?

Justice Wallace: I was equally devoted to football, basketball and baseball. A short story on the football side--as an eighth grader, my football coach, who happened to be the guidance counselor at the high school, suggested I play quarterback. So, I started playing quarterback, was pretty successful. So, I continued on that when I went into high school, but high school football season started the first part of the year. Then, the midterm was basketball, and then, baseball. I was fortunate enough that I had sufficient abilities that I played junior varsity in my freshman year, and then, after that, I was playing varsity throughout the balance of my high school career, in those three sports.

SI: So, obviously, there's a lot of games. I don't want to ...

Justice Wallace: Yes. [laughter]

SI: But, did you have, like, a rival then?

Justice Wallace: A town?

SI: Yes.

Justice Wallace: Yes. Glassboro, of course, was a rival--adjacent towns--and we played them. I just recall the football games. We were fortunate in that, during my tenure, we won the games. Clayton was also another rival; that was the next town beyond Glassboro. That would be our Thanksgiving game and we won two out of the three during my years as playing varsity. Unfortunately, the third one we lost was my senior year and, while we knocked Clayton out of the championship my junior year, they won the championship the senior year by beating us.

SI: Were these big events for the town as well?

Justice Wallace: Oh, yes. The Thanksgiving game was always a big game. We had a great turnout. Whether it was played in Pitman or played in Clayton, people came. It was a big deal for people. It was an early morning game, too. It was the only ten o'clock game we played for the year, and it would be an exciting time.

I was not a hunter, but some of our players did hunt, and this is near the hunting season. So, some would actually go out hunting before the game, and then, come in

and be prepared to play the football game. I'm sure that wouldn't happen today, but it did in my day.

SI: I'm curious, because I've talked to a lot of former high school and college football players who credit it with instilling a lot of lessons and that sort of thing--what do you think you took away from your athletic career that helped you later on?

Justice Wallace: Well, I'm sure there are a lot more things I would take away than I will tell you--only because I don't recall them all--because it was a great experience. You're taught discipline. You're taught how to play with other people. You're taught that you're not always going to be successful and that you have to regroup, and then, be prepared to play the next game and learn from your mistakes; try to do a better job and don't criticize your teammates but encourage them--all the things that motivate people to be better.

SI: Now, what years were you in Pitman High School?

Justice Wallace: I attended Pitman High School from 1956 through '60. I graduated in 1960.

SI: Okay. Now, during this time that you were being raised in Pitman, were you aware of the larger world? Did you follow the news, whether it was national or international news?

Justice Wallace: Not to a great extent, but I was aware. I mean, my parents, we talked about it within the family and I was aware of things that were going on outside of Pitman and outside of my life. I was aware of discrimination, the injustices that were imposed upon other individuals. I was taught to always be respectful. I recognized that not everybody was and not everybody treated people fairly and evenly, but that to the extent that if something were to [occur], if I were to be stopped, that I would make sure that I was respectful to the person who stopped me as a police officer or otherwise, and to try to stay out of trouble to the extent that I could.

SI: What about the growing Civil Rights Movement? Was that discussed in your household?

Justice Wallace: Oh, yes. We talked about it. My mother--I guess this was later on--when they had the March on Washington, she attended. It was, I think, near August 31st, or thereabout, in 19 ...

SI: '63? [Editor's Note: On August 28, 1963, the March on Washington for Jobs and Freedom was held on the National Mall, during which Dr. Martin Luther King, Jr., made his famous "I Have A Dream" address.]

Justice Wallace: '63, and I was at football practice at the University of Delaware, so, couldn't go, but, yes, I was aware. Backtracking a little bit, after graduating from

Pitman, I was offered a grant-in-aid scholarship at the University of Delaware, and I accepted that and went on to play football there. That was my first exposure to actual segregation. The restaurants, some of them did not, would not, serve me. They discriminated and did not permit African-Americans to eat in certain establishments.

The University was wonderful. There was nothing (no discrimination) on the University itself, but this is outside in the City of Newark. At that time, there was no universal law that prohibited such conduct, and it did happen and there was that discrimination.

SI: I wanted to ask how you decided on UDel, and did you look at other schools?

Justice Wallace: Okay, I did. I looked at several other schools. When you have three sisters and they all attended college, so, tuition was a factor, and I was offered some money from Bowling Green [in Ohio]. I had applied to a couple other schools that I was admitted to and was all set to go to Bowling Green [State] University, but Delaware offered me more money near the end of the summer, or end of the spring area, when summer was starting.

As a consequence, I accepted that. It was only an hour away, close by. My parents could come see me participate in whatever activities I was involved in, and it was a beautiful campus. So, it seemed like it might make a good fit. I didn't know what the student body make-up would be, from a racial standpoint, but I was prepared to attend Delaware, see how it would work out.

SI: What were your first few days and weeks on campus like, adjusting to this new independence?

Justice Wallace: Well, college life was wonderful. You get to know people from all over the Eastern Seaboard, as well as Delaware, and I was in the Sharp Dorm, where I was given a room. My roommate was also an African-American, Mike Brown. In fact, we roomed together for four years at Delaware. He was also a football player, but I got to know good people from, as I said, white and black, all over the state--very few blacks, by the way, but only because there were less than ten, I would say, in the whole university when I was there. It was an exciting time, only because I was doing something different, new, learning.

One of my first experiences, because, shortly after I arrived, we started football practice, at that time, freshmen did not report earlier for football. Freshmen could not play varsity; you were limited in just playing freshman football. So, the first day of practice, I go out and you go through the drills. When I'm leaving, someone said, "Hi, Johnny." I turned around--it's a football player from Salem High School that I played three sports against. It was nice having a friend at the University that I could relate to and talk to about issues that you don't always know about.

So, that was a great experience to start with, and everything just sort of played out very well at the University, from a football standpoint. His name was Clint Ware. Clint,

unfortunately, passed away in his early fifties, I think, from a Lou Gehrig's type disease, but he was a football coach at Woodstown High School, one of the local schools down here, and was an excellent individual.

SI: What was the split in an average week, during the season, between practice and your obligations to the team, and then, your academics and other activities?

Justice Wallace: Well, I've always found that I did better, better academically, during football season than I did other times, because my time was really structured. You had numerous classes, and I carried a load, I guess, of eighteen credits. So, you'd go to school to three o'clock or so, walk up to the gym, change for football practice, have football practice for a couple of hours, shower, come back, have dinner, and then, you'd study from seven to nine or nine-thirty. So, I was pretty structured in what I did--and when I say "study," you don't always study. I'm in the library, I'm having fun with friends, but I'm out of my room, trying to prepare for what I think is necessary, and I would do that on a consistent basis.

I found that during basketball season, when I did not have anything to do--at that time, there were no weight-training programs the way there are now--so, you pretty much had your time to yourself. However, at that time, you were able to work as a student, and I worked throughout my four-year period in college. When I say "work," it's not a big deal. I think, as freshmen football players, we parked cars for the varsity games. After that, during basketball season, I worked in the stadium and would either sell tickets or be someone somewhere in the stadium as an attendant. So, it wasn't hard work, but it was work that you earned a couple bucks an hour doing. You cannot do that [now]. They've changed the rules since then, and college athletes are no longer able to have jobs and be paid by the institution.

So, it was a busy time, it was a good time. It was socially [different]. I mean, I came from a background that, when I was in [high school], going back to Pitman, I was friendly with everybody, boys, girls. I danced with the ladies, I had great friends with the men. I was President of our Student Council my senior year.

One of the things we did--I don't think it was because I was the President--but we were responsible for buying records for our Friday night dances. We got so that even at lunch hour, if we could find a teacher who had the time, kids would be able to dance in the gym during our lunch period. So, we did some things that I thought were creative and fun at high school. So, I was a pretty good dancer as a result of, I think, having three sisters and not wanting to be left out.

So, I always participated, and then, when we went to college, I did pretty much the same thing. I would [dance] at some of the dances, although it was--it got to be lonely in that, as I said, there were few African-American ladies and, if I wanted to date someone, I normally went off campus.

PART 2 OF 5

Athlete, Scholar, Soldier, Lawyer: From UDel & Harvard to Early Law Career

Justice Wallace continues on his college days at the University of Delaware, where he joined the Alpha Epsilon Pi fraternity as one of its first African-American members. Due to low numbers of African-Americans on campus, he often attended social events at H.B.C.U.s in the region. He participated in Army R.O.T.C., became a member of the Scabbard & Blade honor society and earned his U.S. Army officer's commission upon graduation. He elaborates on his memories of playing football, his studies as a political science major and how he became interested in attending Harvard Law School (1964-1967). After graduating from Harvard, he went to work for Montgomery, McCracken, Walker & Rhoads in Philadelphia, where he worked on the Goldlawr v. Shubert case before being called to active military duty.

Illingworth: We were talking about social life.

Justice Wallace: Yes, that's right.

SI: You were saying you went down to Delaware State sometimes. [Editor's Note: Delaware State University (then Delaware State College during Justice Wallace's era), a Historically Black University, has its main campus in Dover, Delaware.]

Justice Wallace: Yes. We'd go down to Delaware State. Some weekends, we might go to Cheyney [a Historically Black University in Pennsylvania], but one of the troublesome issues was that [of] transportation. We needed to have a car in order to get to these places.

So, my parents were pretty good to me and they allowed me to have the second car, at times, at Delaware. You'd have to try to find a spot to keep it, because freshmen were not supposed to have cars at the school. So, somewhere off campus, I was able to find a place to keep the car for some period of time when I was at Delaware.

So, then, we'd use the car, and we'd get together, my roommate and I, we'd drive down to either Del State or Cheyney. Both of us had acquaintances or friends attending those schools, so that we'd meet up and maybe go to a dance or something there, at those institutions.

SI: Were you in a fraternity at UDel?

Justice Wallace: I was. In fact, I was probably the first African-American to pledge a fraternity at UDel. I pledged Alpha Epsilon Pi. It was a Jewish fraternity at the time and

most students pledged there when they were in their first year. I did not pledge until my sophomore year.

I didn't think I was going to be pledging because most of the fraternities did not accept African-Americans in them at the time, but a number of my Jewish friends asked me to pledge AEPi. I went over and looked at it and decided to pledge, and they accepted me as a pledge. It turned my social life around at Delaware, being a member of Alpha Epsilon Pi.

I have great memories and fond memories of the brothers, as well as the activities that they had. I would invariably bring someone either from Glassboro or friends from outside to date, but it was a wonderful occasion that just made my social life so much more enjoyable, being a member of the fraternity.

SI: I'm curious. I know at Rutgers, at the time, fraternities kind of dominated the social scene. Was it similar [there]?

Justice Wallace: It was similar at UD, yes, that the fraternities had all the parties. Most of the football players were in Theta Chi and you'd hear about some of the great parties. I was happy to join AEPi. They had great parties, too, and it made a difference in college life.

SI: Now, were you aware if anybody else had tried to get into one of the other ...

Justice Wallace: Fraternities?

SI: Yes, and had been blackballed, or was it just an unspoken rule?

Justice Wallace: No, just an unspoken rule.

SI: Okay.

Justice Wallace: In fraternities, you're invited, pretty much, and you go around. I don't recall even going around to the fraternities' open houses to see which one you might want to pledge when I was a first-year student and did not go until I was in my second year.

SI: Now, did they have ROTC?

Justice Wallace: They did. Delaware is a land-grant institution and everyone was required to be a participant in ROTC for your first two years. So, I, along with everyone else, was a participant, and I did well. I moved up, and this was in the early '60s, so, of course, we still had the draft and Vietnam is starting to pick up somewhat. So, I felt that it was a pretty good chance that I'd be drafted when I got out of college.

So, I decided to go into Advanced ROTC the third and fourth year of college, and I did. I was a member of the Scabbard and Blade, which is like an honor society in the military, of ROTC, and I did well. That meant, when I got out of the University of Delaware, I would start as a second lieutenant in the Army.

SI: Would they do field exercises or was it mostly drill and classroom work?

Justice Wallace: Mostly drill, drill and classroom work; in fact, mostly, yes, some drill and classroom, I guess, one or two hours a week. So, it wasn't bad. As I said, I did well. It was an "A" course for me, so, that was always nice. I think your third and fourth year, you start receiving a stipend as if you're in the military. It wasn't a great deal, maybe, like, twenty-something bucks a month, but, still, at that time, you could live on twenty-seven bucks a month.

SI: Now, tell me a little bit about your decision to study poli. sci.

Justice Wallace: Yes.

SI: Academically, what were you interested in?

Justice Wallace: Well, I was never clear on what I wanted to do in life. I realized I wanted to work with people. I always got along well with people. So, I thought that I would study sociology. I started out in sociology and I had sociology courses, did pretty well in them, but there was this one course that I did not want to take. It was sociological theory.

In my second and third year, I had started taking some political science courses that I liked a lot. So, I decided that this sociological theory course was not going to be one on my list of courses I took and switched majors in my fourth year to political science. So, needless to say, in order to get my thirty credits to graduate in a major, I took a lot of political science courses my fourth year, but I always had a load of eighteen credits or so. So, I was able to do that my senior year and graduated in the four years.

SI: [Do] any professors stand out, either as [being] particularly interesting or maybe not so helpful?

Justice Wallace: I thought they were all helpful. I recall Professor [Paul] Dolan, D-O-L-A-N. He was always an interesting teacher and I enjoyed the political science courses that I took with him. I never got close to any of my professors, so that I would see them afterwards or attend functions, but I enjoyed him as a teacher.

SI: Now, you were there from '60 to '64.

Justice Wallace: That's correct.

SI: You mentioned part of the reason you went for Advanced ROTC was the draft. Vietnam is a growing concern. By '64, was it talked about a lot on campus or in your classes?

Justice Wallace: No, not a great deal. That was--I mean, it's still a ways off, as far as [an impact on my life]--and you're talking about what you're doing in school and activities there. So, no, I never talked about military afterwards while I was at Delaware.

SI: When did you make the decision to go to law school?

Justice Wallace: Well, in my last year at Delaware, I had a friend from high school who was attending Harvard Law School. He was a year ahead of me, of course, because he's already in law school, and, somehow, he contacted me about coming to law school. He knew that I had been a leader in high school. I was President, as I mentioned, I was President of the Student Council, and he and I had run together on one of the tickets, I guess. He had run for President and I was running for Vice President. When I was a sophomore, he was a junior. Unfortunately, he did not win, but I did. So, I continued on in the Student Council, but we maintained a friendship.

He said, "If you're thinking about law school, Harvard's a great place to be." So, I'd always thought about law as one of the possible occupations I might ultimately gravitate to. So, I decided to apply to law school. I thought that, even if I didn't practice law, it'd be great to have that kind of a background for whatever I did in life. So, I applied to a number of different law schools, one of which was Harvard.

I had a major decision to make, because, at the same time, I was interviewing for a possible job, because I'm not sure I'm going to go to law school. At that time, Chrysler was a major car manufacturer in Delaware, in Newark, Delaware, and that was one of the places I went for an interview. I actually had a job offer in their labor management department. So, I had a decision, whether to go to law school or to take this job. I ultimately decided, of course, to go to law school.

I was fortunately accepted at most, if not all, of the schools I applied to, one of which was Harvard. So, it was almost impossible to turn down an acceptance at Harvard. I thought that'd be great exposure and experience and something I would love the challenge to do. So, I accepted the [offer]--they accepted me and I accepted them--went on to Harvard.

SI: Before we leave UDel, I wanted to ask a little bit about playing on the football team.

Justice Wallace: Sure.

SI: Any, I guess, games stand out in your memory particularly? I also want to get a sense of what it was like playing at that time.

Justice Wallace: Well, Delaware was always respected as a football power, although the year I started, 1960, was one of our weaker years. We did not do that well. When I was a sophomore, I was fortunate enough, I stayed healthy. Some of the backs that were ahead of me, in preseason, were injured. As a result, I was a starting halfback in my second year at Delaware and, [when] we opened up, we started doing well. We won our first four games.

My roommate was [also a halfback], and this was new for Delaware, because they had two starting African-American halfbacks. I don't think ever before did they have [that]--they probably had one other African-American that had played at Delaware--and this [time], in the 1961 season, Mike was left halfback and I was right halfback as the starting running backs.

At that time, there was a platoon system, so, most universities had two teams, that you'd play half of a quarter, and then, the other team would come in. That was because of the limited substitution rule. I think it ended up you could only substitute on first and fourth downs. Normally, the specialists would come in. Fourth down, the punter would come in, the quarterback would go off. Center might be a specialist; he might come in. So, there was limited substitution, so, you had to play both ways.

Now, I was a high school quarterback. I didn't play defense in high school. So, I had to learn how to play defense as a football player at Delaware. Of course, they had very good teachers. David Nelson was my head coach, Tubby Raymond was my backfield coach, Milo Lude was the line coach, who actually recruited me to go to Delaware.

[Editor's Note: David M. Nelson served as head football coach at the University of Delaware from 1951 to 1965 and was succeeded by his backfield coach Harold R. "Tubby" Raymond, who coached there through the 2001 season. Milo R. "Mike" Lude served as a line coach at Delaware from 1951 to 1961 when he left to become head coach at Colorado State.]

They were outstanding people as well as outstanding coaches. So, I enjoyed the coaching experience. I never had a bad moment. I saw good leaders, those that knew their craft, knew how to teach and knew how to coach, and I was very happy. Plus, they were both around my size, two of them, Coach Nelson and Coach Raymond. So, we looked at each other eye-to-eye.

I had no thoughts that I was not given an opportunity to play and, as I said, I started as a sophomore, ahead of some other people. Some of them had gotten injured, but, once I was in the starting position, I stayed there. As I said, I was lucky that I had no injuries that would sit me on the bench.

SI: What was, like, the big game of the season, usually?

Justice Wallace: Well, I think Bucknell was probably the big game, because it was generally the last game and, from my junior and senior year, it was for, normally, the

conference title. Back up, as far as an experience as a sophomore--in high school, I had been [a multi-purpose player]. I'd punt, I'd kick off, kick extra points, as well as [being] the quarterback. So, I did almost everything in high school.

You're a little bit more specialized when you get to college. However, our placekicker was injured, so, I kicked as a sophomore. I kicked extra points for the first several games, until he was able to come back. So, that was another little experience, a sidelight, that I had as a player at Delaware.

One of the earliest negative experiences I had, as I said, we started out my sophomore year winning the first four games. Then, we're playing Ohio University at Delaware and we're ahead by eight points, I think it is, and they're punting to us. I'm the punt returner. I drop back. I catch the ball. A guy puts his helmet on the ball and I fumble. They recover, go down and score, and it tightens the game up. I think we're now ahead by two points. They go for a two-point conversion. I'm sorry, two points would've tied it, so, whatever the differential is--but I intercepted the pass, so, they didn't score.

So, we're still ahead by several points, by two points. We get the ball. We drive down. We don't do much; we have to punt with less than a minute to go. Unfortunately, they drive down and they end up kicking a forty-eight-yard field goal to beat us by a point. We ended up being 4-4 that season. So, that was on the negative side, but, I mean, I bounced back.

One of the good things, my junior year, in the Bucknell game, we're 6-2, vying for Middle Atlantic Conference, because that was the conference we played in then, as well as they have a Lambert Cup Champion, which is emblematic of the outstanding college football team for that season. We were playing Bucknell, as I said, and it was a tough game. I broke away for a fifty-yard run, which enabled us to kick a field goal to win the game. Other than that, I just had a consistent college football career that was full of fun and lacked injury, which was good.

SI: What would you do during the summers in college?

Justice Wallace: In college, in summer, I played baseball for American--it wasn't American Legion, but it was an American Legion-type team, because we played some American Legion teams--as well as work. One of the jobs I had was, I'd worked for Public Works in Pitman, which meant, at that time, Public Works people picked up the trash, they cut the grass around public places that needed grass-cutting. So, I could be seen riding a mower around town, a tractor-mower, going to different spots to cut grass. That's the kind of thing. In addition, if I didn't do that, I would've been working with my father in the cleaning plant.

SI: Now, you said your sisters had also graduated from college.

Justice Wallace: Yes, yes. My oldest sister went to Hampton. My second sister went to Howard. In fact, back up, my oldest sister was a registered nurse from Hampton. My

second sister, (Sylvia), she was a music teacher, graduate from Howard, and my other sister, Jackie, she went to Ohio State and graduated in social work, and then, on to various activities, one of which was the Peace Corps. [Editor's Note: Hampton University (formerly Institute) in Virginia and Howard University in Washington, DC, are Historically Black Universities.]

SI: Now, I'm wondering, how overt was your parents' encouraging you guys to go to college, or was it just sort of by osmosis?

Justice Wallace: It was sort of known that you'd go to college. My older sister, (Shirley?), she's about nine years older than I am. So, I mean, they had gone to college. So, I was much younger when they started college and I remember their friends coming home with them, at maybe Thanksgiving or Christmas. Those that had lived in, maybe, Texas or afar, a much farther away location, they would not go home. So, they'd go someplace with their friends and, frequently, there would be friends at my house. I always enjoyed their friends, because I was a younger brother, so, they always took care of me. It was just sort of known I was going to go to college.

SI: Now, tell me a little bit about getting settled up at Harvard. You were entering the Fall of '64.

Justice Wallace: The Fall of '64, entered Harvard. It was just a nice experience, because Harvard, now, I'm meeting people from all over the United States and foreign countries, too. It was very challenging.

You have somewhat of an awe for the Harvard Law School experience. I think we have a general meeting of all the first-year law students in the first week, and they tell you what was going to be happening, what the system was. At one time, they would say, "Look to your right, look to your left--one of you will graduate, the other two won't," but it was different. When I got there, things had changed. They made it harder for you to get there and expected that, if you were there, that you should end up as a lawyer after three years.

That was good, but one of the sort of unusual experiences at Harvard, the first year, is that you had three groups that, then, the whole first year class would be [with] one of those three groups. You attended the same courses that were for your group. You didn't have any choice selection. So, you attended whatever basic courses—property, contracts, criminal law and civil procedure--and you had those courses. However, there was only one final exam in May. So, you started in September and you didn't have the final until May.

So, you're a little apprehensive about making sure you remember everything that you were taught from day one. They did have a practice exam in January. So, you got a chance to see the type of questions and see how you might do on it, on the exam, and so, I did okay. I always had confidence I would be successful, and things turned out

that it didn't hurt me, that, I mean, I studied hard the last six weeks before the finals. You really studied, studied and worked hard.

I worked when I was at Harvard. I worked at the Harvard Faculty Club, which was mostly weekends. I might tend bar, serving incident to a party at the Faculty Club. I remember the Kennedys were there at times, and it was fun. Some professors would then hire you to serve at a private party at their house. So, I did that as a first, second and third-year law student.

SI: You mentioned the test not coming until the end [of the term]. That usually stands out in most lawyers' minds, but, also, the Socratic Method that's used in the classes, "stand-and-deliver."

Justice Wallace: Yes. That was also quite intimidating. There were days you were not prepared. You sat on a back seat instead of in your seat, and the professor would have a chart, because I'd say there were like 120 in the class. So, he'd have a chart with your picture, and so, he knew who he was calling on. There were days that if you had a rough weekend or you weren't prepared, you might not be in your seat but in the class, still learning, but hoping that you wouldn't get called on. Sometimes, they'd call on you anyhow, because they would see you in the back, but, yes, the Socratic Method, you'd be called on to participate in class, to answer various questions about a case that you were studying. Some of it was intimidating.

One of my professors, I think for civil procedure, was Charles Alan Wright, who subsequently became counsel to President Nixon at some point. He also was [a top scholar]; he'd write on federal courts. There's a standard book everyone would look at for federal court procedure. [Editor's Note: Constitutional law authority Charles Alan Wright co-authored the fifty-four-volume *Federal Practice and Procedure* and served as part of President Richard Nixon's legal team during the Watergate investigation.]

So, he was a visiting professor from Texas and it was a great experience to have him. He was amazing. He had a photographic memory. He'd come in to teach a course and not have a stitch of paper or anything around. If you made reference to a particular case, he could cite the page and the issue, and he was just fantastic as a professor and he taught well. Not only was he bright and brilliant, he was a very good teacher and got his points across very well.

SI: What about the second year?

Justice Wallace: Yes, second year.

SI: More ability to ...

Justice Wallace: You could now make some selective courses. There are still basic courses. I think evidence was second year. I started some property--no, property was first year--but I had a tax course and a few others you could select in your second and

third-year courses, estate planning, eventually. It was a varied subject matter that you were able to choose; not like it is today. I think you can pretty much make a decision on the type of law you want to be in, and I don't know what, if any, standardized courses you have to take in this day and age.

SI: Did you have a trajectory in mind?

Justice Wallace: I did not, I did not. I still did not know what I wanted to do. I didn't know whether I wanted to practice law or not as I'm entering my third year. I did have a unique opportunity. I lived off-campus and one of my neighbors was going to be the head coach of a local Catholic high school in Newton, and he knew that I had played football at Delaware. So, he asked me to be the offensive coordinator and defensive secondary coach.

So, I had an opportunity, as a third-year law student, to coach at a local high school, which was a lot of fun. It took a lot of time, but I was able to complete my studies as well as participate as a high school football coach.

SI: Was that the first time you had actually coached?

Justice Wallace: That was my first time I actually coached a team, yes. I had assisted--well, no, I was refereeing in basketball. I mentioned I played seventh and eighth grade basketball. The referees were older basketball players from the high school, generally, and I did that when I was a junior and senior. I refereed some of the seventh and eighth grade basketball games. So, I'd gotten used to seeing how basketball was refereed as well as played.

SI: So, did you have time for any other activities at Harvard Law, like *Law Journal*?

Justice Wallace: No, I was not a member of *Law Journal*. I was a middle-of-the-class student. I was in the top fifty percent, but I was not on the *Law Journal*. I did participate in athletic activities that were sponsored by the Law School. We had flag football and a basketball team. In the spring, I don't think there was anything, because it was getting close to the final period. So, you focused more on your Law School studies, but I did not participate in other activities at Harvard, other than the working and the sports aspect of it.

SI: In the summers, did you do any internships or that sort of thing?

Justice Wallace: I did. Between my second and third year, I clerked in the New Jersey Attorney General's Office. I had an uncle, Horace Bryant, who was ultimately Commissioner of Banking and Insurance and worked for the state. I applied to the State of New Jersey for a position and was able to work in the Attorney General's Office for that summer. The prior summers, now that I'm over twenty-one, I worked in my father's taproom bar in the evening hours and had another job during the daytime.
[Editor's Note: Horace J. Bryant, Jr., (1909-1983) served as Commissioner of Banking

and Insurance from 1969 to 1970 in the Administration of Governor Richard J. Hughes, becoming the first African-American to attain a cabinet position in New Jersey.]

SI: Do any experiences from that internship at the Attorney General's Office stand out?

Justice Wallace: Not really, other than meeting a lot of good, young attorneys from other law schools and just struggling to try to do your job, not sure because, now, you're doing what an attorney does, making sure that what you did was good and acceptable for the attorney you were working with. Most of it was [focused on] an administrative agency that the attorney was responsible for, the issues that came up for that agency, you would do research for and, perhaps, write a brief of some sort responding to those issues.

SI: Now, had you made arrangements with the Army to do your active duty afterwards or were there any issues related to that?

Justice Wallace: There were--I was lucky. Some people were drafted or told to report right away. I had indicated that I wanted to go law school and they allowed me to defer my active military duty until after I graduated from law school. I think being a member of Scabbard and Blade, the honor society, may have helped; I don't know. I'm just surmising, because others were not as fortunate as I was.

Although, my good friend, Bob Francis, who, in fact, a short digression, we attended school from kindergarten through the University of Delaware together, and then, he went on to Rutgers Law School in Camden and I went to Harvard, but he was also deferred. So, we were able to do our law school opportunity and studies before we went into the military. I was given, I guess, about six months after graduation before I had to go into the Army.

You're probably going to ask me about employment, but, from a chronological sequence, near the end of your third year, you start interviewing with law firms, and I interviewed mostly Newark, New Jersey and Philadelphia. I had an offer from one of the major law firms in Newark and another offer from Montgomery, McCracken, Walker & Rhoads in Philadelphia. I wanted to stay down in the South Jersey/Pennsylvania area, so, I accepted the Montgomery McCracken offer, and it was a good experience for me. Things worked out well. I took the Pennsylvania Bar--not the New Jersey at that time--in 1967.

As I started work for Montgomery McCracken, I am assigned to a case that's been in the law firm for about eight or nine years. Several different appeals went up, but it hadn't been tried yet. It was an antitrust case and I'm assigned to this. I'm, like, the third person down in the hierarchy on the case, so, I'm doing a lot of the grunt work as far as getting evidence ready, together for the trial. So, I start in July and the trial starts in September [*Goldlawr v. Shubert*, 290 F. Supp. 482 (E.D. Pa. 1968)]. So, for a two-month period, I was working in the antitrust [field] dealing with the legitimate

theater, which is movie theaters--ah, not movies, legitimate theater, acting theaters--both [in] Philadelphia and New York.

William P. Goldman, who also had a theater in Philadelphia, alleged that the Shubert Theaters had an antitrust violation. They required these plays to play the Shubert Theaters in the outlying cities of Chicago, Philadelphia and others, to play the Shubert Theaters in order to get into the Shubert Theaters in New York. Now, Shubert had great theater locations and big, known theaters in New York. They had the [Sam S.] Shubert Theatre in Philadelphia [now the Merriam Theater] and the Walnut Street Theatre. So, William P. Goldman brings this action, saying that he didn't get shows in his theater in Philadelphia because the Shuberts required those plays to play in the Walnut and in the Shubert Theater.

So, I got a chance to visit--and I knew nothing about the legitimate theater industry--but I got a chance to meet a lot of the people, local people in that industry, visited New York, met with counsel there and did a lot of different things. Then, in September, I was able to sit in federal court during the trial that took place in September and October and mid part of November. So, it was a very long trial. I got exposed to a lot of different things.

While there, I received the notice that I had passed the bar exam. So, I was admitted probably in federal court before I was in the state court, because I was going to court every day. I think Judge Kraft was the judge and I was able to be sworn in there. [Editor's Note: The Honorable Charles W. Kraft, Jr., (1903-2002) served on the United States District Court for the Eastern District of Pennsylvania from 1956 to 1970.]

SI: What happened with the case?

Justice Wallace: We won most of it, but lost a portion that went up on appeal. This is after I've left, because, on the 1st of January, I had to report for military duty, but I learned later that we lost, and then, they ultimately settled.

SI: This in-court experience, did you find that it really encouraged you in that direction in the law?

Justice Wallace: It encouraged me that I liked being a lawyer. I like trying to find out solutions for other people and to represent them, to try to do the best I could for the individuals. One of the nice things about being with Montgomery McCracken, I did some corporate work. In the meantime, I did some estate work, and I got a nice little sampling, which is what I wanted, to see where I wanted to be ultimately.

I was never sure where I wanted to ultimately be, because after that six-month window, I went into the military, but the experience at Montgomery McCracken was a wonderful challenge for me. Again, I was the only African-American in the law firm at the time. I was hoping that it would grow, but it didn't, as far as the numbers of minorities while I was there. Then, I left for the military in January of 1968.

SI: I forgot to ask--when you were at Harvard Law, were you also one of only a few African-Americans?

Justice Wallace: Yes. I think there were about fifteen minorities then--but this is a large number for me, the first time I've been exposed to fifteen--and that's probably fifteen out of about five hundred in the first year class. There were probably about twenty women out of the five hundred. So, things were still tough for minorities, as well as for women, back in the mid-'60s.

PART 3 OF 5

From Cammies to Judge's Robes: Military Service, Legal Practice & The Bench

Justice Wallace chronicles his military service (1968-1970) at Oakland Army Base as a US Transportation Corps officer, first in the Office of Plans, then, in Special Services. He recounts how he met his wife, Barbara, and courted her through high school and college before they married in law school. Following his tour of duty, he relocated his family to South Jersey and returned to Montgomery McCracken. He soon joined the staff of the Penn Central Transportation Co. Trustees (1970-1976), which oversaw the railroad's bankruptcy reorganization into Conrail, during which he appeared before the U.S. Supreme Court in the Baker v. Gold Seal Liquors, Inc. case. In 1976, Justice Wallace co-founded the Atkinson, Myers, Archie & Wallace firm. He also discusses the beginning of his judicial career as a municipal court judge in Washington Township in 1973.

Illingworth: So, you got there [Oakland, California] in March of '68. That was just prior to Dr. King's assassination.

Justice Wallace: That's correct.

SI: What was it like being out there at that time?

Justice Wallace: It was a little scary. If you recall from history, the Black Panther Movement was beginning in Oakland, California, out there. In fact, I think it took us about six weeks before we had officers' quarters on the base. We rented an apartment in Oakland and near Black Panther activity. We were acquaintances with some of the individuals. We had no problems, but I would read about things. The Office of Plans, [I was working] in the Office of Plans; they would get news reports and clippings that [are] special for the Army about various activities that were going on. So, that I knew about the Black Panther Party. [Editor's Note: The Black Panther Party was founded in Oakland in October 1966.]

Then, unfortunately, April 4th, I'm there maybe a month and Dr. King is assassinated. That was quite tragic and everyone was upset, but you still continue to go on and do your duty as an officer--and then, Robert Kennedy, shortly thereafter. It was just a bad year. [Editor's Note: On April 4, 1968, Civil Rights leader Dr. Martin Luther King, Jr., was assassinated by James Earl Ray as he stood on a hotel balcony in Memphis, Tennessee. On June 5, 1968, Senator Robert F. Kennedy, campaigning for the Democratic nomination for President and having just won the California primary, was assassinated by Sirhan Sirhan in a hotel kitchen in Los Angeles, California.]

SI: When you were in plans, what was the daily [routine]? What was a typical day like for you?

Justice Wallace: Well, I mean, you go into the office. You get various reports of activities that were going on. You're always working on a five-year plan--of projection, of things that would be going on, what you would be doing--and it was different. We had a terminal there. Oakland was a port where a lot of supplies--both military people as well as supplies--were coming in and out. It was a staging point for individuals going to Vietnam. So, we had them coming and going to Vietnam all the time, marching around the base.

The administrative office, you had your special duty time for the weekends, on a rotation basis, but the Office of Plans was a different aspect for me. I didn't do legal work, even though I was a law school graduate; didn't have [duties] in that respect. I did not go into the Judge Advocate [General] Corps, because that would've meant four years [of active duty obligation] if you did that. So, I was assigned to Transportation [Corps] at Oakland Army Base, of course, it is a Transportation base. So, that's the various assignments.

Believe it or not, I was limited in what I could do. During my basic orientation, they discovered that I had a major defect in my spine, which limited some of the things that I could do physically--could still play sports, do things, but I had what they call a "profile." So, I was limited in what I could do. Maybe that's one of the reasons I wasn't sent to Vietnam, because of that profile limitation, but, in any event, physically, I was limited to some of the things that I could do in the Army.

SI: Did that lead to the Special Services [assignment]? [Editor's Note: The US Army's Special Services organized recreation and entertainment activities for servicemen.]

Justice Wallace: Well, no; I'm not sure what led to the Special Services. It was out of my control, but my commander, of the base, I guess the Special Service officer left and he knew that I was involved--I was still involved--in sports. I played on the basketball team, we had a flag football team--so, I was involved with sports activity. So, I guess he thought it might be a natural thing for me to have that assignment. So, I was assigned to the Special Services office.

SI: Do you know if the base was, like, a center for antiwar protests?

Justice Wallace: It was not.

SI: Okay.

Justice Wallace: It was not. Protests were not [held locally], and a lot of things [were] going on in San Francisco; Oakland, not so much, although Berkeley was on one side, San Francisco was on another, but Oakland was pretty calm. It may have gotten more volatile later, but I was there to the end of '69 and that period was not big. Now, it was different in San Francisco. There was a lot of peace movements, a lot of hippies, and it was just a town that a lot of activity was going on. It was interesting to me.

One of the sidelights of me being assigned to Oakland, California, unbeknownst to me, my college roommate, Mike Brown, had gone to school in California. Here, he's living in San Francisco now. My best friend from law school, Bob Payson, he lived in Los Angeles. So, I had a good friend in Los Angeles, best friend in college in San Francisco.

So, we did a lot of things on the West Coast with those friends during the course of my two-year period there. It made it a lot easier for me being on the West Coast and, as I said, we had a lot of family that would come out to visit. It was an opportunity [for them], a place for them to stay as well as to have their own personal tour guide of the San Francisco Bay Area.

SI: You said your wife was there. You had your first child there.

Justice Wallace: Yes, my wife was there. No, my children--I had a boy and a girl then--my first child was born when I was in law school and my second was born my third year of law school. So, I had two young children on the Army base, but they had activities for the kids. Right outside of our apartment was a play area. So, everything was sort of ideal for our location.

One of the nice things about the Army, at that time, Travis Air Force Base was not that far away. You could go up, wait for a military transport and actually fly to Hawaii, for relatively nothing. We did that at least on one occasion, had a great experience, stayed at the Army base, Army bachelors' quarters in Hawaii, got a chance to view the USS *Arizona* [Memorial at Pearl Harbor] and a lot of things that are there. I found out, through my course of being in the military, that the US Army has some of the most valuable land in the United States, both in the San Francisco Bay Area--Presidio was just a wonderful area, Treasure Island [belonging to] the Navy and others--and then, of course, in Honolulu, right there, they own property right there on the oceanfront. The officers' quarters, you could hear the water outside.

On another occasion, we booked and stayed at an area right on the oceanfront. They had these little huts that would be one room, but they'd have a kitchen facility and bunkbeds. The ocean would be lapping at the front door in the morning, depending upon how far it came in, and it was so quiet that we could only stay there a couple days. Then, we went to another location, but there are some wonderful properties that the US Army owned and you were able to go to it at various times.

SI: Now, to step back, when did you meet your wife?

Justice Wallace: I met my wife, I guess, when I was in eighth grade. I mentioned that my mother was born in Atlantic City. Her family was living there. I had a number of relatives in Atlantic City and we would visit Atlantic City, from when I was a child, all the time. I guess when I was in eighth grade, during the summer, I had gotten to have good friends from in Atlantic City, around my age or a year younger. We were on the beach one day and my friend said, "Hey, I want you to meet a friend of mine." I go over and I

get introduced to my future wife's family. They were all there at the same time, and my wife is one of seven children in the family.

I meet the entire family at the same time and he introduces me to Barbara first, and I said, "Hmm, she's kind of cute." I'm in eighth grade, just meeting her. We then leave and go back to what we were doing, but my friend was actually dating a young lady and his mother was going to take him and his lady friend to a lake the next day. So, he invited me, and so, I said, "Well, maybe I'll ask Barbara." I didn't have anybody that I was close to, knew anybody. So, his mother called Barbara's mother and Barbara's mother knew my Aunt Lillian Bryant very well, and Barbara said yes.

So, we went on our first date the day after I met her. We went to this lake, I think it was Lake Absegami, not far from Atlantic City. There was a diving platform about thirty yards out. So, we swim out to the diving platform and there was, about this height, three or four feet off the ground, a diving board, and then, there was another one about where the ceiling is, up there, about fifteen feet. So, I was a fairly decent swimmer, but I didn't dive. I wasn't a diver. So, I jump off the high board but Barbara gets up and she does a swan dive off the high, high board. [laughter] It was quite impressive, and I've been impressed with her ever since.

That was our meeting, and then, I'd see her off and on during the course of visiting Atlantic City, never really went steady, but just were good friends. I'd invite her if we had a dance at Pitman. We had a sophomore hop. I invited her up and her parents let her come up. She stayed at my house, and took her to my proms, and, vice versa, I went to one of her proms, several dances in Atlantic City, but, yet, we're still dating other people. Then, it got serious near the end of my college days and ended up getting married and going to law school.

We now have five children. We started out with just two, and then, a hiatus of about seven years, and then, we had our middle child, Kimberly. Our first one was John, then Andrea, Kimberly came along about seven years after Andrea, and then, we had twins two years later, Michael and Michele. So, that rounded out the five children that we have.

Barbara's been very instrumental in my life, very active, always. I was impressed with her early on. She did a lot of things as a high school student as far as leadership things in Atlantic City, and so, when we got married, sometimes, she wouldn't even talk to me about them. Like, she became president of the PTA and I find out about it from somebody else. She's always involved with our children, and then, she was asked to be on the School Board, did that. Later on in life, I mean, she was very active in various charitable [organizations], Girl Scouts, now Special Olympics.

When our youngest daughter--I guess our oldest daughter, Andrea--when she decided to go to dance school and do gymnastics, my wife decided to learn all about gymnastics and then became a gymnastics judge. So, she's been doing that for probably forty years now. So, when Barbara gets involved, she does it and makes it her cause.

SI: So, you left Oakland in '70 and came back.

Justice Wallace: Yes, came back. We were looking for a home. Barbara came back a little earlier than I did and she started looking. We looked in the Pennsylvania suburbs and New Jersey, South Jersey area, and found some--ran into some discrimination as far as the housing part of it. We knew some friends who lived in Wedgwood in New Jersey, of Washington Township, Wedgwood Section. We looked around, and we were very lucky in that there was a house that came on the market just when we started looking.

A real quick story about the house--the realtor who was trying to sell it, apparently, had an affair with the homeowner's wife, and that's why they were selling, because they were separating. So, the realtor, he was showing us another home, but, then, he said, "Hey, this one just came available," and he knew it came available because he was with the wife, so-to-speak. So, we grabbed at that opportunity.

We were very lucky in that I had saved money from the Army, as well as we were able to assume the mortgage, meaning we could take up where someone else had started it. At that time, five percent was good. Now, it's high--tell you how much things have changed--but we were able to assume the mortgage and it worked well. We bought, it was actually a five-bedroom bi-level with a nice backyard. We've always been fortunate [in] having a backyard for sports activities, and one of the first things we did, we put a basketball stand in the front. It was a good place to call home.

SI: Was it a diverse neighborhood?

Justice Wallace: It was diverse in that we made it diverse.

SI: Okay.

Justice Wallace: There were several other families throughout the development, and it became more diverse as the years went by, but, when we first moved in, we may have been the only African-American family on that street. It changed as the years went by and it was a developing, newly developed [neighborhood]. I guess the people who had had our home had only been in there for a year.

SI: Now, when you said you ran into problems looking around, was it just that there were areas that you knew that wouldn't be [open to African-Americans], don't even bother?

Justice Wallace: Well, it was more my wife. So, I can't speak directly, other than she felt that they wouldn't sell to her because she was an African-American, and then, she'd just report that to me, because I was still in Oakland when this was going on. When I returned, we stopped looking in the Philadelphia suburbs and we were looking in New Jersey and did not have that problem where we looked.

SI: Were you able to go back to the law firm in Philadelphia?

Justice Wallace: Yes. I returned to Montgomery McCracken in January of 1968.

SI: Or 1970?

Justice Wallace: Sorry, 1970, January 1970, stayed there only six months. An opportunity developed--this was the time that the Penn Central Transportation Railroad was going into reorganization. The counsel for the railroad, the Trustee staff, Robert Blanchette, was forming his staff of attorneys, and I was given an opportunity to work with his staff and left Montgomery McCracken to go with the counsel at the Penn Central Transportation's staff and did so.

[Editor's Note: In 1968, the Pennsylvania Railroad and the New York Central Railroad completed a decade-long merger process to form a corporation eventually known as the Penn Central Transportation Company, one of the largest corporations in the US. Penn Central quickly faced financial trouble and went into bankruptcy in June 1970.

Thereafter, the company was managed by a board of court-appointed trustees. After the adoption of the Regional Rail Reorganization Act of 1973, 45 U.S.C.A. §§ 701 to 797m, the trustees largely oversaw the sale and incorporation of Penn Central's assets into the government-owned Consolidated Rail Corporation (Conrail), created in 1976.]

I stayed there about six years, until 1976, and, at that time, a couple friends of mine and I decided to form our own law firm. We formed the firm of Atkinson, Myers, Archie & Wallace. I was the tail-end of it.

SI: Tell me a little bit about the job with the Railroad Trustees. What did that entail? What was your [specialty]?

Justice Wallace: Well, at that time, unbeknownst to me, Penn Central Transportation Company was a major corporation that owned land throughout the United States, mostly in New York City, some very valuable land, Madison Square Garden being part of it. They had many legal problems because they were in reorganization. No one ever thought that the Penn Central Transportation Company was going to be in reorganization, and it was a real reorganization.

So, it was a different type of reorganization. It meant learning different laws. I was in charge of our proof-of-claim program, where people from all over the country would file claims against the railroad, alleging the railroad owed them money for different things. You had various assignments that you had to do. Everything had to be approved by the judge [The Honorable John P. Fullam] overseeing the reorganization in federal court. So, it meant having to be prepared.

Bob Blanchette was an outstanding attorney. He had gone to Yale. He had several of his Yale friends that were also on the staff, and it was an interesting experience. I think I was the one Harvard guy, so, we had our little back and forth between Harvard and Yale, but it was a good time and did a lot of different things.

Because, [as] I said, I was involved with the claims, one of the issues that developed was set-offs. Some people, realizing that the railroad owed them money, wouldn't pay the bills for their railroad [services] that were developing during the reorganization, and the code really prohibited that "self-help" set-off conduct. However, a particular matter with--I think it was Gold Seal Liquors--had done a set-off type thing and it had gone up and had been approved through the circuit court. So, we got our first opportunity to petition the Supreme Court of the United States, and they granted certification.

So, we had a case that went to the Supreme Court. It was a neat experience. Unfortunately, I was still junior on the file. One of the senior attorneys from the Penn Central Transportation staff [Paul R. Duke] handled the argument, but it gave me an opportunity to go and appear at the Supreme Court and sit at the table, see how they question, and so on. We were successful on the appeal. They reversed the circuit court and we received a successful verdict. I think Justice Douglas wrote the opinion.

SI: Do you remember approximately what year that was?

Justice Wallace: I think it was 1975, *Gold Seal Liquors v. Penn Central Transportation Company*. [Editor's Note: The case was *Baker v. Gold Seal Liquors, Inc.*, 417 U.S. 467, 94 S. Ct. 2504, 41 L. Ed. 2d 243 (1974), decided on June 17, 1974, with the opinion written by Associate Justice William O. Douglas.]

SI: So, '76 was when you decided to, with your colleagues ...

Justice Wallace: Yes, we decided [then to form a firm]. One of the attorneys, Nolan Atkinson, and I had studied for the Pennsylvania Bar together back in '67, and we'd maintained our friendship. His small, three-attorney firm had broken up and he and Jack Myers decided to form another law firm. So, Bob Archie, who had been with Morgan Lewis [the Morgan, Lewis & Bockius firm], and myself, who had been with the Penn Central staff at that time, we got together, talked about it and decided to form our own firm, and we did so.

SI: Where was the firm based?

Justice Wallace: It was first in Philadelphia, basically. Let me backtrack a little bit--as I said, in 1970, I moved to New Jersey. Because I resided in New Jersey, after a couple years, I thought that I should become a member of the bar in New Jersey. So, in 1972, I took the New Jersey Bar and passed. Because of some of my activities in the Town of Washington Township, one of them being the Jaycees [US Junior Chamber]--at that time, was a viable organization for young men in the town, we had different activities--so, I got to know a lot of the people in the town, some of the movers and shakers.

In December of 1972, I was asked to become the municipal court judge in Washington Township. Now, although I didn't tout my party affiliation, I was a registered Democrat, but the Republicans were in charge at the time. They nominated me as the municipal court judge, which was unusual, that they would appoint someone of an opposite party, but these were individuals that were looking to do the best thing for the town as opposed to whatever the party might think is better.

So, I was appointed as municipal court judge of Washington Township in 1973. That's a three-year term. I did that for three terms. I guess I was appointed by, reappointed by, a Democratic administration and, at some point, there was a Democratic administration and I was not reappointed. I think that was in '80, '80 or '81, but it was a wonderful experience. I got to meet attorneys from all over the Tri-State and the local, southern counties. If you're an attorney, you do a lot of municipal court work, generally, in New Jersey, at least in the southern part.

So, I got to know a lot of attorneys. I was a fair-minded judge, and they knew they were going to get a good shake if they came into the court where I was sitting as a result. One of the things, at that time, the Municipal Court Association would meet with the Superior Court judges on a regular basis. So, I got to know the local judges as well as the municipal court judges, local Superior Court judges and municipal court judges. It was good in that I knew most of the players, so-to-speak, and the attorneys, some of whom were very active before me, I would see.

Then, this is going back to the practice, of where the offices were--now that I'm an attorney in New Jersey, I cannot do any criminal work because of the municipal court practice. I can do civil work, because that does not [conflict]. Municipal courts don't do civil matters, generally, so, that's not a conflict. So, I had a New Jersey office that I had out of my home. I mentioned--if I didn't mention it, I had a bi-level home--and one bedroom was downstairs that I used for an office, and it made it easy, the way it was configured. So, I had a New Jersey practice for [that]; it was a general practice.

I did everything in the civil side and, in the Pennsylvania office, it was another general practice, but I did a fair amount of work with Conrail, because I had come from the railroad industry. Conrail had been established by that time, which was a government railroad that would take over for a lot of the Penn Central Transportation's responsibilities. So, there were a lot of FELA [Federal Employers Liability Act] claims, negligence claims for injured employees, and there was so much work that they would give outside counsel work to do.

So, I did a lot of their work in New Jersey, in the southern part as well as Pennsylvania. Noah Atkinson did the primary portion in Pennsylvania; I would do New Jersey. So, between the two areas, we got to know and meet different people and different corporations, and it enabled our practice to grow.

PART 4 OF 5

A Judge for All Seasons: Rising Through the Ranks of the New Jersey Judiciary

*Justice Wallace served three terms as a municipal court judge. In 1984, he was elevated to the Superior Court, becoming, along with Judge Elliott G. Heard, Jr., of Woodbury, the first African-American judges in Gloucester County. He began his tenure in the Family Court in Woodbury, then, served in Camden County in the Family Part for several years. Returning to Gloucester County, he served in the Civil, then, the Criminal Division before joining the Appellate Division (1992-2003). Regarding each assignment, he describes the court's work and some cases, including *Trantino v. N.J. State Parole Bd.* and *State v. Gookins*. He also recalls his studies at the National Judicial College in Reno, Nevada, and his service on various judicial committees, such as the Task Force for Minority Concerns and committees devoted to the Americans with Disabilities Act, matrimonial litigation and the National Bar Exam.*

llingworth: So, you became municipal judge in Washington Township in 1972--correct?

Justice Wallace: Well, I was probably nominated in '72, but I started January 1st of 1973, the New Year. The annual reorganization normally is the first of the year. So, in January of 1973, I became a municipal court judge in Washington Township.

SI: Now, how often are you serving on the bench when you're a municipal court judge?

Justice Wallace: [When] we started, it would be every Monday evening and Thursday afternoon. It developed that, sometimes, we would have to have a few more sessions.

There would be--because of where Washington Township is located, at some point, the police had special DWI patrols--and so, our motor vehicle tickets increased for that activity. Those trials can be longer; the activity during the course of a trial for drunk driving charges can take some time. That time was a time also where the statute was the difference between an "A" and "B" violation, "A" being more serious, "B" being less serious. So, there were different mechanisms where you could maybe downgrade an offense. The attorneys would discuss it, then, while it might be close to an "A," it might be downgraded to a "B," so that that would take up more time.

Every type of lower crime that was in the town, whether it was shoplifting, whether it was a neighbor dispute, all these came before the municipal court. So, I was exposed to a lot of different activities that were going on in the town.

SI: Now, when you take a position like that, do you get any kind of training or are you required to go for continuing education?

Justice Wallace: Well, you're required to go for continuing education. I really didn't get any training. It was sort of on-the-job training. I think I may have gone in and sat in on a prior session. You may have known, from your own experience, if you had municipal court [experience], you knew how some judges acted. You pick and choose as to who you wanted to emulate and how you compose yourself on the bench.

SI: Well, for you, what was your solution to that? Who did you want to emulate, or did you come across [a role model]?

Justice Wallace: Well, I don't think there was any one person, going into municipal court, to emulate, but I was pretty much myself. I was always very calm and considerate of others, never rude, try to give the person the benefit of the doubt. I would ask you to do something, rather than tell you to do something, in the courtroom--and, when you wear a robe, people generally listen. [laughter] They generally listen. I never had a problem with someone not doing something that I asked them to do. So, my courtroom was run very fairly and without any rancor of any kind.

SI: Was it difficult to juggle this responsibility with your law firm?

Justice Wallace: I did not find it [so]. I found decision making very easy. There were some tough cases, but I found that making the decision was easy, and I was one that I made the decision and moved on to the next case. I realized I wasn't going to be right [in] a hundred percent of the cases, and that's why they have appeals. You learn this more as you go through and you become more experienced. You get a little defensive when you're [facing] maybe your first or second appeal, but, then, you realize that someone just feels that you didn't treat them fairly and there are legal issues that someone else needs to look at.

That, I learned more as a Superior Court judge, later on, than as a municipal court [judge], because I rarely knew if there was an appeal. Most times, there is not an appeal, because they're motor vehicle offenses and the cost to appeal is more than maybe the fine was, at that time. Fines were in the twenty-five, thirty-dollar range, more for drunk driving, but, generally, if you didn't have your license with you, it was maybe ten, twenty dollars. Now, the fines are much more significant, but there are different defenses, and most people did not appeal.

SI: What's interesting, this was, at least from my own sense of it, ten years before there were a lot of public information campaigns about drunk driving and that sort of thing.

Justice Wallace: Yes, yes.

SI: So, were they handled differently, or was this part of the effort to curb this problem?

Justice Wallace: Well, it was part of the effort to curb the problem, but breathalyzer machines were in existence then. While they're relatively new, you still had the process

of certifying the machine and making sure that it was operating properly. So, that was the process and that evidence coming in was important, and you need it for a conviction, but it was the defense and, first of all, the apprehension.

Trying to prohibit drunk driving was becoming more and more of a responsibility of the police force at that time. So, once they made the stop and they found someone reasonably [intoxicated], looked like they were under the influence, and they had the breathalyzer test, the breathalyzer would show, confirm that or not. Then, they'd be issued a summons.

SI: Now, aside from the criminal work, was there any other aspect to presiding over the court then?

Justice Wallace: There were neighborhood disputes. They weren't really criminal, but when your dog is always barking, there's a fence issue, a tree has fallen on someone's yard, and there's an argument. There may be assault-type issues. They were the minor [ones]. If it was serious and physical assault that was with injury, that would probably come to me, then, go to the county for indictment and processed through the county facility, or state, at that time.

There were a lot of interesting cases and some of the neighborhood people just can't get along, you found out in life. I was always very happy that the neighbors I had, they were good throughout my life.

SI: On that level--again, I'm speaking as an amateur regarding the law--but how much discretion do you have in terms of saying, "Well, there's these mitigating factors?"

Justice Wallace: I had a lot. I had a lot of discretion. In most cases, with a neighbor dispute, I would try to resolve it in a fair way, that did not really mean fines, but trying to get the people to learn how to get along with one another. Occasionally, you couldn't do that--you had to find someone guilty of whatever the offense might be--but I had a lot of flexibility in those cases. I think, in this day and age, they may have settlement committees that try to resolve that type of case. Unfortunately, I did not have that when I was sitting and heard them from the bench.

SI: In the criminal cases, were you able to look at things, like, say somebody was shoplifting, "Well, they come from a home where maybe that's a part of acting out?" Would you consider those kinds of things?

Justice Wallace: I would consider those types of things in the sentence aspect of it, but not insofar as [the trial]; if the proofs were such, I'd find them guilty. If there was some reasonable doubt, I'd find them not guilty, but, most of the time, there was a guilty plea. When you had to try it, as I said, if there was reasonable doubt, I would enter a finding of not guilty. If not, if it's beyond a reasonable doubt, then, I would enter a guilty finding, and then, listen to any mitigating factors when I impose sentence.

SI: So, you said you served three three-year terms.

Justice Wallace: Yes.

SI: Then, in 1984, I believe, you were ...

Justice Wallace: Yes, in 1984, I was appointed to the Superior Court in New Jersey. I was practicing law with my law firm at the time, and I got a telephone call from Marty Herman, who was an Assemblyman at the time. He asked me if I wanted to be considered as a Superior Court judge and I said, "Gee, Marty, I'm thrilled, but I'm not sure it's the right time for me. I have five children, all of them..." my oldest was near college-starting age. So, college tuition is a factor, and I knew that money would be a factor. So, I said, "I'm not sure it's the right time for me."

So, Marty said, "I think you're the right person, but you can't always pick and choose when you want to do things." [laughter] He said, "When you're ready, maybe the system won't be ready for you." So, I said, "Well, give me a couple of days to think about it." So, I went home and I talked about it with my wife and we decided to go ahead and consider it. I called Marty back and told him, "Yes, I'd be happy to be considered." So, I then went through the process of being considered for a Superior Court judge [appointment] and, as it turned out, it worked out.

[Editor's Note: The Honorable Martin A. Herman represented the Third Legislative District in the New Jersey General Assembly from 1974 to 1986 and, later, served on the Superior Court bench in Gloucester County.]

SI: Now, was that just after the reorganization?

Justice Wallace: Nothing to do with municipal court. When you say "reorganization" ...

SI: Where the ...

Justice Wallace: Where the county courts ...

SI: Yes, the county courts. [Editor's Note: The County Court and Superior Court systems were merged after a successful ballot measure passed approving the amendment in the 1978 election, with the merger being enacted that December.]

Justice Wallace: Yes, it was. The Family Part judges were just coming in to being [in 1984] and there was a reorganization where all the judges were now going to be Superior Court judges. So, yes, it was right around that time. So, when I was nominated, you were nominated for a Superior Court judgeship, not for a county or state judge. They were all state judges at that time. The only distinction was whether or not you started in Family Court. They added more judges in the system because of the Family Court system, the Family Court law that had been imposed that established the Family Courts.

SI: So, tell me about getting sworn in and finishing the process of becoming a Superior Court judge.

Justice Wallace: Well, it just so happened that Elliott Heard, an African-American attorney in Woodbury, also was being considered for a Superior Court judgeship. It turned out that they added sufficient judgeships for this area that both Elliott Heard and myself could be appointed, and we became the first African-American judges in this county. We were sworn in the same day, May 31st of 1984, and operated thereafter. [Editor's Note: The Honorable Elliott G. Heard, Jr., served on the Superior Court from 1984 until his death in 1991.]

I was assigned to the Family Part. Let me back up--Judge DeSimone was the Assignment Judge and he assigned me to Family. I sat here in Woodbury for about three months. Then, because we--"we" being Gloucester County--had a couple extra judge positions, Camden was short of judges for some reason and Atlantic County was short, so, it turned out that Judge DeSimone asked me if I would sit in Camden for a period of time to help them out. So, I said I would. I don't know whether I had a choice or not, but, in September, I went to serve in Family Part in Camden, New Jersey. [Editor's Note: The Honorable Samuel G. DeSimone served on the Superior Court from 1975 until his retirement in 2000.]

At that time, Judge Page was the Presiding Judge and one of the well-known, outstanding Family Part judges. So, I was able to work with him. I learned a lot about family law and it was a good experience, and I got to know all the judges there in Camden County, as well as the attorneys. [Editor's Note: The Honorable Robert W. Page served as a Superior Court Judge in Camden County for over thirty years in the New Jersey Family Division.]

It exposed me to a lot of different people that I had not interacted with before, and the commute was not bad. I lived right off of [Route] 42 in Washington Township, so, I drove right into Camden. So, the commute was just a little bit longer than Woodbury. So, it wasn't bad from that standpoint and it got me exposed to a lot of different things.

One of the nice things was, the Assignment Judge in Camden said that if I came to Camden, I would be able to attend the general course for judges in Reno, Nevada. That was a period of time when the local counties, in their budget, they provided for sums for judges for educational purposes. So, part of it was, I was able to get my own law clerk as well as to, that following spring, attend the general course for judges in Reno, Nevada, at the [National] Judicial College out there. So, I was exposed and learned a lot of things. It got me back near the West Coast, and I would deviate and go visit my friends in California, then, come back. So, I was very fortunate in that respect.

SI: How do you think that affected your presiding over your court afterwards, what you learned in Reno?

Justice Wallace: Well, I think it all helps. It teaches you, as well as other things that you're experiencing, that you want to have a level head when you're making decisions. If things get a little hot and heavy, you learn to take a recess. Most people listen to the person in charge, being the judge. I had a gavel and I don't think I ever used it. The court attendant would announce your coming in. You come in, you sit down, you go through your procedure, make your decisions. You hear the litigants and the attorneys before you.

I liked the interchange with the [people], hearing the attorneys, their arguments, the jury trials that subsequently developed when I moved to Civil, and then, to Criminal Divisions. It was just a good experience. It made me learn the law more in-depth in the areas that I was assigned to and just gave me an opportunity to do things that kept you fresh and vibrant and anxious to get into court.

SI: Well, tell me about--again, without revealing names or anything--but a typical experience on a case in Family Court.

Justice Wallace: Well, one of the drawbacks of Family Court is that you get to learn that all people are not good. I always approached people [similarly]--give them the benefit of the doubt, thinking they're doing the same things that I'm doing and are basically honest--but, when you hear some of the abuse issues in Family Court, that people do not treat their children the way you may have been treated yourself, they abuse children. Some of the really abusive things you would hear would be shocking--and, yet, you had to keep your composure and listen to all the evidence, and then, make your ruling. I mean, there were difficult decisions you had to make.

I recall one case where I had terminated the defendant's rights to a child because of his abuse of the child--actually, children. One of the children subsequently died. So, two years later, he petitioned if he could go to the funeral. I heard his argument, initially thought that he should be able to see the child in an isolated location; went back in, thought about it, and then, said, "Well, he has no rights." I couldn't do that in opposition to the new custodial parents that were opposing it. So, I rendered my decision and made a tough one, call, to say that he couldn't attend, but there, I mean, these are the sort of gut-wrenching, some of the gut-wrenching, decisions you had to make because of the conduct of individuals throughout the county.

SI: In reading through some of the opinions you authored on the Supreme Court, there were a number of DYFS [Division of Youth and Family Services]-related cases.

Justice Wallace: Yes.

SI: It seemed like you dissented in some of them in always arguing for, maybe, a higher standard for terminating the parental rights. Was that something that you ...

Justice Wallace: Well, I don't know; I don't recall things in that mode, as far as that being the issue. Depending upon the case, I may have said that they did not meet the

standard. I don't know whether I asked for a higher standard at times, but, [in] some cases, I may have felt that the evidence did not satisfy that standard, based upon how I read the record and the arguments.

There were some difficult cases throughout, and I do recall a number of--not the actual issues--but having decided a number of DYFS cases at that time, that time being when I was on the Supreme Court. Part of it may have been from my experiences. I saw a lot of things that went on, interacted with many DYFS workers, a lot of probation workers, a lot of people in the system. So, I knew a lot of the players. Most of the cases that I heard in the Supreme Court, I may not have known those players, because they're throughout the State at the Supreme Court level. When I was in the counties, of course, you knew the players more, so-to-speak, about the workers, but not at the state level.

SI: So, you said, after the Family Court experience, you went to the Civil [Division].

Justice Wallace: Yes, I was in Family for two years.

SI: Yes.

Justice Wallace: Then, I came back to Gloucester County and was assigned to the Civil Division and I worked in Civil for several years. That's where I started having jury trials, and I really liked that aspect of it. The motion practice was, you delved into the various legal issues in a short opinion on different issues, which was interesting to me.

One of the cases that I had--that wasn't as interesting as I would've liked--was what I call "The Dirt Case," New Jersey, and it dealt with the building of Route 55, where they had to level out the ground, so, they had various cuts and fills. There was a lawsuit that was brought against the State alleging that the company was not properly compensated for all the work that they had done. I called this "The Dirt Trial" because not only was it about dirt, but it also lasted four or five months of a bench trial. We didn't try every day, but it was over a six-month period that the case was tried.

So, that was one of the not-so-great memories, because it got to be a little dull after a while, with the various evidence, but, of course, [the] plaintiff had to prove his case. So, there was a lot of evidence that was brought in, a lot of paperwork, then, a request for findings of fact and conclusions of law. Then, I had to write an opinion from that case, but, yes, there were a lot more interesting cases throughout that I really liked. Then, after the two-year period in Civil, Judge DeSimone assigned me to the Criminal Division and I sat in Criminal for, I think, two-and-a-half years.

He was getting ready to assign me back to Civil, and that's the time that I was asked to sit in the Appellate Division. At that time, while on the Criminal Division, I sat and heard a session of Criminal and Civil cases on the Appellate Division. Judge Michaels was the Presiding Judge for the panel I sat on and I was assigned four opinions to write. So, I come back and I write my four opinions while I'm on the trial bench here. Apparently, I passed. So, that following September, I started on the Appellate Division full-time and I

was there for eleven years, I think. [Editor's Note: The Honorable Herman D. Michels, appointed to the Superior Court in 1972, entered the Appellate Division in 1974, became Presiding Judge of the Division in 1980 and served as the Presiding Judge for the Administration of the Appellate Division from 1985 to 1997.]

SI: Well, before we leave the ...

Justice Wallace: The trial court?

SI: Tell me about maybe one or two criminal cases that you recall, because you had dealt with, obviously, the smaller crimes in municipal court, but, now, you're dealing with more serious crimes.

Justice Wallace: Yes. Well, I had a number of murder trials, of course. One of them in particular was a case that was out of Franklin Township, where they found a body on a disposal area, a landfill disposal-type area, and the lady was from Maryland. So, there were issues about jurisdiction, whether or not the death had occurred in New Jersey. Ultimately, the boyfriend of the woman was indicted and brought to New Jersey for trial, after we found there was jurisdiction from the evidence that was presented to show that the body had--part of the incident had happened in New Jersey.

So, the trial occurred here. It was a very interesting trial. A lot of it was inferential evidence. There was no direct evidence that really showed that he had, I think, bludgeoned her to death, but the compilation of everything, the evidence, showed, and the jury found, that the defendant was guilty. That was, the factual aspect was, interesting to hear. Of course, you're limited to charging the jury. The jury's making the decision, so, the case is really easy for the judge, other than some legal issues that come up during the course of the case that you have to decide, but it's interesting. You take your notes, you know about the case, and then, you charge the jury, and the jury has to do their function.

SI: Now, I'm curious, this would have been just before DNA evidence became widely used.

Justice Wallace: It was before. I don't know about "just before," but it certainly was before, because DNA evidence was not part of the issues, none of the evidence developed, but, later on, DNA became very important and freed a lot of persons that were not guilty.

SI: Well, tell me about the transition to the Appellate Division. I've been told that's a very different animal.

Justice Wallace: Oh, it is, and it was. I was apprehensive going to the Appellate Division, because, now, I'm going from more of a listening, decision-making, orally-[based], promptly move on to the next case, interaction with attorneys and juries situation to getting a lot of paperwork from briefs, consulting with side judges, and then,

hearing oral argument of limited persons, and then, making a written decision. So, it was really a different type of judging, and I had really liked the interaction in the trial court level. I'm more of a people person, so, I was able to do that on the trial court, and the Appellate Division is a lot different--a lot more work.

At the trial level, it was basically a nine-to-five, a little bit of work in the evenings, but the Appellate Division, the hours are unending. You work all evenings, early morning, but you have flexibility. You can do a lot of it at home, a lot of it outside of the office. Your office may be in an office building, as opposed to a courthouse, so, you dress differently. You're not coming in--you're not wearing a robe, except when you have oral arguments.

I got to like the issue-finding, the issue developing, the opinion writing, the sort of tracking and putting the pieces together of the puzzle to render an appropriate decision. I was very fortunate that every Presiding Judge that I sat with, they were wonderful to work with. They worked as hard as anybody on the panel. In the Appellate Division, the panels are either four or five-judge panels, and there were tough cases and easy cases. You may have had twelve cases on an argument week and, of the three judges (sitting), each would get four (opinions to write).

So, you have four opinions to write. A couple might be easy, one may be okay and the other was very difficult. So, it ran the gamut. The administrative people would give you a projection of the degree of difficulty of the case. If it was an extremely long case, there was also a central research department that did research on those cases and came up with an extensive research memo with a recommendation of how to handle the case. You had your own law clerk. On the Appellate Division, every judge has a law clerk. The Presiding Judge had two law clerks and, after a while, the second senior judge also had two law clerks.

The Presiding Judge would assign each law clerk to a memo for various cases. So, if you had twelve cases on a list, you normally had four, at least four, memos by a law clerk. The other eight or so would not have a memo on it unless, maybe, there was an central research memo on it. So, some cases, you had guidance from, or at least a recommendation from, someone who had delved into the case. Other than that, you delved into the case and you were the law clerk as well as the opinion writer. You're always the opinion writer; the law clerk never wrote the opinion for you. You may have used some of the substance that was developed for you when you rendered your opinion, but you wrote your own opinion as a judge. So, there was a lot of work.

Just briefly, the procedure--you probably know--but, in the Appellate Division, you get some boxes of cases, let's say there are twelve, that were going to be heard [in] two weeks. So, you review all those cases and get prepared for the oral argument. Not all of them are argued orally. Some are waived cases, so, you just decide the cases on the papers.

What each judge does that's assigned to the case, [they] would write a brief summary of how he recommends, he or she recommends, deciding that case and you send it to the other judges on the case. You then may have an oral discussion about the issues, if you agree or disagree. If it's an oral argument case, you hear oral argument and you discuss how you want to decide the case, both before and after argument. Then, the Presiding Judge would assign who's going to write the opinion. This [happens] every week; for at least five weeks straight, you have these twelve cases that you'll hear and decide. So, there's a lot of work, and a lot of time that you don't have, but you have to write the opinions as well as prepare for the next batch of cases.

Our Appellate Division is a very hard-working group of individuals and it was a different aspect, a different type of work. My son was then playing high school baseball or sports and I'd be off in a corner with my briefs, reading them and watching the activity. When there's a lull in what was going on in front of me, I'd have the brief in front of me. I used pretty much every opportunity I could to stay abreast of what I had to work on. If I went somewhere, I took cases with me. I can remember taking a trip to the islands, some location, and I had a box of cases. I drafted an opinion. You did what you had to do to get the work done, keep it flowing, as well as being attentive to what you were doing at that location.

SI: Now, you had some cases that, I guess, reading now, seemed a little controversial at the time. There was a police officer killed and his killer was denied parole for a while. I think it was Taranto.

Justice Wallace: Trantino, I think.

SI: Trantino, okay.

Justice Wallace: Or something like that, yes. That was [when] I was on the Appellate Division, and, in fact, I was sitting with Judge King when we heard that case [*Trantino v. N.J. State Parole Bd.*, 331 N.J. Super. 577, 752 A.2d 761 (2000)]. [Editor's Note: The Honorable Michael Patrick King served in the Superior Court Appellate Division from 1977 to 2004.]

He was up for parole, as I recall--and my facts could be off--but the issue, as I recall, was, he was up for parole and, using the criteria that were set for parolees, his record was such that he should have been granted parole, but he was denied parole. It was a sensational trial. He had killed a police officer. Nobody liked what had occurred, but, from a legal standpoint, we determined that he should've been given the right to have parole. I think he had been on some sort of release program that he had done well on and everything was progressing well.

We ended up, I think, reversing what had been done, granting the parole. It turned out, fortunately for us, that he went to a halfway house, or whatever they called it, and everything turned out well, eventually. We were heaped on with criticism. It was very

controversial, and, every time I came up for some appointment, that would always be raised.

SI: I'm curious--like, at the time when you're trying this [case], do you have to deal with press at all or mail?

Justice Wallace: No.

SI: Or anything?

Justice Wallace: Very rarely was there a press issue that I dealt with. The Assignment Judge may well have, but I did not. There would be, maybe, press in the audience, but they hear the case, they go back and write their report, but I never spoke to them about the issues in the case. It's not like what you may see on television about judges and reporters.

SI: So, there's really no outside pressure. It's more just examining the law.

Justice Wallace: No. It was really pressures that you imposed on yourself, pressures that you imposed on yourself, trying to do the right thing, recognizing that everybody's not going to be happy no matter what you do, making decisions based upon what's right for that case, not what's right for something down the line for your future. Yes, that was a case that I'm sure did not help me for future advancement, but things turned out well and it didn't hurt me, either, apparently.

SI: Any other cases spring to mind?

Justice Wallace: One case that I dissented in, in the Appellate Division--and I'm not sure whether this pronouncement is right--it may have been *State v. Gookins*[, 263 N.J. Super. 58, 621 A.2d 968 (1993)]. It happened to be a municipal court matter, drunk driving, that had come up, and I'm now in the Appellate Division. I think the issue was this police officer, there'd been evidence that he had falsified the readings for a blood alcohol test. In this particular case, I think the defendant motorist, who had been charged with drunk driving, wanted to bring in other evidence of the wrongdoing of the police officer and that had been denied at the trial level.

The Appellate Division approved what had been done at the trial level. I wrote a dissent. Fortunately, the [New Jersey] Supreme Court, they have to grant it when there's a dissent and they reversed. So, the evidence, all of it, was able to come in, but I had an internal clock that went off, because, having sat in the municipal court, I know the evidence that's presented. You give a lot of credibility to police officers with regard to the reading of the breathalyzer and, if there's evidence that the police officer has falsified that reading, I think it's evidence that should be considered by the factfinder. For some reason, it was denied and, ultimately, allowed to come in.

So, that was one of the more interesting cases that I had. That [was] probably the only dissent that I can recall in the Appellate Division, because, in the Appellate Division, you try to meld your view and to come out with a unanimous result if, you can. Some cases, you can't.

SI: I'm curious--you described how hectic the work schedule is, but you still continued to be quite active in coaching and that sort of thing.

Justice Wallace: Yes. As I said, it gave you flexibility, because you didn't have to do it between nine-to-five. I could leave the office at three o'clock, go to a football practice or whatever it was and finish up at practice at five-thirty, six o'clock, have dinner, and then, work until nine o'clock, whatever it took to get the work done for the Appellate Division. I'm an early riser. I'd get up in the morning, work in the morning for a couple of hours before I would leave my house to go into the Appellate Division office. So, yes, the flexibility was sufficient to overcome the time constraints and the magnitude of the workload. It was very life-fulfilling, and work that gave you an opportunity to do something good as well as to enjoy your life outside of the law.

SI: Now, you were also very active--you want to take a break?

Justice Wallace: No, I'm good. It's only a quarter of. We can go a couple more minutes.

SI: Okay. I just wanted to ask about some of your committee work--and I'm going to pull out the list, because I don't have it memorized--like, for example, the Task Force for Minority Concerns.

Justice Wallace: Yes, that was ...

SI: That was during your time on the Appellate [Court].

Justice Wallace: No. I was on the trial bench.

SI: Okay.

Justice Wallace: That started in 1986, I believe. In fact, I may have been at the Judicial College in Reno when I got a call from Judge Davis about sitting on this committee. He said, "It's going to be a lot of work, involvement," that he was asked to chair the committee. So, I said to Judge Davis, I said, "Well, if you're going to be involved, I'll be involved, too."

[Editor's Note: The Honorable Theodore Z. Davis was appointed to the New Jersey Superior Court in 1981 and became Presiding Judge of the Chancery Division-General Equity in 1991, serving until his retirement in 2003. He became Chair of the New Jersey Supreme Court Task Force on Minority Concerns in 1986.]

It was a great experience, because I got to meet individuals of all walks of life in the State of New Jersey. The Commission was, I think, a fifty-two-member commission to start with, so, there were a lot of people involved, a lot of important people. I got to know a lot of the "players and shakers," historically, in the State, a lot of activist people. I think I first met Attorney General, former Attorney General, at that time, James Zazzali, who we later on became members of the same Court.

[Editor's Note: Chief Justice James R. Zazzali served as Attorney General of New Jersey from 1981 to 1982. He later served as an Associate Justice on the New Jersey Supreme Court from 2000 to 2006, when he was elevated to Chief Justice, serving until 2007 when he reached the mandatory retirement age.]

So, it was a well put-together commission and did a lot of long, good work, took a period of time, made some tremendous amount of recommendations, and many of them were accepted. That was the first one, and then, on the trial bench--and that was, as I said, it took several years. I may have been on the Appellate Division when we gave our final report.

[Phone rings.]

Justice Wallace: Where was I?

SI: You were talking about the Task Force for Minority Concerns.

Justice Wallace: Yes, all right, the Task Force for Minority Concerns. I think our final report came out--by that time, I may have been on the Appellate Division--but there was an interim report after a couple of years. The Court adopted many of the recommendations, one of which was to maintain a Committee on Minority Concerns, to continue and address issues that would be brought out during the course of the years ahead.

SI: Do you remember if there was a specific aspect that you were working on?

Justice Wallace: I chaired a subcommittee on access of minorities to justice in the courts. I think there were four chairs. Attorney General Zazzali was one chair, I don't recall the Criminal chair, and there was one other, but we were sort of like the executive committee. We ended up writing, of course, our portion of the report for the recommendations and dealing with the various committees and the meetings that you had. So, it was a busy time, when you had your meetings, and some were controversial, because not everybody agreed with every issue that was presented and the way it was presented. So, it was challenging in that respect, but it gave you a chance to interact with, as I said, people throughout the State and hear arguments of various issues.

SI: Did you incorporate a lot of social science evidence as part of that?

Justice Wallace: We did, we did. We had experts that came in, gave reports to the court. We did surveys and the experts analyzed the surveys. Yes, we did that, too.

SI: Do you remember any portions that were controversial?

Justice Wallace: Well, I guess a lot of the recommendations were controversial, but I don't remember *per se* all the recommendations. The general recommendations [were], we wanted the court system to reflect what the minority population was in New Jersey, along those lines, in any number of issues that were related to that--treating people fairly, having an ombudsman in the court system for each county, so that people had a place to complain if they were not treated fairly--and that things would change. The atmosphere was that we wanted to welcome all people into the court and have them treated fairly.

SI: Just quickly, to follow up on these, you were on other special committees or task forces related to the Americans with Disabilities Act and matrimonial litigation. Like, was that kind of a similar approach, to make ...

Justice Wallace: Yes, it was ...

SI: The justice system more accessible?

Justice Wallace: Yes, it was, make the justice [system] more accessible to persons with various disabilities, yes. Then, eventually, when I was on the Appellate Division, I guess after I'd been there for a while, I was asked to chair one of the committees dealing with admissions to the bar. That was an interesting experience, because, now, I'm chairing a committee and, again, [met] a lot of interesting people.

A couple of things that came out from that--we made a recommendation that persons that were a member of the bar in an outside jurisdiction be able to be admitted on a motion. That was not approved by the Court until recently. Now, the Court changed that about a year-and-a-half ago. We also recommended that--I think it was at that time--there was a *bona fide* office rule in existence, which meant that every attorney had to have a New Jersey office, *bona fide* New Jersey office. We recommended, and the Court accepted, that the *bona fide* office didn't have to be in New Jersey, so that that rule changed, which we thought more emblematic of what some people were doing. So, people didn't have to go around the rule to try to meet the rule, so-to-speak.

It was just a nice experience. Most recently, maybe within the last two or three years, I chaired--no, I didn't chair, I was co-chair, second, the chair was Justice LaVecchia--of a committee dealing with the National Bar Exam and whether or not New Jersey should adopt it. We recommended that it should. We also recommended the motion rule be established, and the Court approved both. [Editor's Note: Justice Jaynee LaVecchia joined the New Jersey Supreme Court as an Associate Justice in 2000 and continues to serve in that capacity at the time of the interview.]

**INTERVIEW WITH JUSTICE JOHN E. WALLACE, JR.
APRIL 18, 2018
PART 5 OF 5**

Reaching the Summit: Pioneering Service on the NJ Supreme Court & Beyond

Justice Wallace recounts the process by which he was nominated for the New Jersey Supreme Court, his interactions with then Governor James McGreevy and his early days as only the second African-American to serve on New Jersey's highest court. He describes how the Court operated and some of the major cases he wrote on: State v. Bellamy, State v. Moore, State v. Pineiro, DeAngelis v. Hill, State v. Townsend, A.A. v. Attorney General of New Jersey, State v. O'Hagen, State v. DeAngelo and State v. Nunez-Valdez. He focuses on meaningful relationships across his time on the bench, from colleagues on the Supreme Court and lower courts to his law clerks, and his dedication to his community through athletics, coaching at local schools and athletic programs. He describes how he came to the Brown and Connery law firm after his time on the bench, and reflects on the many changes in technology, the make-up of the bar and the nature of law he has witnessed over his career.

Illingworth: You were on the Appellate Court until 2002.

Justice Wallace: 2003.

SI: 2003.

Justice Wallace: Yes.

SI: Okay. How did you first hear that your name was in contention for the Supreme Court?

Justice Wallace: Well, I think *The New Jersey Law Journal* may have run an article about [how] there was a Supreme Court opening when Justice Coleman was going to retire, and they just, as they normally do, list a couple people that [their] names might be being considered. My name was one of those names, and that's how I heard that I was involved. Then, I don't know how I was given an application, what the process was. I was certainly interested. It was awkward for me to do anything positive towards me--when I say "positive," any steps towards that reality--that's not in my make-up, so-to-speak. I just sort of waited for things to happen and, fortunately, good things happened.

[Editor's Note: Justice James H. Coleman, Jr., served on the New Jersey Supreme Court as an Associate Justice from 1994 to 2003. He was the first African-American to serve on the Supreme Court.]

I got a call from the Governor's Office to go meet with him for an interview, Governor McGreevey. This was, I think, in April now. So, for a month or so before, there'd been a number of names and people involved. I was interested, but didn't know where I was in the scheme of things, and then, as it turned out, I met with the Governor in Princeton, on a Saturday, I think it was. No, I think it was a Friday evening, Friday afternoon. It was a good interview and things went well. [Editor's Note: James Edward "Jim" McGreevey (born in 1957), a Democrat, served as Governor of New Jersey from 2002 to 2004.]

At the end of the interview, he asked me if I had any questions and I said, "Yes, just one. When do you intend to make your decision? Because I'm still on the Appellate Division," and Judge Pressler, who was my Presiding Judge, had sort of taken me off of cases since my name was out there. It was sort of an imposition to the Appellate Division during the process. "So, I'm anxious to find out, yes or no, in some way or another," and the Governor, to my surprise, said he had made his decision and I was it. [laughter] [Editor's Note: The Honorable Sylvia B. Pressler joined the Bergen County Court in 1973, the Superior Court in 1976 and the Appellate Division in 1977. She served as Presiding Judge for the Administration of the Appellate Division from 1997 to 2004.]

So, I was shocked when I heard it and wasn't sure how to respond, but I said, graciously, "Thank you." He said, "I'd like to make an announcement of it first thing tomorrow morning, at nine o'clock." Well, I said, "Well, I'm sorry, Governor, but I have a baseball game tomorrow at nine. I can't make a nine o'clock appointment." He said, "Well, we'll do it at two o'clock or one o'clock in the afternoon. Would your game be over? Can you be here by then?" and I said, "Certainly; that would work well." So, I was able to coach my Little League game, the next day, and then, reported to the Governor's Mansion, where they had the announcement, and it went very well.

SI: So, can you give us a flavor of, like, what does the Governor ask you in an interview like that?

Justice Wallace: Well ...

SI: In general.

Justice Wallace: Yes, I was going to say I'd rather not be the one who--first of all, my interview was initially with, I think, his Chief of Staff. There were a number of questions about composure, treatment of people, how you handle things and general questions about being a good justice. Then, near the end of the interview, the Governor came in and we spoke privately, and I would not--I do not think it appropriate that I discuss the issues that we talked about.

SI: Sure.

Justice Wallace: But, they were all good things and positive, and I respected the Governor for what he was saying to me. As I've said, then, I ended up with the question and answer, that he surprised me with the prompt answer that was in my favor.

SI: So, what happens next? Do you start working with the Judicial Committee?

Justice Wallace: Yes. Then, the Governor's process has started. Then, the Judicial Committees look at your recommendation and the application. It was a four-way check, so-to-speak, and all the checks came out favorable.

The next thing was the actual ceremony and the Governor was gracious enough to allow me to have it, my formal swearing-in ceremony, at Rowan University. So, it was close to home and a lot of friends were able to get there, because it was much more convenient, although the weather was not very conducive to the ceremony. It was raining that day, but the location was wonderful.

SI: Now, a lot of the press around this time noted that you were the first South Jersey representative on the Court since, I think, the early '70s.

Justice Wallace: Yes.

SI: What do you think that means in terms of representation, and is it as important an issue as the press makes it out to be?

Justice Wallace: I personally do not think it is, but I think it is from the general perception of people in South Jersey, that at least people in this area of the State are recognized [to] take on responsible positions throughout the state government, whether it's in the Legislature or the Judiciary. It's not one part of the State, but, now, the entirety of the State is involved. So, to that extent, I think it's good. The Court has always had good people. I mean, I've always been very respectful and regard the New Jersey Supreme Court very highly, and I didn't look at where they were from; I looked at what they did.

SI: Now, tell us about getting into the actual work of the Court--any memories, maybe from your first conference or first experiences going to the courthouse?

Justice Wallace: Well, I remember that my expectation was that I would not have to work as hard as I did on the Appellate Division, but I was wrong. I went in, I think I may have sat in one session of the Court as a guest, just sitting in the conference room around the table.

The set-up would be, the Chief Justice was at the very end, and then, the most senior would be to his right, and then, on down the table, the most junior sitting where you are, and they discussed the cases. I noticed how each Justice knew all the issues in the case and was able to discuss it and how they came to a conclusion and rendered a decision for that part of the discussion. Then, the Chief Justice would assign who would write the opinion, and that was really it as far as my exposure before I was then put to the test, so-to-speak.

Fortunately, I came on, I think it was the end of May, so, the argument portion of the calendar year was essentially completed. They then have summer sessions through the first week of July, and so, they are writing their opinions. Since I sat on none of those cases, I had no opinions to write. So, that was probably the easiest time of my judicial term. I never thought of it this way, but, as far as the amount of work I had to do, now, I'm just looking at Petitions for Certification, that is, see which cases the Court's going to decide, because they have not yet been given the assignments to review for the cases that will start in September.

So, for a short window, it was a nice period, June and July of 2003, as far as the quantity of work, but, then, of course, that picked up near the end of August, when you start getting the assignments for the new term. Now, there aren't as many cases on the docket, but they're more in-depth, review and analysis. You now have another layer of briefs to read that are in the file. However, unlike the Appellate Division, you have a memo from a law clerk on every case that you're going to decide, but, now, it's not the Assignment Judge or the Presiding Judge that makes the assignment of which clerk does the memo but the Clerk of the Court. He will assign various clerks of the judges as to what assignment they have.

Each Justice has three law clerks. Of course, the Chief has more, because of administrative responsibilities, and, at that time, we had the death penalty. So, they had a special clerk to help with the death penalty issues. So, there were more law clerks, but this is just a long way of saying that each law clerk was given an assignment of a matter that was on for argument. There may be four cases a day over, or four or five cases over, for each day of the argument period, which would be, say, Monday, Tuesday; it'd be five one day and five the next day. I could be wrong with the number, but that's about the number, about ten cases for that weekly cycle, biweekly cycle.

It was different to me, because [in] the Appellate Division, you did most of the decision making before the argument--when I say "decision making," your thought processes, going through the case, analyzing it--and then, when you got to argument, you had a pretty good feel for the case. As I was saying, in the Appellate Division, you do a lot of decision making before the argument, and then, you may change your mind based upon the argument, and then, you conference it afterwards.

Whereas on the Supreme Court, you have the arguments on Monday/Tuesday. From Tuesday through the following Tuesday, you are going more in-depth in the cases that were argued and deciding how you want to recommend to the Court that the case be decided. Of course, the following Tuesday, you come back and, at conference, the Chief may call on you at random to recite the basic facts of the case and recommend a conclusion. So, you have to be prepared to analyze each of the [cases], let's say there are ten cases, and make decisions.

You may hear a comment that changes your mind. You're not supposed to talk to the other Justices. Unlike the Appellate Division, where you spoke with the other side judges about the case before, you don't do that generally in the Supreme Court. You come to the panel fresh, with your thoughts in mind, not having distributed your thoughts in writing to the other Justices beforehand, and you talk about the case and reach a conclusion. So, I wasn't used to that process. I learned it. I was more in favor of the Appellate Division process, but it's because that's what I was used to--but I learned that the Supreme Court process worked. They wanted everybody to give their views as to how the case should be decided and it worked.

Then, of course, the opinion writing is a lot of work, because you're now establishing law. This is the law for the State of New Jersey in that particular case and those issues. Very few cases go to the U.S. Supreme Court from the New Jersey Supreme Court. There are some, but not a lot. So, as some judges and Justices have said, "We're not right so much because we're right on the law, but we're final and that's the decision that the person or parties have to live with." So, there's a lot of responsibility, a lot of work that goes into making sure that you get it right.

SI: Well, can I ask you about some of the cases?

Justice Wallace: Sure.

SI: Just any memories you might have. I wanted to ask about your earliest, I guess, major opinion that you wrote, in *State v. Bellamy*[, 178 N.J. 127, 835 A.2d 1231 (2003)].

Justice Wallace: Yes.

SI: What do you remember about that case in general?

Justice Wallace: Was *Bellamy*, again ...

SI: This was a person who had pled guilty, but they didn't understand that pleading guilty [had additional consequences].

Justice Wallace: Yes, okay. Insofar as, again, having sat and heard a lot of these guilty pleas, individuals should be advised of what the consequences of the plea are going to be, not just that they're going to get a certain number of years, but there may be other consequences. I'm sure what every--I don't remember exactly what *Bellamy* involved, but it was an issue that we felt on the Court that the person should've been advised of and they were not. We set additional guidelines as to ensuring that the defendant was advised of all the particular consequences. Was that ...

SI: I think it was somebody who was trying to pay a prostitute or something.

Justice Wallace: No, what were the consequences that they were not advised of? Do you know?

SI: The possible consequences under the Sexually Violent Predator Act [*N.J.S.A.* 30:4-27.24 to -27.38].

Justice Wallace: Oh, yes, that those consequences, as far as what they were--I think now being part of the Registered Sex Offender List--that all those issues should be made known to the defendant before he pleads guilty.

SI: Also, two cases that I think you were working on fairly close together, *State v. Moore*[, 181 N.J. 40, 853 A.2d 903 (2004)] and *State v. Pineiro*[, 181 N.J. 13, 853 A.2d 887 (2004)], which dealt with, I guess, Fourth Amendment issues regarding seeing drug transactions and that sort of thing.

Justice Wallace: Yes.

SI: One where the police thought they had witnessed a drug transaction, because of money exchanging for small objects; the other involving a pack of cigarettes or, I assume, drugs in a pack of cigarettes--anything stand out about those?

Justice Wallace: No, except, as I recall, I thought they were fact-sensitive issues--and one may have been articulable suspicion, the other not. I don't recall exactly the facts,

but the facts were of what the police observed, whether a reasonable person in that position would have concluded that there was criminal activity. I think, maybe, in one, we said yes, and the other, [we] may have said no, or vice versa, but it was a fact-sensitive case, based on the law.

SI: So, before we get into some specific cases, I wanted to just ask some general questions about how you make decisions or approach your work on the Supreme Court. So, first, I noticed in the records that, as you mentioned here, you only had one dissent during your time on the Appellate Division, but there were a number of dissents during your time on the New Jersey Supreme Court. Why did you go about your job on the Supreme Court a bit differently in that regard?

Justice Wallace: Well, I think part of it may have been the way the decision-making process in the Appellate Division, compared to the Supreme Court, is set up. I may have mentioned that, in the Appellate Division, you send out a memo saying to the other judges how you would decide the case, and they did the same with you. Then, you discussed it and tried to meld your views to be consistent.

Whereas on the Supreme Court, you don't discuss the case with the other Justices beforehand. You go back to your chambers, you write up a recommendation and you sort of cement your view a little more, a little stronger view, because, now, when you do present it to the Court in your conference, you're trying to convince the other members of the Court to decide your way. So, you have given a stronger presentation and you think your view is right, because that's the way you analyzed the law and decided it when you did an in-depth review.

I think, because of that, there's more of a likelihood that, if you do not agree with the majority viewpoint, that you feel compelled to let the world know how you think the case should've been decided and why. That's why I've dissented more on the Supreme Court. Again, maybe my view would not have been as strong if I had discussed the case beforehand with other Justices and got their views and had said yea or no, whether or not I move in mine. Because of the structure, that you get the opportunity to express your view *after* the case has been argued, when it's about ready to be decided and you've done a lot of work on it, you feel more compelled to write a dissent at times.

SI: Now, you served under three Chief Justices.

Justice Wallace: That's correct, Chief Justice Debbie Poritz, Chief Justice James Zazzali and Chief Justice Stuart Rabner. [Editor's Note: The Honorable Deborah T. Poritz served as Chief Justice of the New Jersey Supreme Court from 1996 to 2006. The Honorable James R. Zazzali served as an Associate Justice on the New Jersey Supreme Court from 2000 to 2006, when he was elevated to Chief Justice, serving until 2007 when he reached the mandatory retirement age. The Honorable Stuart Rabner has served as Chief Justice from 2007 to the time of the interview.]

SI: Okay, and I was curious, first, for any reflections you have on them, working with them, their style--and if there are any differences in the Court from one Chief Justice to the next that you could point to?

Justice Wallace: I would only point out that I have the deepest respect and admiration for each three of them. They treated me wonderfully. They treated the issues on the Court fairly. I liked the way they decided cases. They worked hard. They have a great administrative workload in addition to what they do insofar as opinion writings. They may take a lesser number to write, opinions to write, but they normally take some of the harder cases. Well, most of them were hard--some are even harder than others--but it's their decision as to which ones they'll take. They were all wonderful, and I was very happy to work with each one of them.

SI: What kind of sense of collegiality was there on the Supreme Court when you were serving on it?

Justice Wallace: It was a great, collegial court. I loved working with each one of them. We would come to court and be strong in our views insofar as how the case should be decided, talk to one another, but have good friendship when we did not agree all the time. I remember Justice Rivera-Soto; if [it was] someone's birthday, he'd bring a cake in. He was always very generous insofar as that is concerned. [Editor's Note: Justice Roberto A. Rivera-Soto served on the New Jersey Supreme Court as an Associate Justice from 2004 to 2011.]

One of the nice things that [came to mind] when I mentioned his name is that he and I are both from the South Jersey area. He lives in Haddonfield, I live in Washington Township. So, we were both very strong Eagles fans. So, the Eagles play on Sunday. The Monday after an Eagles' game, I'd come in with an Eagles tie and he'd wear a bowtie and he'd wear an Eagles bowtie. So, we sported our Eagles' attire after an Eagles' victory. Most of the other Justices were Giants or Jets fans, so, we had a little back and forth, but it was all good banter.

SI: Well, I wanted to ask about some specific cases.

Justice Wallace: Yes.

SI: The first was the *DeAngelis*--I just want to get the name right--*DeAngelis v. Hill*[], 180 N.J. 1, 847 A.2d 1261 (2004)] case.

Justice Wallace: Yes. That was a defamation action, if I recall correctly. I think, briefly, the defendant had been treated unfairly by a police officer in some way and, ultimately, ended up printing pamphlets of some sort disparaging the veracity of the police officer, and the police officer sued for defamation. We held that the standard, because the police officer was a public official, [was] that there must be malice shown by the defendant, on the defendant's behalf, before he could be found guilty. As a result, I think the case was ultimately dismissed because of that.

SI: *State v. Townsend*[, 186 N.J. 473, 897 A.2d 316 (2006)].

Justice Wallace: If you can just give me a brief ...

SI: It's regarding battered women's syndrome.

Justice Wallace: Oh, yes. That was a case in which we held that there could be expert testimony about battered women and battered women's syndrome that could be developed in the case and the expert could use the testimony about the conduct as a basis for his opinion that the person was subject to the syndrome. I think the evidence had been excluded below. So, as a result, it was remanded for a new trial.

SI: Next, one of the issues that we've been covering through these interviews is how technology and changes in technology have influenced the Court and its decisions, and you dealt with a DNA case, known officially as *A.A. v. Attorney General of New Jersey* [*A.A. ex rel. B.A. v. Attorney Gen. of N.J.*, 189 N.J. 128, 914 A.2d 260 (2007)]. What do you recall about that?

Justice Wallace: Yes. I think there were two companion cases, one, the *A.A.*, and another was ...

SI: *State v. O'Hagen*[, 189 N.J. 140, 914 A.2d 267 (2007)]?

Justice Wallace: *State v. O'Hagen*. *A.A.* may have been a juvenile, *O'Hagen* [an adult], or vice-versa, I'm not sure which one. We found that the evidence was strong, sufficiently strong, that DNA evidence was valid evidence to be used and that the procedure set up for taking the DNA analysis was sufficient, and that as long as the statutory criteria were met, it was valid for the State to extract the DNA from the defendants, both juveniles as well as adults.

SI: I'm curious--when you have a case like that, how much education, I guess, is involved in it, like, bringing yourself and the Justices up to speed on what's happening technically?

Justice Wallace: Well, part of the record includes a lot of the expert development of DNA and how valid it is, and so on. So, that was part of the record and it was, again, [that] all the Justices read what's in the record. So, that's available, and they're aware of it when you discuss the case around the room. So, it's not that I had to bring them up to speed--they were right there. I think they were both unanimous, unanimous opinions, if I recall correctly.

SI: Oh, yes, *State v. DeAngelo*[, 197 N.J. 478, 963 A.2d 1200 (2009)], which was a First Amendment case, regarding signage.

Justice Wallace: Oh, yes. I think that was a case where the town may have had an ordinance that said that you couldn't put up signs, generally. In this [case], it was a labor dispute and they had, I think, what they call "the rat," some form put up as a form of expression. We held that that zoning ordinance was unconstitutional, as applied to that conduct, to prohibit it under the First Amendment.

SI: Towards the end of your tenure on the Court, there was the *State v. Nunez-Valdez* [200 N.J. 129, 975 A.2d 418 (2009)] case.

Justice Wallace: Yes. That was another plea-type issue, where an immigrant defendant pled guilty and was ultimately deported as a result of his plea. On the post-conviction relief proceeding, he sought relief, saying his counsel was ineffective for not having advised him of the deportation consequences as a part of his plea. The trial court granted that relief and remanded it for a trial on certain issues.

We ultimately upheld that decision, found that the deportation issue was an important issue that should be presented to the defendant before he pled guilty, if he was an immigrant, and, therefore, affirmed the trial court's decision. Incidentally, that issue was also later heard before the U.S. Supreme Court and they agreed with our conclusion--different case, but same issue.

SI: So, just in looking over the body of your opinions written, they seem to--I mean, they're all over the place, as any judge is, in terms of subject matter--but you seem to have gotten a lot of First Amendment cases, family-related cases, as well as, like, Fourth Amendment cases, that sort of thing. Do you think there was any reason why you were picked for particular opinions or a particular subject area?

Justice Wallace: Well, some because I may have expressed an interest in, others because the Chief Justice may have thought I had experience in that area that could help. Then, I don't know what goes into the mind of the Chief Justice when he or she makes the assignment. They do it on their own, from their own analysis. Sometimes, it may be that your clerk did the memo, the bench memo on the case. Sometimes, it may be that the Chief Justice knows that you like a particular area of the law.

They knew of my experience as a trial court [judge], in the criminal area, in the civil area, in the Family Court area. So, these may be reasons that the Chief Justice is making that decision, but it's not mine. In a few of the cases, and very few, I may have expressed an interest in writing the opinion, but that doesn't necessarily mean you're going to get the opinion, but that's, in a more than short answer, the response. I really don't know the answer to why I got all these cases.

SI: Going back to the issue of geography and being, for a while at least, the only South Jersey representative on the Court, do you think there's ever an issue of, "Well, this is focused on South Jersey, so, we'll have you take it?"

Justice Wallace: No. None of the cases that [I handled] did I get that idea at all, and I was only on the Court for a year before Justice Rivera-Soto came on. So, we had two South Jersey people for at least most of my term on the Court.

SI: When you were on the Court, where were your chambers?

Justice Wallace: My chambers, which is one of the reasons we're in this building today, my chambers were in this building. I rented space on the second floor of this building. I think you were up in my office, where I am now. At that time, we rented the entire second floor and that was the court chambers. The stairwell that you may have or may not have walked up was not present, and you entered from the second floor to my chambers. So, my three law clerks and my secretary and I shared the second floor.

One of the nice things about coming here is that I got a chance to stay in, essentially, the same chambers that I was in while I was on the Supreme Court. We had parking below for the court. So, it was an easy transition for me, because I had a tough decision in some of the nice law firms that I had possibilities of going with.

SI: During your time on the Supreme Court, you worked with a lot of law clerks. They're a very integral part of the procedure.

Justice Wallace: Absolutely, yes.

SI: Any memories of working with law clerks, or what did you look for in a law clerk?

Justice Wallace: Well, I looked forward to a well-rounded individual. I didn't always take the traditional law student that just went through college, law school, and so on. I looked maybe for some experience outside of law, that if a teacher went to law school after a while, I might [say] that was a plus on the application. If they did activities in school, that was always a plus. I looked for things other than good grades and able to do it. I wanted a well-rounded individual, in addition to being a very intelligent person, and I thought I was successful over the years.

One of the nice things that this county--when I say "this county," Gloucester County--has is that, each year, there's an annual judges/law clerks dinner. That dinner is for all judges, Superior Court judges, active and retired, with all their law clerks, those coming in as well as all past law clerks are invited back for a dinner. It's an evening of just celebration, having a good time. I think we're the only county that does that, and it's a very nice annual affair.

In addition, I have a sort of cookout during the summer for all of my law clerks. They're always invited. That's for their families as well as the law clerks, so, it's a good chance to catch up on how they're doing. I always considered my law clerks my second family, that, now, it's growing, when they have children, and so on, one of them had gone to college. So, it's always a fun time to get together and talk and find out what's happened over the course of the year.

SI: So, in addition to the heavy workload of being a Justice, were you given any other assignments over the course of your tenure there?

Justice Wallace: When you say "other assignments," other than committee work?

SI: Yes, well, like committee work, that sort of thing.

Justice Wallace: Yes. I did some committee work. Each Justice is assigned to be, like, the lead Justice for various committees of the Supreme Court on a standing basis. In addition, there may be a special assignment that may come up that the Chief Justice may want you to chair or to sit in on that committee, that kind of thing, that all the Justices do as part of their being a Justice of the Supreme Court. I think the Chief recognized that I had a lot of outside activities in the sports area that I have been involved in, while on the Court, and was probably a little easy on me as far as those special assignments. I did not have very many.

SI: So, you were able to continue coaching at this time.

Justice Wallace: I was, I was. Throughout my judicial period, I guess I started just before I went on the Appellate Division, started--well, let me say this. I always coached Little League and Babe Ruth baseball, because that was during the summertime and evening hours and on the weekend. So, it did not interfere with my work time, whether I was a lawyer or whether I was a judge.

Then, when I went on the Appellate Division, with the flexibility, I then started doing high school football. It was an opportunity that arose because I was coaching midget football. Again, those programs are normally in the evening hours, so, it's okay to adjust with your nine-to-five, nine-to-six time, but, when I went on the Appellate Division, I said I was flexible. So, I could leave my chambers in the afternoon, other than on argument days, and then, go to practice. [As] a volunteer, I didn't have to be at every practice, and games were Friday night or Saturday afternoon. So, there were times that I did not have a conflict with on the bench, and it worked extremely well for me.

So, I was able to continue those activities while I was on the Court. If there was a special event, say in football or baseball, that I had to leave early, the Chief Justice was, he or she was, always accommodating and I was able to leave the court session early.

SI: So, I'm curious--you were coaching on the high school level--was that just for football, or baseball, too?

Justice Wallace: That was just for football.

SI: Okay.

Justice Wallace: While I was on the Court. It has changed since I'm no longer on the Court. One of the football coaches that I coach football with for the past ten years was also the ninth grade girls' basketball coach. So, he asked me to help him out, since I had a little bit more time on my hands. So, I agreed to do that.

He was also the junior varsity baseball coach and asked me to help him with that. So, I said yes, because I love the game of baseball. So, I agreed to do that and, this year, it's even changed more, because my junior varsity coach, as a result of a resignation of the varsity coach, moved up to the varsity. So, now, I'm helping him with the varsity baseball program at Washington Township this year.

SI: I'm just curious--have you sent anybody to UDel, either in football or baseball?

Justice Wallace: I try to influence them to make a decision in that direction. Not many have followed up on it and gone to the University of Delaware, although a couple have. One of them, Scott Young, who was an early Little League player for me--this is before I came on the bench--he followed and went to the University of Delaware, was an outstanding pitcher and did extremely well, went on to the minor league and played with the St. Louis Cardinals organization for some time, then, came back and was a coach in the Washington Township program, and then, on to Vineland High School, where he was a varsity coach.

SI: All right. So, any other memories of your time on the Court that you'd like to share, any experiences that we haven't really covered?

Justice Wallace: Not really experiences, other than the mention of, well, a couple of more of the lighter side experiences. One of the nice things in the Appellate Division, at the end of each term, in May or June, the Part would get together at some social function. The year that I sat with Judge King as my Presiding Judge in the Appellate Division, it was Richard Newman and Bob Fall, and with Judge King as the Presiding Judge. [Editor's Note: The Honorable Richard Newman was appointed to the Superior Court in 1994. The Honorable Robert A. Fall joined the Superior Court in 1986 and the Appellate Division in 1998, where he served until his retirement in 2006.]

We decided to go to Le Bec-Fin in Philadelphia. At that time, it was a very exclusive restaurant. It had a wonderful luncheon spread; it was like a buffet-type menu. You take your law clerks, as well as your secretary, and so, there's a nice-sized crowd, that we went over to Le Bec-Fin and had a wonderful meal. They had a dessert cart that was [big]. It had two tiers and you know, when the dessert cart comes out, you normally take one of the desserts. So, Judge King sort of said, "Give me one of each," and so, they cut up--he had a potpourri of desserts, which you could do. We had such a great time together.

We did it from that year for the next ten years. Even when I was on the Supreme Court, we did it. Even after Judge King had retired, we went out together, until his health prohibited us from all getting together. So, that was one of the nice sidelights. I

mentioned about the dinner the clerks have, that social aspect of it, and Richard Newman, we called him "The Social Chairman of Our Part." We never sat together as a Part again after that one year, but we socialized together thereafter, because we had such a good time.

SI: So, you kind of explained how you came here after your time on the Court. What kind of law do you practice here at ...

Justice Wallace: Brown and Connery?

SI: Yes.

Justice Wallace: Presently, I am doing mediation and arbitration work, where individuals will ask me to try to mediate a case for them. I also get involved with giving expert advice, insofar as how to write appellate briefs, discussing various issues that would be presented to the court. That's generally the type of work I do. Occasionally, I get a request to assist in an issue that the law firm may have, to give them advice, and then, in the other case that the firm has, if they seek assistance on handling the case, I'll help them there.

SI: You described a little bit about your outside activities, coaching--any other community activities or youth athletic activities?

Justice Wallace: I think I have probably confined it now to those activities. I did, at one time, I was a member of the Board of Trustees at the University of Delaware. That was an interesting experience over the years that I served. I'm now a Trustee at the Legal Services of New Jersey. I also am on the William Hughes-Stockton Division [The William J. Hughes Center for Public Policy at Stockton University], on their Directors.

So, I keep involved. I think I limit [myself] mostly to educational aspects, but my other chair/committee involvement deals with--it's now Jefferson Health, it used to be Kennedy--in the Kennedy Health System from Washington Township. Now, with the merger with Jefferson Hospital, it's Jefferson Health.

SI: So, I just want to ask maybe one or two general questions about how the law has changed over your career. Going back to the beginning of our conversation, you were often describing how you would be one of a few, or maybe the only, African-American in whatever situation you were in and that, sometimes, there would be very few women as well. Today, that's changed quite a bit. Do you think it's had the success that you would hope for? Also, how do you think the greater integration of women and minorities into the profession has affected and improved the field?

Justice Wallace: Well, I definitely think it's improved the system, because, now, people, a lot of people coming into the system, feel that they'll be given a much fairer shake--doesn't mean that they are, doesn't mean that they wouldn't have been given as

fair a shake--but the appearance and how they perceive what's going to happen, I think, is a lot better.

I don't know what the percentage is in each of those categories, but it has improved. The court continues to get better insofar as the number of minorities and the number of females that are entering and having judgeships and deciding matters that, sometimes, other individuals may not have been as sensitive to various issues, that they may be very sensitive to.

SI: What do you see as the biggest changes in the profession over your time?

Justice Wallace: Wow. One of the biggest changes, I think, is how you decide your case, the research part of it. There was, at one point, Lexus--well, first of all, you had the books and everything was done by doing your research and citing and reciting and researching the cases. Now, you go on a computer and you hit a few buttons and you get all the cases for that particular issue. I mean, it's easier, but you have to know how to do it. So, the computers have made a big difference in the development of your [case], the process of deciding the case, and I think it's an improvement. It's efficient.

There are some dinosaurs like me that are still out there, that need to see a piece of paper also, or would like to see a piece of paper in addition to what's on the screen of the computer. It's amazing how people have the ability to even draft the opinion right on the screen, do it without the need for a legal secretary to do the work for them. To me, that's a major change from the way I would've done it.

SI: Anything else you'd like to share for the record?

Justice Wallace: I don't know whether I mentioned my experience as a baseball player at the University of Delaware.

SI: Not too much, but please.

Justice Wallace: All right. That was a good time for me. I love the game of baseball--I guess you hear from my coaching--but, [while] I was at Delaware, at that time, if you were there playing football, in the spring, there was a spring football practice. So, you generally couldn't play a spring sport. You could not your freshman year. All freshmen had to go out for spring football. Thereafter, if you played a spring sport and were on the varsity team, you did not have to participate in spring football. So, beginning with my sophomore year, I tried out for baseball, and I did not make the team.

I mentioned my friend, Clint Ware. He was also a baseball player, and he and I both got cut, did not make the baseball squad. So, we had to play spring football that season. Clint turned out to be a specialist on the defensive side and they wanted to develop that part in spring football training. They did, and he was outstanding. I, on the other hand, just went through the spring football. I had a decent season, but it was spring football, didn't count for [anything] other than getting ready for the fall. The following year, my

junior and senior year, I went out and made the baseball team and contributed. We were MAC [Middle Atlantic Conferences] Champions my senior year.

Several years later, I did not realize that I had been the first African-American to play baseball at Delaware and they did a little story, I think on Jackie Robinson's anniversary. [Editor's Note: On April 15, 1947, Jackie Robinson broke the color barrier in baseball when he debuted for the Brooklyn Dodgers.] They did a story about me, comparing [me] with Jackie Robinson, with the college baseball as opposed to Major League Baseball, which was a very interesting article. That pretty much sums up; you've heard a lot about me. I've had a lot of good mentors, a lot of good judges I've sat with over the years. I'm very fortunate in my life.

SI: Thank you very much. We really appreciate it.

Justice Wallace: My pleasure, Shaun.

SI: Thank you so much.

Justice Wallace: Nice sitting with you.