

RAMSEY COUNTY
History
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Growing Up in St. Paul
During the Great
Depression

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Spring, 1997

Volume 32, Number 1

A Law Firm's 111-Year History

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OPPENHEIMER WOLFF & DONNELLY



With offices now in major American and European cities far beyond the Twin Cities, Oppenheimer Wolff & Donnelly is vastly different from the small, late-nineteenth century law firm Will Oppenheimer joined in 1913. Artwork by Linda Sheldon, She Graphics, Minneapolis, for Oppenheimer Wolff & Donnelly.

RAMSEY COUNTY HISTORY

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A Message from the Editorial Board

Despite the widespread exposure that TV, the media, the movies, and authors such as John Grisham have currently given to lawyers, lawyering, and law firms, most people don't know much about the long history of many of those firms, not to mention how a law firm operates. In this issue of *Ramsey County History*, Virginia Martin tells the story of one of St. Paul's oldest and largest law firms: Oppenheimer Wolff & Donnelly (OW&D). Although founded in 1886, OW&D is today an international firm conducting business around the globe.

In addition to recounting how OW&D grew to a firm of this scale, Martin also provides glimpses of how the firm is organized and manages the business of providing legal services. Along with this insight, she shows how economics, technology, and a commitment to diversity have changed lawyering from the time when Will Oppenheimer took the lead in building the firm.

This issue also includes an account of life in St. Paul in the years of the Great Depression, an era when a little girl had no fear of riding downtown alone on a streetcar and scarlet fever was a dread disease requiring quarantine. Written by Ruth F. Brin, this "Growing Up" essay offers an interesting contrast and complement to the world of the lawyers at OW&D during those same years. Together, both articles expand our knowledge and awareness of our local history.

John M. Lindley, chair, Editorial Board

The View from the 17th Floor

Oppenheimer Wolff & Donnelly and Its 111-Year History

Virginia L. Martin

From the seventeenth floor windows of St. Paul's First Bank building, where the Oppenheimer Wolff & Donnelly law firm has its offices, you can see almost the entire community in which the firm conducted its business for its first century or so. Now the world has changed for Oppenheimer Wolff & Donnelly. Founded in 1886, the once distinctly St. Paul firm is now a distinctly national and international law firm with offices reaching from Minneapolis to Brussels. Its lawyers are scattered across the globe, speaking a dozen different languages and practicing types of law, such as environmental, job discrimination, and sexual harassment, that didn't exist twenty-five—much less 111—years ago.

From those same seventeenth floor windows overlooking the Mississippi, you can see also where it all began. At the river's edge is the old Lower Landing, where hundreds of thousands of immigrants and landseekers disembarked between 1850 and 1870. There are the massive black steel railroad bridges, drawbridges, and tracks that made St. Paul a railroad terminus and helped swell the population from 41,000 in the 1880 census to more than 111,000 in 1885. With a mushrooming population came hotels and houses, grocery stores and saloons, dry goods stores and newspapers, churches, temples, schools, government buildings, and law offices.

One of these early firms was Lawler and Durment, the seed from which the Oppenheimer Wolff & Donnelly law firm would grow. Daniel W. Lawler and Edmund S. Durment arrived in St. Paul in 1884 and 1885, respectively. Young, not long out of law school and newly admitted to the Minnesota bar, they wasted little time forming a law practice. Lawler was a Yale graduate admitted to the bar in 1884, who served briefly as an intern in the office of Judge Thomas Dillon O'Brien. Durment had graduated from law school at Columbia University (now George Washington University) in Washington, D.C. They established Lawler and

Durment in 1886, the same year two other St. Paul institutions, Macalester College and the St. Paul Winter Carnival, were founded. The firm's earliest existing record is a hand-written title opinion dated April 30, 1887, and signed by Lawler and Durment. In 1894, the firm added Horace Bigelow, and it became Lawler Durment and Bigelow.*

The railroad industry did more than transport potential lawyers to St. Paul. From the beginning, the railroads and the law firm provided each other with opportunities for business and jobs. Lawler left the firm in 1893 to become general counsel for the Chicago Great Western Railway. From the beginning, the firm's members were involved in political and civic work, Lawler serving as mayor of St. Paul, and Durment as state senator from 1907–1922. The firm became Durment and Moore (Bigelow presumably having departed) when Albert R. Moore joined the firm in 1900, and then Durment Moore and Sanborn when Bruce W. Sanborn joined it. Moore, a University of Minnesota law school graduate,

**Horace Bigelow should not be confused with Herbert Bigelow, who enters this narrative later and was head of the Brown and Bigelow playing card and calendar company.*

played an important role in the receivership proceedings of the Chicago Great Western Railway.

Although it had been a substantial and respected "silk stocking" law firm for several years, the real beginnings of the law firm arguably were in 1913, when William H. Oppenheimer joined the partnership. Will Oppenheimer put his imprimatur on the little firm so indelibly that not even incredible growth, major changes in the law, in the firm itself, and in technology have entirely erased it more than eighty years later.

Oppenheimer was born in Texas on November 4, 1883, and brought to Minnesota by his parents when he was six months old. He graduated from the University of Minnesota Law School in 1904 at the age of twenty, too young to be admitted to the bar. He went to work as an editor for Keefe Davidson Company, a publisher of law books that was founded as a West Publishing Company competitor by John West after a major rupture between family members. (It later went out of business.) Oppenheimer quickly gave promise of his abilities by rewriting a standard treatise on negotiable instruments. He was admitted to the Minnesota bar on November 4, 1904, his twenty-first birthday and the day on which Theodore Roosevelt was elected president of the United States. A year later Oppenheimer earned a master of laws degree from the University.

In 1906 Oppenheimer opened a solo practice in the Globe building, but in 1913 Moore and Durment invited him to become their law partner. According to Will's son, James, the three men met at Alverde's, a downtown St. Paul restaurant, for lunch to talk over the proposition. Durment wrote on the back of a menu how he thought the net profit per-



The Globe building in downtown St. Paul in 1913. William Oppenheimer opened a law office here in 1906. The building, at the corner of Cedar and E. Fourth Street, was conveniently located across the street from the old City Hall-County Courthouse at right. C. P. Gibson photo, Minnesota Historical Society.

centages should be split and folded it. Moore and Oppenheimer did the same. When they unfolded their menus, they were identical. "Dad said that was the biggest argument the three of them ever had," said Jim Oppenheimer.

Three important additions to the firm came in the next few years. Frank D. Hodgson and Charles C. Haupt, then United States district attorney, joined the firm in 1915, and George Petersen, who had been in the legal department of the Chicago and Northwestern Railway, joined it in 1917. Hodgson's path had

been a little more winding: He received a bachelor of arts degree from the University of Minnesota in 1907. He taught mathematics and science in the public schools in Wisconsin and Minnesota before entering Harvard Law School, where he received his law degree in 1914. A profound student of literature and an avid reader of poetry, Hodgson also read extensively in math, science, and astronomy, later was president of the board of Hamline University, and even found time to write light verse.

World War I broke out in 1914, and

Prohibition took effect in 1920, but major personal changes, not cataclysmic events, threatened the existence of the firm. In 1915 Durment became too ill to practice, and in 1916 he died. In 1917 Haupt was appointed to the Ramsey County bench and Hodgson took a leave to serve with the YMCA in Europe. Moore died suddenly in 1921. Moore and Oppenheimer were extremely close. Jim Oppenheimer remembered that his father awoke one morning and told his wife, "Albert Moore is dead." Later that day, a cable arrived from Paris that told of Moore's death.



Ignatius Donnelly, the "Sage of Nininger." Photo from Vicenta Donnelly Scarlett.



Daniel W. Lawler. Photo from The Mayors of St. Paul—1850–1940, Ramsey County Historical Society archives.



Edmund S. Durment. Photo from Oppenheimer Wolff & Donnelly archives.

Will Oppenheimer, still in his thirties, suddenly found himself almost alone. No matter how energetic and talented, he and Hodgson could not handle the firm's business. The firm needed competent lawyers with "gray hairs," said David C. Donnelly, a former partner; law practices in those days had to have at least some mature partners.

More Lawyers Sign On

Will Oppenheimer persuaded Frederick N. Dickson, judge of the Ramsey County District Court, to join him in 1921, and Edwin B. Baer, the son of the president of the American National Bank, in 1922. Dickson had been a member of the Board of Police Commissioners of St. Paul and had chaired the city's Republican Committee in 1910. Baer, whose college education was interrupted by his service in Naval aviation in World War I, received his law degree from Harvard, was admitted to the Minnesota bar, and joined the Oppenheimer firm, all in 1922. A year later, Oppenheimer persuaded Montreville J. Brown to join him, and two years after that, won over Stan D. Donnelly.

Montreville J. Brown was a tall, Lincoln-esque, "stunning" man, an athlete at the University of Minnesota, and the son of Calvin Brown, then chief justice of the

Minnesota Supreme Court. He earned both his academic degree and his law degree in 1909 from the University of Minnesota, pitched varsity baseball for all four years of his undergraduate career, and was captain of the team in 1906. Monte Brown "would come over and try to teach me how to pitch when I was a youngster," Stan D. Donnelly, Jr., son of Stan D. Donnelly, recalls.

After some years in private practice, Brown became Bemidji city attorney, assistant attorney general of Minnesota, and a member of the Minnesota Securities Commission. He helped create, then served as general counsel of, the Minneapolis-St. Paul Metropolitan Airports Commission (MAC). He was a big man, and quiet, said Gordon Shepard, a former partner who worked closely with him. "He was a very good lawyer but he didn't have the political connections; he was really his own man."

The other new member of the firm, Stan Dillon Donnelly, was the grandson of Ignatius Donnelly, the "Sage of Nin-

inger," who has been described as "the most colorful, many sided and paradoxical personality ever to figure in the state's history." Lawyer, politician, gifted orator, author, and eventually an agrarian radical, Ignatius Donnelly arrived in Minnesota from Philadelphia in 1856, was twice elected lieutenant governor and served several terms as a representative to Congress. He dabbled in Shakespearean scholarship and wrote a number of popular novels.

Ignatius Donnelly's son, Stanislaus James Donnelly, born in 1860, was also a lawyer and a great orator but never part of the Oppenheimer law firm. It was Stan J.'s son, Stanislaus Dillon Donnelly, who would be the first to engrave the Donnelly name into the firm's history. Born in 1888, Stan D. Donnelly was admitted to the bar in 1910. He practiced for a time with his father under the name of Donnelly and Donnelly, until his father died of influenza in the epidemic of 1918. He then practiced alone until 1925, when Oppenheimer met his conditions for be-

* Two of Stan Dillon Donnelly's four children have been associated with the Oppenheimer firm: Stan D., Jr., born in 1921, and David C., born in 1924. Both graduated from the University of Minnesota Law School. Stan was admitted to the bar in 1948, but instead of practicing law, he owned a molded plastics business in Alexandria and St. Paul throughout most of his life. He practiced law after becoming Oppenheimer's first of counsel in the 1970s. David Donnelly was admitted to the bar and joined Oppenheimer in 1949. He was president of the Ramsey County and the Minnesota State Bar Associations. He retired in 1983.

coming a partner. He remained with the firm until his death in 1948*.

Stan D. Donnelly was a graduate of the St. Paul College of Law (now William Mitchell College of Law), and clerk to Judge Thomas D. O'Brien in 1909 and 1910. He was admitted to the bar in 1910 and achieved a solid reputation as a trial lawyer while practicing law with his father. He briefly formed a partnership with Warren Newcombe, then met Will Oppenheimer while trying the case of *United States v. Bigelow*. Herbert Bigelow was chief executive officer of Brown and Bigelow, a St. Paul playing card and calendar manufacturer. The 16th Amendment establishing the federal income tax had taken effect in 1914, but Bigelow had not "bought into" the concept of paying taxes, and he ignored the law. The federal government brought suit in the first such case in the country. It was prosecuted in the Old Federal Courts Building in 1924. Bigelow hired Will Oppenheimer as his lawyer. Bigelow's treasurer hired Donnelly to defend him. Bigelow was convicted and sent to Leavenworth Federal Prison. Donnelly's client was acquitted. Oppenheimer argued for clemency for his client, and the judge agreed.

Oppenheimer was concerned for the welfare of his businessman-client in the rough surroundings of Leavenworth. Every prison, he learned, has one prisoner with the power to protect others. At Leavenworth, that was Charlie Ward, who had fought with Pancho Villa on the Mexican border and had been arrested, allegedly for drug smuggling, although Ward claimed someone had planted the drugs. Oppenheimer arranged for Ward and Bigelow to share a cell. After Bigelow was released two or three years later, he hired Ward as his chauffeur. Ward was intelligent and ambitious and worked his way up in Brown and Bigelow. When Bigelow died in a canoe accident in northern Minnesota in September, 1933, questions were raised about the accident. Although the bodies of Bigelow and his female companion were found, the body of the guide hired to lead their little party was never found.

Will Oppenheimer and Richard Lilly, president of the First National Bank of St.



William H. Oppenheimer. Photo from Oppenheimer Wolff & Donnelly archives.



Stan D. Donnelly. Photo from Vicenta Donnelly Scarlett.

Paul, were named executors of Bigelow's estate. They selected Ward to run the company. The company prospered and Ward became a grateful client—so grateful that when Jim Oppenheimer was a \$400-a-month associate, Ward made him a Christmas present of \$5,000.

In the course of the Bigelow trial, Will Oppenheimer and Stan Donnelly had developed a high regard for each other. Oppenheimer tried to persuade Donnelly to join him in the firm. He had excellent reasons to want Donnelly: Oppenheimer needed a good trial lawyer

and Stan Donnelly had a reputation that rivaled that of his father, Stan J., and grandfather, Ignatius, both known as "mighty orators." In earlier years, Donnelly had hired out to small-town attorneys who did not like to try cases. He was a tremendously talented trial lawyer, said David Donnelly. Immaculate and elegant in dress and behavior, Donnelly's booming voice and great presence had impressed "Mr. O," who told David Donnelly that his father was "the greatest trial lawyer I ever saw."

Oppenheimer also wanted Donnelly because of his prominence among the leaders and politicians of the Irish community (sometimes called the "Irish Mafia"). The firm then was "deliberately ecumenical," David Donnelly said, and partners tended to reflect the varieties of religious experiences in St. Paul: Episcopalian, Jewish, Catholic, Methodist, Presbyterian, Baptist, Congregational.

Stan Donnelly was a Roman Catholic with an occasional cavalier approach to the rules. The partners often gathered at Alverde's for lunch. Alverde's specialty was a hot roast beef sandwich. One Friday, Donnelly went in there with his partners, who all ordered hot roast beef sandwiches. Stan asked the waiter, "Do you have any whale meat?" No. "Do you have any shark meat?" No. "Lord knows, I tried," said Donnelly. "Bring me a roast beef sandwich."

Donnelly turned down Will Oppenheimer's offer once, but several years later agreed to join the firm only after Oppenheimer had met his list of conditions: Donnelly would be a full partner; he would get the same percentage of the profits as Dickson, Baer, and Brown, and he would take off the entire month of July to spend with his family at their cabin at Lake Bemidji, plus every Wednesday to golf. In addition, he would take off two weeks for serious golfing and, since every summer weekend he drove up to Lake Bemidji (then an eight-hour drive), weekend work was impossible.

Will Oppenheimer, whose firm's restrictive vacation policies reflected his own reluctance to take a vacation, agreed to the terms, bringing about a sea change in the firm's approach to leisure time. After that, said Vicenta Donnelly Scar-

lett, the oldest child of Stan D. and sister of Stan D. Jr., David, and another daughter, Deborah, Oppenheimer became *the* law firm to work for.

(Jim Oppenheimer remembered that his family took a trip every August. Planning a European vacation for the summer of 1939 shortly before Hitler invaded Poland, Will Oppenheimer first checked with someone "very high up in the State Department," who asked him where he would be on September 1. Since the Oppenheimers would be back home by then, the official said the trip was safe. The government knew there would be a war, but that it would not start until September.)

With the addition of Monte Brown and Stan Donnelly, the firm name became Oppenheimer Dickson Hodgson Brown and Donnelly in 1925—a name the receptionists had to repeat each time the phone rang. As children, Vicenta Scarlett and her friends would dial the firm number just to hear the receptionist say the name. One receptionist, perhaps tiring of the game, would sometimes simply answer "Zoo."

By 1925 Oppenheimer Dickson Hodgson Brown and Donnelly, with its five partners, was the second-largest practice in St. Paul, second only to Doherty Rumble and Butler. Although the numbers have changed drastically, the firm has kept that status; it is now third largest in the state and one of the largest in the nation.

In the early years, it grew slowly. When Benno Wolff graduated from the University of Minnesota law school and passed the bar in 1927, the only place he wanted to work was the Oppenheimer firm "because I thought 'Mr. O' was running a top law firm, and he was a business-oriented lawyer." He applied nowhere else. He claimed he got the job by "camping out on the doorstep." At that time, both Oppenheimer and Doherty Rumble and Butler were located in the old Merchants Bank building. One day, one of the Doherty partners saw Wolff hanging around the door, and asked what he was doing there. "I'm applying for a position with Oppenheimer." "Well, if they don't take you, you'd better come around and see me," said the attorney.

In those days, law firms didn't recruit.

"You got your own job," said Wolff, although he had a contact through his father, also a law school graduate but a life-long employee of First National Bank of St. Paul and friend of Richard Lilly, the bank's president and an Oppenheimer client. But Wolff had more than persis-



Benno Wolff. Photo from Oppenheimer Wolff & Donnelly.

tence and a contact. He had been notes editor of the *Law Review* at the University of Minnesota, "a big job then," said Wolff, where every citation had to be checked. Oppenheimer had read some of Wolff's articles, and also was aware that Wolff was a member of the Order of the Coif, an honorary legal society. He hired Wolff in 1927 for \$50 a month. First, however, the young lawyer decided to spend several weeks in the North Woods, in the company of a few other young men. Weeks later, the campers stopped at a friend's cottage on White Iron Lake, beyond Ely. A telegram from Oppenheimer awaited Benno; he wanted "to know if I was ever coming to work. I hotfooted it down there, then." That six weeks seemed to suffice Benno Wolff for most of his lifetime. "I always thought that the best vacation Benno ever had was here at the office," said Gordon Shepard.

Moving Up

In 1933 the firm became the first tenants of the newly constructed West section of the First Bank Building. Will Op-

penheimer chose the seventeenth floor because all the elevators stopped there, and the only bridge connecting the west to the east building also was on this floor. The entire office fit into what is now the floor's west wing.

Wood R. Foster had served as a summer clerk for the firm in 1933, while he was attending the University of Minnesota Law School, and in 1936 he became the firm's eleventh lawyer. Foster provided general services for individual and corporate clients, and when profit sharing, pension, and incentive compensation plans came on the scene, he became a specialist in those areas. (He became a partner and retired to of counsel status in 1981.)

The letterhead still read Oppenheimer Dickson Hodgson Brown and Donnelly. In addition to the five partners, there were six associates, plus five secretaries, one bookkeeper, one receptionist, and a clerk/messenger. Another name was added to the roster when Robert F. Leach joined the firm in 1935. He had graduated from Carleton College in 1931, from Harvard Law School in 1934, and briefly practiced law in Chicago before joining Oppenheimer as an associate. He became a partner in 1949. Leach was a "superb" athlete who played golf, baseball, squash, racquets, and basketball "effortlessly and with great skill," according to a Minnesota Bar Association memorial.

Business and the Law

Will Oppenheimer, David Donnelly has said, was "one of the first business-minded lawyers in St. Paul," with a philosophy that is still heard in the firm's offices: "Never give a client a flat no. Don't tell him he can't do something; tell him he can't do it the way he wants—and then tell him how he can do it." Individuals, not just corporations, made up much of the firm's business—even into the 1950s and 1960s. "We did more work for individuals than than we do today—wills, estate planning, people coming in wanting to buy a house," said Richard Lareau, who has been with the firm for more than forty years. The estate business brought in a lot of revenue because probate court policy allowed the firm to take a percentage of the value of an estate

as a fee. Because of the percentage system a firm might perform \$2,000 worth of work, but receive \$5,000 in fees.

Oppenheimer was skilled at estate work, and not infrequently that led to his becoming counsel to, and in some cases, a board member of, many of the city's leading business firms. From the 1920s to the 1950s, he built a base of corporate clients, many of whom remain on the roster today. He served as general counsel and corporate officer to a veritable "who's who" of Minnesota business: Blandin Paper Co. of Grand Rapids; Brown and Bigelow; Economics Laboratories (now Ecolab); the Golden Rule, Field Schlick, and Schuneman's department stores; Northwest Publications; Lampert Lumber; J. L. Shiely, and St. Paul Companies. In those years, most of these companies gave all of their legal business to the Oppenheimer firm.

Will Oppenheimer was "great with clients," said Benno Wolff. "When a client came in, he would swing into action—calling in his secretary, dictating memos and letters, getting things moving right now, not next week." He also had infinite patience with clients, said Tom Kane, a partner and former managing partner. One client, a widow, accompanied her late husband's body, which had been placed in a sarcophagus, across the Atlantic several times seeking a suitable final resting place. Oppenheimer led her to a beautiful location overlooking the confluence of the Mississippi and Minnesota rivers for a grave site. Although it was a sunny, beautiful day, the widow said, "I think he'll be cold here." And Oppenheimer patiently helped her continue her search.

Generalists All

Every lawyer was a generalist, doing a little bit of everything—probate, real estate, tax, wills, business law. Specialization was on the horizon, and if a lawyer specialized, he did so more by accident than design. Because one of his first projects was a merger, said Lareau, "somehow, I became a corporate lawyer. I didn't know what a merger was. Someone would drop a file or a memo on your desk and you tried to find out which one was your client."

"I was the first lawyer in the firm who had had a course in securities law in law school," said Jim Oppenheimer. Securities law had just started in 1933 during the Depression, "so when the firm started to get into securities work, I was *it*, because I'd had that course." His work focused mainly on corporate and tax work, securities, and mergers and acquisitions.

"I'm probably one of the last surviving generalists," said Charles Levenberg, who joined the firm in 1971, after graduating from Harvard that same year. He now represents Andersen Corporation and Children's Health Care Hospital (formerly Children's Hospital). Their relationships with the Oppenheimer firm "were established long before I was born," he said, and they are something of an anomaly. "I act as a general counsel," said Levenberg. Since the 1980s, in particular, specialization has been the name of the game in the law field.

In the earlier years, the newer lawyers took turns at such routine tasks as examining abstracts and titles for house closings and preparing for trials. Although the younger lawyers did work assigned to them by the older lawyers, "we didn't just spend the time in the library," said Gordon Shepard. "The senior lawyers would call in the younger lawyers when they were talking with clients," providing them with superb training and mentoring experience. And in the days when the firm had only twenty-five members, the entire group of lawyers would meet about once a week and go over what everyone was doing, share information, determine together how to handle matters. Oppenheimer was not a litigation firm as such, said Lareau, "but we did all kinds of litigation. I found myself in court pretty quickly."

So did Benno Wolff, who worked on his first jury case with Monte Brown in the 1930s, representing Villaume Lumber Company in a foreclosure. When it came time for the final arguments, Villaume wanted the more-experienced Brown to present the arguments. Brown said no, Wolff would do it. Wolff argued the case and won a judgment from the jury, even though it was the middle of the Depression and juries generally favored the defendant in foreclosures. Wolff received \$7,000 in Minnesota Mining and Manu-

facturing (now 3M) stock in lieu of cash. Wolff asked Villaume what he should do with it. Villaume said, "Sell it!"

Then, as now, everyone worked hard. "We worked many a Sunday and many a Saturday," said Wolff. "We worked all the time. Every now and then we'd say, 'We've had enough of this for a while, let's go see a Laurel and Hardy movie.'" Despite the work ethic, the atmosphere was disciplined, but also informal, said Shepard. Will Oppenheimer "was very cognizant of family problems." One of the most understanding of people, he "looked at you through your eyes." Oppenheimer was an enlightened employer who personally welcomed every new employee, explaining that the firm had a "family" atmosphere. The lawyers tended to live in the same St. Paul neighborhood, play golf together, commute to work together, and socialize with each other. Their children attended the same schools and frequently were friends. They grew up with the firm, and occasionally went down to the office with their fathers on weekends, or dropped in for a supply of legal tablets and pencils for school. The partners mined for business prospects among their fellow alumni, business acquaintances, religious associates, and neighbors. David Donnelly, as a young lawyer, often rode home with "Mr. O," picking up nuggets of knowledge along the way.

A Generous Manager

In its early years, management of the firm was more centralized, although the partnership always has followed a one-partner, one-vote principle. But since Will Oppenheimer was a good businessman and skilled in bringing in clients and working with both partners and employees, the other attorneys allowed him to set the rules. Many lawyers shy away from administrative or management work of any kind, because they just want to practice law, so the other partners were happy to let Will Oppenheimer manage the firm. With only one office and a dozen or so partners, he could do so without help from a Policy Committee or a chief operating officer.

He was a generous manager. He paid clerks \$25 a month in the 1930s, and even paid new associates, when many



Peter Berkey's house at 329 W. Sixth Street in 1937. It was for years the home of the St. Paul College of Law (now William Mitchell College of Law), that graduated some of Oppenheimer's lawyers. Berkey, who arrived in St. Paul in 1853 and founded Nicols and Berkey Iron, built this house in 1867. A. F. Raymond photo, Minnesota Historical Society

law firms did not because they were being trained. In 1936 Oppenheimer paid a new associate \$50 a month for the first six months, \$75 a month for the next six months, and \$100 a month until a good review entitled him to a raise. He also made sure employees received a share of the profits. Every Christmas a set routine was followed that involved, first, each partner signing, in order of seniority, a Christmas card for each secretary. The card contained a bonus. And every year, as Oppenheimer presented each card, he said, "I was opposed to this, but my partners outvoted me."

He had strict rules, Wolff remembered. A partner couldn't get an advance from the bookkeeper. "If one partner takes a dime out of the place, the other partners will immediately get the same," said Wolff. "He wasn't going to have these accounts shorted." At the time, the entire take of the firm was probably about \$80,000 a year.

'Don't Say No'

Jim Oppenheimer heeded his father's "don't say no" principle more than once as a way of accomplishing a purpose. One

of his favorite projects was helping transform St. Paul Fire and Marine from a local insurance company into St. Paul Companies. The insurance company spent months canvassing every state and almost moved to Massachusetts because of favorable insurance tax laws. Oppenheimer found a "peculiar" law passed in 1934 that stated that a corporation that had not adopted the 1933 Minnesota Business Corporation Act could do so and become a corporation by passing the appropriate resolutions. OW&D checked it out with the Minnesota Attorney General, the Secretary of State, and the Insurance Commission, all of whom agreed that the insurance company could become a corporation. The company was scheduled to become a corporation at midnight on New Year's Eve, December 31, 1967, because if the company had remained an insurance company into the following year, all of its securities portfolio would have had to be inventoried and valued. St. Paul Companies became a business corporation, without filing with the SEC, without tax consequences to the company and stockholders, and without ending up with any minority stockholders.

Charlie Ward had a reputation as a man to whom no one said no. But Jim Oppenheimer did. Brown and Bigelow had acquired Western Lithograph in California in the 1940s, and Oppenheimer flew out with Ward and several of his executives to close the deal. Ward had rented the beach house of a movie star for the weekend after the closing. Oppenheimer said no to Charlie Ward and went home. He rose in Ward's esteem for that *no*.

Community Activists

OW&D lawyers always have been involved in community work, despite long, hard days at the office, and always did *pro bono* work, said Oppenheimer, but there was no formal 5 percent quota as there is today. "We just did it, without keeping track of it." *Pro bono* work might be handling a rental problem, or drafting by-laws for nonprofit organizations, he said.

A number of the partners found time to do a multitude of other civic and community work. Stan Donnelly, Monte Brown, and James L. Walsh were among the many who taught at William Mitchell and other colleges and universities. Jim Oppenheimer served on the board of the Mental Health Association. Robert Leach served as a deacon and Sunday School teacher and helped set up the United Fund. Edwin Baer was president of the Science Museum, and on the Neighborhood House and Mount Zion Temple boards. Will Oppenheimer was a founder of the St. Paul Rotary Club. Benno Wolff built a temple. He was president of Mount Zion congregation for three or four years in the 1950s, during which time the congregation built its temple on Summit Avenue. Wolff was not just a fundraiser and planner, however, but was on-site, trying to keep the contractors and cement mixers happy and productive at a time, in the postwar period, when materials were still in short supply. He once appealed to Senator Hubert H. Humphrey to get the builders some steel. "I built that temple," said Wolff, "during which period of time my wife used to say 'he's practicing law on the side.'"

'Rebuilder of St. Paul'

When he was honored by the St. Paul Cosmopolitan Club in 1964 for his service to the city, Will Oppenheimer was given the title of "Rebuilder of [the] City." He, however, was characteristically modest: "As head of the United Improvement Council in 1927," he said later, "we drew up a plan for improving St. Paul. We submitted that plan to the voters in 1928 and it was adopted. That's all."

For some twenty years, Will Oppenheimer did much more than that. The plan to replace the old St. Paul City Hall and Ramsey County Courthouse and improve the entire riverfront esplanade, now known as Kellogg Boulevard, never traveled an easy road. A somewhat premature bond issue was proposed in 1927 and defeated, partly with the help of a group of businessmen who had emerged from a nationwide reform movement to clean up the nation's cities. This group became the United Improvement Council, which played a major role in the rehabilitation of downtown St. Paul. Both Leach and Will Oppenheimer were active in the council. The council suggested a more thorough study followed by solid, detailed recommendations.

After the council carried out its study and made its recommendations, the issues were put to a vote in 1928. This time the bond issue won by an overwhelming majority, but despite the popularity of the proposals, the project nearly died several times over several different issues and problems, including the selection of the site for the combined City Hall/County Courthouse. Oppenheimer, head of the commission, persuaded a legislative Conference Committee to agree to let a nine-member commission made up of district court judges select the site. The commission also would select the architects, which occasioned more controversy over whether to hire local or non-local talent. The commission finally hired Holabird and Root of Chicago and Thomas Ellberbe & Company of St. Paul to design the structure.

The nine commission members were unanimous on two points, said Oppenheimer: "The building to be constructed should be of a dignified office type, and

second, should be planned from the inside out; that as a tailor makes a suit to fit the individual man, so the building should merely be the garment, as it were, covering and fitting the framework and needs of the governmental functions to be housed therein; that buildings not so planned, while beautiful to look upon, were all too frequently impractical, unsuited to carrying on of governmental functions efficiently and did not take proper cognizance of the future."

Meanwhile, the stock market crashed in 1929, propelling the country into the Great Depression, and "political, financial and aesthetic debates" continued to dog the project, including the commission of the huge onyx sculpture that now graces the building's Memorial Hall. The riverfront project also went forward. Third Street, as it was then called, was cleared of all buildings on the river side (many of them run down), widened from fifty-three feet to a broad boulevard, and renamed Kellogg Boulevard in honor of Frank B. Kellogg, former United States Senator from Minnesota, Secretary of State, and negotiator of the 1928 Kellogg-Briand Pact outlawing war.

The Crash of '29

The stock market crash, however, was a boon to St. Paul in that tumbling prices allowed the community to build the lavish Art Deco courthouse for less than originally estimated. The sixteen years of Prohibition and the bootlegging that resulted were something else again. St. Paul became known as "the nation's poison spot of crime," and the city ran on the O'Connor system, named for chief of police John O'Connor. This permitted big-time crooks, who first "checked in" with the proper authorities on their arrival, to stay in St. Paul unmolested as long as they committed no crimes in the city.

Howard Kahn, editor of the *St. Paul Daily News*, began a reform campaign by running prominent, larger-type editorials across the top of the newspaper's front page. After one particularly blistering editorial, Mayor William Mahoney summoned Kahn to his office to produce proof that the crooks he had named were being afforded asylum in St. Paul.

O'Connor was present, as was Will Oppenheimer, Kahn's lawyer.

"Oppenheimer told the mayor that his client would agree to cooperate in a properly constituted judicial process, but not a one-sided star chamber proceeding," according to a newspaper article by Lawrence Platt. This so incensed the mayor that he ordered O'Connor to arrest Kahn on the spot. O'Connor, apparently swayed by Oppenheimer's rhetoric, declined to do so. Hearings were set, but somehow the mayor's office always delayed them and finally they just drifted away. In 1934 Mahoney was defeated by about 100 votes, perhaps due to Kahn's editorials.

Benno Wolff also took part in the city's cleanup. He was active in the Junior Chamber of Commerce, which was a force behind the reform movement. As part of his *pro bono* work, he helped draft the city charter amendment that took the appointment of the chief of police out of politics. It was passed in 1936.

Cases and Clients

In the early years, as a general-practice firm, about the only type of law the Oppenheimer firm didn't practice was criminal law—and even then, there was at least one exception. Will Oppenheimer once defended a real estate man who had passed a bad check. He was acquitted, but told Oppenheimer he couldn't pay him. Oppenheimer realized that the client "had no moral instincts," although the man drew the line at killing someone. "If there was something on my desk he wanted and could steal it, he would take it," the young "Mr. O" wrote later, chalking up the loss of the fee to experience. Months later, a box came from Los Angeles containing "splendid cigars," and a card on which the client had written, "I have struck it rich." The full amount of the fee plus 6 percent interest was enclosed. An experienced criminal lawyer told Oppenheimer that the man was a professional criminal, because "the professional criminal will always pay his lawyer. . . . He is establishing his credit."

Oppenheimer once had the unusual task of resurrecting "Christ" from the tomb to sign a contract. Morris Guest came to St. Paul to produce a passion play

in the city auditorium. Everyone had signed the contract except for the man playing the part of Christ. Guest needed the contract; it was 11 p.m., and he had to catch an 11:20 train. Although the play was in progress, the curtains were lowered and trumpeters were sent out to blow a fanfare; while they created this diversion, Oppenheimer and Guest dashed in, took "Christ" out of the tomb, unwrapped the sheet, had him sign the contract, wrapped him up, and tucked him back into the tomb. Guest caught his train.

Will Oppenheimer made legal history when he caused the Wisconsin Supreme Court to unanimously reverse an earlier unanimous decision. St. Paul Fire and Marine Insurance Company was writing bonds for Wisconsin taverns when the Wisconsin legislature passed a law requiring all liquor establishments to serve Wisconsin cheese. If the taverns did not, the bonds would have to be forfeited. Millions of dollars in fines could have been collected. The Wisconsin Supreme Court unanimously upheld the law. After hearing Oppenheimer's argument challenging the law, the Supreme Court unanimously invalidated the law. St. Paul Fire and Marine was so grateful that it sent "Mr. O." a signed blank check and told him to fill in the amount.

Times Change

A support staff always has existed at Oppenheimer. In the early years, it was made up of the partners' secretaries and a bookkeeper. As the business grew more complex, so did the framework on which the legal functions hung, the essential nonlegal work that now ranges from accounting to marketing and information services, but there was always an accountant and a method of keeping time records. Until some twenty years ago, that had changed little. Lawyers sent their hours with a description to a bookkeeper, who transcribed them into a ledger under each client's account and kept track under each attorney's name.

Attorneys would meet to discuss a major bill, and lawyers and clients often would sit down together to discuss a bill, Jim Oppenheimer said. There were no fixed hourly rates. Clients were billed \$5 to \$15 for abstracts and title opinions,



Merchants National Bank at Fourth and Robert about 1925. This was the Oppenheimer firm's second home. Minnesota Historical Society photo.

which could take from two to three days of meticulous work to complete. Occasionally, in earlier years, lawyers were paid in land. The big old ledgers with their tidy, old-fashioned double entry method of accounting reflected the painstaking and often cumbersome work of the bookkeeper. If he or she ran out of space, a note directed the reader toward another page at the back of the ledger.

Great progress was made, said Benno Wolff, when the staff developed a time sheet that had glue on the back of it so that the bookkeeper could snip the individual items with a scissors and paste them on a sheet. For many years, every secretary took shorthand. The lawyers either dictated to the secretaries or wrote everything out in longhand and gave it to the secretary to transcribe and produce the draft. "If the secretary was busy, we typed our own letters," said Wolff.

Copies of everything had to be made. Durment and Moore made letterpress copies, Wolff said. The only way to make a copy of an original letter, which was in a

blue ink, was to wet or sponge the letter, place it firmly against a sheet of thin tissue paper, and clamp down. This left an impression on the tissue paper. "That's the way we kept all our title records and books." Later advances included using carbon paper to make multiple copies, which entailed careful erasing of each copy before making corrections.

The firm's first wave of high tech probably came about because of First Trust Company's use of the Dictaphone, said Wolff. The Edison "phono-disk" was universally disliked by attorneys and secretaries, who preferred taking dictation by shorthand. Young attorneys were not assigned secretaries, so they used the machines. The Dictaphone had a rubber tube into which one dictated, recording on a quarter-inch hard rubber disk. To erase something, the rubber was shaved off. Although the Dictaphone could be stopped, it couldn't back up to redo something. The first copy machine was a 3M Thermofax. The paper was heat-sensitive, and if laid on a radiator would turn black. The next copier was a Kodak that involved chemicals—"messy but efficient," said Wolff.

The firm had a small library. But "you were on your own," there, he said. There were no trained librarians. "We didn't have paralegals. We did our own research," said Jim Oppenheimer. Obviously, there were no computers to make instant, sweeping searches of entire sets of databases.

Help for Young Firms

The Oppenheimer firm has helped many struggling young companies, often charging modest legal fees or deferring fees until the company reached more solid ground. When the Bronstein brothers started their mattress company on Vandalia Street, their mother sewed mattresses and their father put them on his back and peddled them. Three sons split up the marketing, finance, and, eventually, the manufacturing work. The Oppenheimer firm was general counsel for the company that became U.S. Bedding.

"Which twin has the Toni?" was the well-known slogan of another company the Oppenheimer firm helped launch. The Toni Company was founded in St. Paul in

the 1940s as the first home-permanent wave company in the country. The product was developed originally for beauty shops, but a conflict arose when one contingent of the business, whom Wolff represented, began selling it to the home market. After the other side sold out, Toni products were marketed only to homes.

In 1948, Procter & Gamble became interested in buying Toni, and Wolff and another attorney went to Cincinnati to negotiate. "They wanted certain assurances about patents and I didn't know if we had a deal or not," Wolff recalled. On their way back, the two attorneys received a message from the Gillette Company, so they stopped at the Palmer House in Chicago to talk to Gillette representatives. By the time the two left, they had a deal, said Wolff.

"The sale made history for those days, because it involved a cash payment of about \$12 million to the family selling it. A contingency was attached providing that if the earnings reached a certain level, Gillette would pay the family another \$8 million. "It paid out about \$20 million in two years," Wolff said. "It was that good a business." Oppenheimer charged \$60,000 in legal fees, and Wolff remembered his bonus was \$15,000. He used the bonus to buy his wife, Gertrude, a washing machine, dryer, mangle, dishwasher, and disposal (which also involved upgrading the plumbing in the house). "She was thrilled," said Wolff.

Probably the most significant start-up company in Oppenheimer history was Control Data Corporation. Robert Leach would be chief counsel for the company and lead a group of lawyers in the huge Control Data lawsuit against IBM, as will be described later.

The MAC

In the 1940s, Minneapolis and St. Paul found themselves once again vying for business and political plums, as they had for more than a century. This time it was the spinoffs from the creation of the Minneapolis-St. Paul Metropolitan Airports Commission (MAC). One city was to get the insurance business and the other the law business. Minneapolis pressed for the insurance business. His father, according to Jim Oppenheimer, "as was his

wont, saw down the line much further, and said, we'll take the law business." For many years, everytime the airport commission needed to issue bonds to expand or build, they had to get an opinion that the bonds were legal.

Will Oppenheimer wrote the enabling legislation that created the MAC in 1943. Montreville Brown became MAC general counsel and served in that capacity until shortly before his death. He conducted all major litigation, including eight appeals to the Minnesota Supreme Court involving the constitutionality of the MAC law. (Brown conducted eighty-four court appeals in his lifetime, with "69 wins and only 15 losses," which, as a former varsity baseball star, he translated into a batting average of .821). "Monte Brown developed all of the MAC early cases," said Benno Wolff, "and I worked on many of them."

So did Gordon Shepard, who became the firm's tenth lawyer in 1939 after graduation from Yale and admission to the bar. Shepard's career was interrupted when the United States entered World War II, and the young lawyer found himself in France and then Burma with the Office of Strategic Services (OSS). When he returned home in 1945, he began to help Monte Brown with the MAC legal work. "I worked with him until he retired," said Shepard. "From 1950 on, until I retired, I did the legal work for the Airports Commission, with assistance from dozens of Oppenheimer attorneys." The two of them dealt with real estate issues involved in expanding the airport, said Shepard. Much of the MAC work was landlord/tenant activity, with the shops in the airport and the various organizations using it, and, as always, "the problem of noise." Once when a case involving noise at the airport was being argued at the Minnesota Supreme Court, the court retired to discuss the issue among themselves. A few minutes later, a Northwest Airlines plane flew over, and the justices had to call a temporary halt to the discussion.

TCRT Takeover

In the 1950s, Benno Wolff and Monte Brown represented the City of Minneapolis in the takeover of the Twin City Rapid

Transit (TCRT) Company by a New York stockbroker, Charles Green. The company's severe cutbacks and conversion of all streetcar lines to buses were undertaken "so belligerently and with such a lack of diplomacy that [Green] amazed even his associates, who by now included some notorious Twin City underworld characters," according to a history of the electric railways of Minnesota by Russell L. Olson. The conversion to the buses, he wrote, "was, as it turned out, a pillage of the electric railway system for the purpose of illegal personal profit for [Fred] Osanna [former president and legal counsel of the company] and his associates. Several years later they were indicted, tried in court, found guilty, and sentenced to prison terms. The Green-Osanna group took only five years to reduce to scrap metal what had taken . . . over fifty years to build; one of the finest street railway systems in America."

Wolff and Brown, representing the city, "worked on [the rapid transit issues] for years," said Wolff. "Many cases involving street railway evaluations of the property went to the Minnesota Supreme Court." There were other cases. For example, the TCRT Company issued slips of paper to customers to save and turn in for a refund if the fare increase wasn't approved. But "they were printed on tissue paper so nobody could save them."

CDC and OW&D

Control Data Company (CDC) played two important roles in Oppenheimer Wolff & Donnelly's growth: First it retained the firm as general counsel, initiating a major hiring frenzy; twenty years later, it began hiring its own in-house legal staff, drastically reducing the amount of work the company gave the firm and forcing it to undergo a major re-assessment of its path.

When Control Data was incorporated in 1957, it was a struggling startup company in Bill Norris's garage. That year, Robert Leach was elected to CDC's board of directors, and he served as the company's general counsel until his death in December, 1970. John G. Robertson, who would lead the firm in the largest case of its history, *CDC v. IBM*, also was named to the CDC board

and he, too, served until his death. Robertson, born of a pioneer legal family in Minnesota, had joined the Oppenheimer law firm in 1949. He served in the Southwest Pacific in World War II, then attended Macalester College in St. Paul. He encountered the two Donnelly brothers, Stan D., Jr., and David C., while working on his law degree at the University of Minnesota. The friendship between them was instant.

CDC v Sperry

In its early months, CDC had little legal business because it had little business generally and few employees. In January, 1958, Cedar Engineering, an instruments manufacturing company, completed its merger with CDC. Leach and Richard Lareau handled the negotiations. The company was dealt a blow that year when Sperry Rand Corporation (now Unisys) sued CDC and its key executives in federal district court, charging that the executives as a group, while employed at Sperry, had conspired to leave their employer and take its trade secrets with them. It appeared, according to an OW&D summary of the firm's relationship with CDC, that "Sperry's aim was to throttle the new company by maintaining a suit with very serious allegations of wrongdoing, so as to dissuade others from dealing with the Company. If this was the goal, it failed."

However, Sperry continued its suit against Control Data. In the mid-1960s, Robertson, who had considerable trial experience; Robert B. Hawkins, who had recently joined the firm, and Lareau countered a motion against CDC so skillfully that even before the judge announced his decision, Sperry withdrew the motion. In early 1962, a settlement between the two was entered into. Until 1959, the firm did not charge CDC any legal fees, and even then, until the company became more successful, fees were held to a minimum.

CDC v IBM

More legal problems lay ahead, however. In about 1964, Oppenheimer lawyers began investigating IBM's activities in the computer field. Four years later, CDC filed a major antitrust suit

against IBM. Some insiders say that case did more than any other single event to precipitate the growth of OW&D. After four years of research into IBM's computer business, Control Data filed a major antitrust suit against "Big Blue." Wood Foster remembered a partnership meeting at Leach's house when the partners decided to hire more attorneys and take on the CDC/IBM challenge.

"The IBM case," said David Donnelly, "was not a law suit . . . it was an odyssey." It was an odyssey that lasted until a settlement, favorable to Control Data for an undisclosed amount, was reached in 1972. It marked a new beginning for Oppenheimer. The lawsuit helped propel the modest St. Paul firm into one of the nation's top 100 law firms, create for it an international presence, and launch it into the world of computers with its own computerized database.

The contingent that worked on the CDC case included, besides Robertson, Leach and Lareau, associates Robert Hawkins, John Healy, and Leon Goodrich—and at times, virtually all the members of the firm. Ten full-time attorneys, twenty part-time attorneys, and 125 paralegals took part in the research and discovery phase. CDC programmers and analysts developed an enormous database that indexed 150,000 pertinent items and helped Oppenheimer attorneys examine more than 40 million IBM documents. The computer database held "every scrap of paper, every exhibit," in the case, said Benno Wolff.

All of this was accompanied by increased recognition for the firm (such as coverage in *Newsweek* and other national media), and the dubbing of Robertson, Leach, Lareau, and others as "super-lawyers." People took notice of the firm that had won a multimillion dollar settlement for its client, and that established Oppenheimer as a "strong litigation firm," according to Lareau. Sadly, John Robertson died suddenly of a heart attack in 1971 at the age of forty-eight, before the IBM case was completed. Oppenheimer attorneys also orchestrated CDC's \$750 million acquisition of Commercial Credit, a Baltimore-based finance company, in 1968.

There was another outgrowth of the

Oppenheimer role as CDC counsel. Control Data had established a reputation for "doing well by doing good," and it had built a plant on Minneapolis' North Side with the express intention of helping underemployed, undereducated, and untrained people get and keep a job. The company later built a plant in St. Paul in the center of a similar urban neighborhood. One of the programs CDC developed provided legal assistance on the myriad of problems employees might encounter that could interfere with their job performance. Oppenheimer cleared the plan with the local bar association and in 1975 embarked upon a program of sending the firm's lawyers into the plant on a regular basis to provide reduced-fee legal counsel to employees, with Control Data paying the bill. According to a 1982 OW&D newsletter, "Among the many enticements dangled before recruits to Oppenheimer's associate ranks is the opportunity to have frequent, one-on-one client contact early on" because of OW&D's involvement in Control Data's Employee's Advisory Resource (EAR) plan. EAR also provided counseling services to CDC employees with a range of problems, including chemical dependency. CDC eventually marketed EAR to other companies.

It was at Control Data's instigation, in 1969, that Leo John Harris, an Oppenheimer lawyer, was sent to CDC's European headquarters in Brussels, Belgium, to assist in international legal matters. David McElroy soon joined him, and that same year Oppenheimer established its own practice in Brussels, guided by Swiss attorney Jean Russotto. This was Oppenheimer's first expansion of its practice outside of St. Paul.

The firm's relationship with CDC remained close. Richard Lareau was named to the CDC board and Robert Hawkins became the company's vice-president for legal affairs and general counsel in 1974.

Oppenheimer was the first step in the careers of many people.

Larry Perlman, who left Oppenheimer in 1980 to become general counsel of Control Data, is now chairman and chief executive officer of Ceridian Corporation (formerly CDC). He handled a number of business jobs, including restructuring

Facts Worth Knowing About St. Paul

Band concerts have begun tonight at Como and Palmer parks. Monday afternoon concerts are given also. With the exception of Monday evenings when the bands play at the smaller parks, the concerts are held at these two places.

St. Paul Dispatch

The Good Will of the Public is the goal of the modern seller. Without it, his business cannot succeed. Every time he advertises, he puts his good name to your hands. His product MUST make good. It MUST be as advertised.

VOL. 57. NO. 2

HOME EDITION.

ST. PAUL, MINN., TUESDAY, JUNE 24, 1924.

★★

PRICE TWO CENTS IN ST. PAUL.

BIGELOW SENTENCED TO 2 YEARS, FINED \$10,000

ROW OVER TICKETS MARS CONVENTION OPENING; REPUBLICANS LAMBASTED IN KEYNOTE SPEECH

POLICE DRIVE THOUSANDS AWAY; LEADERS DENY IRREGULARITIES

Lucky Ones Pass Line of Ropes Three Blocks Long; Many Forced to Stand Up.

ADDRESS HALTS GRAB FOR VOTES

Madison Square Garden, New York, June 24.—Holling along on a great wave of party enthusiasm despite its deep differences over candidates, the Democratic national convention at one brief session today gave itself over to approval of the party and rousing approval of Temporary Chair Paul F. Harrison's lambasting of the Harding-Coolidge administration.

While the masses were deluged with platitudes temporarily, the 12,000 delegates and visitors at the convention gathered under the blazing roof at Madison Square Garden, some of many a great show, but none greater than this—in so thorough the formalities of the convention under way.

Democrat for Wilson. "There the Jefferson, Jackson and Cleveland men in a growing chorus and Chairman Harrison, secretary of the mass of Wendell Willkie. That was the signal for the first Democratic and everything went to it in a rush to sympathy the death of Madison. It was nearly a half hour before the great audience was quieted and Chairman Harrison went back to his former position. Coming with a plea for harmony and a united Democracy under the leadership of the convention itself, he

Harrison Is Merciless in Scoring Oil Scandal, Official Corruption, Tax and Tariff.

"REVERE NEEDED, NOT A SPHINX"

SHAFTS OF KEYNOTER

America needs a Paul Revere and a sphinx," in the White House.

Show this Administration an all well and it will show you a very big sphinx.

The Administration might have heard the groans of distressed farmers of the West. The least the American people expect of their public servants is common honesty.

On a thousand leaves, they (the Republicans), have hoisted the white flag of surrender. The American people know that though Hiram, Quay and Pezzer are dead, their spirits go marching on.

TICKET SCANDAL AROUSES STORM AT CONVENTION

Sensational Rumors of Admission Cards Mysteriously Disappearing Fly Thick and Fast.

VICE CHAIRMAN DENIES CHARGE OF FAVORITISM

Official, Taking Refuge Behind Locked Doors, Brands Report as "Silly, Without Foundation."

SOME SEATS UNSOLD. Madison Square Garden, June 24.—Ticket scalpers may not get some money if they are holding tickets for the worst seats in the convention hall. An hour after the proceedings began, several hundred chairs in the balcony were vacant. Delegates who failed to get desired seats for their friends are made all the better as a result.

Official, Taking Refuge Behind Locked Doors, Brands Report as "Silly, Without Foundation."

At the introduction of all the state delegations there was an incident which caused a great deal of talk. It was the demand for tickets, and in many instances state delegations were explained their inability to meet the demand.

DEMOCRATIC CHAIRMAN



Willkie is chairman of the Democratic National committee.

\$50,000 Bets, Laid by One Firm Over Democrats

Offers in New York Reach Highest Peak Since Convention Preliminaries.

(By a Special Correspondent.) New York, June 24.—Betting in the financial district today was the most active since the beginning of the Democratic convention preliminaries.

Abner Wagner was one of \$10,000 against \$25,000 that Smith will be elected to oppose the Coolidge ticket at the November election, and \$10,000 additional available at the same odds.

Underwood at from 2 to 1 and 1 to 1.

GOPHER DEMOCRATIC CONVENTION PERILED

Mrs. Kingsley in Gotham Threatens Contest on Ramsay Allotment.

(By a Staff Correspondent.) Convention Hall, New York, June 24.—As the Democratic National convention opened at noon there were rumors and rumors of rumors of two contests within the Minnesota delegation.

MILLIONAIRE PLEADS GUILTY; COMPANY AND TWO ASSOCIATES ALSO ASSESSED \$10,000 EACH

President of St. Paul Manufacturing Firm Remanded to Leavenworth After Admitting Conspiracy to Defraud Government.

SENTENCE STAYED TILL NOVEMBER 1

H. H. Bigelow, millionaire president of Brown & Bigelow, was sentenced today to two years in prison and fined \$10,000 in Federal court here today when he changed his plea of not guilty to guilty on a charge of conspiracy to defraud the government in filing income tax returns.

Robert P. Galloway, treasurer, and William F. Priester, controller of the firm, were fined \$10,000 each and the firm of Brown & Bigelow was fined \$10,000 and ordered to pay \$148,000 back taxes.

Judge William A. Cant granted a stay of execution to November 1 on Bigelow's prison sentence to allow him time to wind up his business affairs and plan for the operation of the firm's business during his absence.

FINES MUST BE PAID IMMEDIATELY. The fines of the defendants must be paid immediately, the judge decreed, and arrangements were being made by them today to comply with the order. The back taxes also must be paid immediately. Bigelow, Galloway and Priester were released on their recognizance by virtue of \$2,000 bonds furnished when they were indicted.

Following a lengthy conference in the office of Laurence French, United States District attorney prosecuting the case, Judge Cant entered the court room, which was well filled, followed by the defendants and their attorneys.

DEFENDANT CONFIRMS CHANGE OF PLEA TO GUILTY. Attorney French informed the court that attorneys for the defendant had announced the intentions of their clients to change their plea. Mr. French was confirmed by the defendants' attorneys.

Judge Cant turned to Mr. Bigelow, after the preliminaries, and asked him if the attorney's announcement was correct. Bigelow, in a voice scarcely audible, said "yes." The other two men likewise said "yes."

Bigelow and his fellow conspirators, upon being questioned by the judge preliminary to the passing of sentence, gave brief summaries of their lives.

THREE DEFENDANTS ARE PLAYED BY JUDGE CANT. Bigelow is 54 years old, married and has two children. He is not a church member. He is a college graduate. Galloway is 41 years old, married, a college graduate and a member of the House of Holy Trinity Lutheran church. Priester is 45 years old, a high school graduate and not a church member.

The United States v. Bigelow. Will Oppenheimer represented businessman Herbert Bigelow who was charged with income tax evasion in 1924. Oppenheimer lost the case and Bigelow went to Leavenworth. Minnesota Historical Society photo from newspaper microfilm collection.

Commercial Credit Company, restructuring the data storage products business into Imprimis Corporation, and running various business groups. As chief operating officer, and ultimately chief executive officer, he also engineered the spin-off of Control Data Systems (the computer business) and the renaming, in essence reformation, of "old" Control Data into Ceridian Corporation. He is on the board of a number of public and private companies, including K-Mart Corporation and Carlson Companies. Paul Burke, who is chairman, chief executive officer and president of St. Paul-based BMC Industries, began his career at Oppenheimer. After leaving Oppenheimer he joined BMC Industries, an Oppenheimer client, as an associate general counsel. He eventually became general counsel and then moved on to

manage one of BMC's operations in Florida. He was promoted to president and chief executive officer at an extremely young age. Richard Moen left Oppenheimer in the beginning of 1987 to join the legal staff of Control Data Corporation and later became general counsel and vice president of Golden Valley Microwave Foods, Inc. When Golden Valley was acquired by ConAgra Corporation, he became an executive vice president for one of the business groups at ConAgra. He is currently an executive vice president and chief administrative officer and treasurer of RDO Equipment Co., a New York Stock Exchange company. John Tunheim, an Oppenheimer associate for a number of years, then went to work with Skip Humphrey as his top administrative assistant in the Minnesota

attorney general's office. He is now a federal court judge in St. Paul. Steve Olson practiced law for a number of years in St. Paul, and for a few years in Minneapolis. He left Oppenheimer in the early 1980s to join the legal staff at Control Data Corporation. He currently is the general counsel for Ceridian. Jim Hogg was an Oppenheimer lawyer for several years, after leaving the University of Minnesota Law School as a professor. He left Oppenheimer in the mid-1970s to join the Control Data legal staff (under Bob Hawkins). He eventually left Control Data to become dean of the William Mitchell College of Law. John Sullivan left Oppenheimer in 1989 to join the legal staff at Cray Research and is currently their general counsel.



St. Paul's new City Hall/County Courthouse goes up in 1931. Will Oppenheimer was a leader in the drive to build the new courthouse. Minnesota Historical Society photo.

Douglas Hemer was a partner for a number of years before leaving Oppenheimer in 1996 to become general counsel at Aetrium. He is now president of Symtek, an Aetrium subsidiary in San Diego.

Leap of Faith

In 1973 the Oppenheimer firm took an enormous step. It established its second office outside St. Paul in the new IDS Tower in Minneapolis, with seven lawyers. It was a daring leap, less because of geography than as a bold step toward its vision as a national and international firm. "I was a little bit alarmed to be expanding into Minneapolis," said Benno Wolff. "We had to go up against the big guns that already were over there."

"The best decision Oppenheimer ever made was opening an office in Minneapolis," said Lareau. "The two communities were a little parochial: St. Paul business people didn't go across the river, and Minneapolis didn't know St. Paul existed." Until about 1983-84, the

Minneapolis office was still viewed as a "St. Paul law firm with a few lawyers in Minneapolis," said Tom Kane, one of the architects of the expanded firm. Lareau, for example, had for some time been doing work for one of the principals in a major Minneapolis investment firm. When Lareau ran into him in the IDS Tower, the client asked, "What are you doing over here?"

Kane, hired by David Donnelly in 1966 as a summer associate (he had been an office services clerk from 1964 to 1966), passed the bar and joined the firm in 1968. He is part of a rich and somewhat intricate history involving Oppenheimer's relationships with the railroads. His father was general counsel for Great Northern Railway and, when Great Northern became Burlington Northern in 1970, he stayed on as general counsel. In time he also was mentor to a young attorney, Don Engle, who eventually became Burlington Northern's senior vice president for Law and Government Affairs. When BN moved its operations to Texas

in 1984, Engle began talking about becoming of counsel at Oppenheimer. When OW&D's Chicago office opened, his expertise in transportation law was tapped, and in January, 1987, he was made a full partner in the St. Paul office.

In January, 1986, Oppenheimer merged with the Minneapolis firm of Thompson and Klaverkamp. Klaverkamp brought to the merged firm fifteen attorneys and a strong client base in commercial real estate financing. Thompson and Klaverkamp, for its part, wanted to disengage from increasing management and administration responsibilities, and growing concern over taking on new business while still serving existing clients. As Benno Wolff said in something of an understatement, the Minneapolis office has "done really well." Now located on the thirty-first to thirty-sixth floors of the Plaza VII Building on Seventh Street, it is the biggest of the Oppenheimer law offices.

Other changes were in the wind by 1979 when it was clear that Control Data was lessening its dependence on the Op-

penheimer firm. By mid-1975, CDC had decided to shut down its Brussels operations. Only about four lawyers were left in Brussels, but OW&D decided to maintain that office even though CDC was reducing its economic support.

Years of Growth

The early 1980s were the beginning years of Oppenheimer's rapid growth and transformation from a small law firm to a large international firm. The partners were seeing additional radical changes in the practice of law.

An increasing number of women were graduating from law school and joining law firms. Today, Beth Culp is one of Oppenheimer's most senior women attorneys. The two biggest areas of change Culp has seen since she started at Oppenheimer have been its "studied effort at new growth," and its active recruitment of women as associates. In the early 1980s, approximately 20 percent of the law school graduates were women; in the 1990s the number of women graduating from law school often has exceeded the number of men graduating from law school.

Culp, who joined the firm as an associate in 1984, became a partner in 1991. "Women of my generation had no role models," said Culp, who is married and has children. "Today, women may have more role models but many still struggle with the demands of private practice because they are frequently the primary caretakers in the family. As a result, law firms, including our firm, have not always been able to retain these women with multiple responsibilities. Women attorneys at Oppenheimer, however, have been fortunate to have influential male lawyers who mentored women in entrepreneurial skills and in their vision of their practice."

Additional changes included:

- Growing complexity and specialization, with a division of the fields into smaller components;
- The growth of new kinds of practices (such as environmental law);
- Advancing technology that, in the legal world, enables storage, transfer, search, and retrieval of vast amounts of information and communication on

an international level, and provides such abilities as the use of a computer to produce a three-dimensional drawing of an engine part for a product liability case;

- Depersonalization within the firm and between firm and client;
- Increasing pressures from clients to cut costs and operate more efficiently.

Particularly pertinent were a dilution of "brand loyalty" to a single firm, as companies began to hire in-house counsel, and an increasingly global economy. Back in the old days, the firm consisted of five partners, six associates, five secretaries, a bookkeeper, a receptionist, and a clerk/messenger. As of 1996, there were ninety-nine partners, more than 100 associates, twenty-three of counsel, forty paralegals, 154 legal secretaries, and more than 100 support staff employees.

Oppenheimer Wolff & Donnelly today offers an interesting look at how a major law firm is organized in the late twentieth century, as well as the fits-and-starts of how it arrived at that organization during the increasingly complex 1980s and early 1990s. The simple and informal structure that supported the lawyers years ago would have collapsed long ago—taking the firm with it.

"The lack of effective management . . . is one of the top three defining characteristics associated with law firms that have disintegrated," said Larry Williams, chief operating officer since 1994. "The marketplace for legal services is changing pretty significantly. We've gone from a seller's market to a buyer's market." Something of an "inversion" has taken place. Historically, "the lawyer would decide the price, the strategy, and define the quality of the work product . . . Increasingly, now, the clients decide what they're willing to pay; they want to weigh in on strategy, and decide what a quality work product is."

These and other changes required a stronger, more complicated support structure. In 1973, when Oppenheimer opened its Minneapolis office, there were no titles and no real delegated management responsibility other than the Executive Committee, the equivalent of a board of directors. The committee managed all as-

pects of the firm, from deciding on the color of the wallpaper to establishing compensation. In addition, a long-standing relationship was no longer enough to keep a client, and most lawyers in the firm were at sea in the arena of marketing and client development. At the same time, there was a dramatic rise in litigation.

"For all intents and purposes," said Stephen (Pete) Peterson, chief financial officer, "a law firm is no different than any other business. We have receivables to collect, inventory to bill to clients, assets to protect, and personnel issues. We have 650-plus employees, so we're a substantial business."

There are, however, differences in management between most corporations and Oppenheimer where the partners are the ultimate authority under a one-partner, one-vote principle. They elect the Policy Committee (the successor to the Executive Committee) and the chief executive officer. The most junior of partners have an equal say with the senior partners who control the most business and have the highest incomes, said Levenberg. It is unusual, and "has been the hallmark of this firm for a long time." Its democratic nature is the firm's strength, he said. "It leads to a consensus of values, purpose, focus, and inclusiveness. Great law firms are made in part by partners remaining entrepreneurial, feeling and acting like owners."

On the other hand, it does mean a somewhat slower-moving organization. Although the chief executive officer and the Policy Committee can make most of the decisions, when a firm-rattling decision must be made—such as whether to admit a new partner, merge with another firm, or open an office in another part of the world—the issue is placed for a vote by all the partners.

It also needs to be remembered that, "in a business our size, there are many decisions that need to be made" on a day-to-day basis, said Michael Bleck, chief executive officer. There are fourteen practice groups with a person in charge of managing each one; a lawyer is responsible for managing each of the twelve offices. Although the firm is divided, organizationally, into the legal side and the non-legal or support staff, the framework links the



Cars compete with trolleys in downtown St. Paul in the early 1950s. Oppenheimer attorneys Benno Wolff and Montreville Brown represented the City of Minneapolis in the lawsuit over the takeover of the Twin City Rapid Transit Company (TCRT) by a New York stockholder. Ramsey County Historical Society photo.

two sides through the Policy Committee, on which the chief operating officer sits—and votes.

Stab at Structure

The initial stab at a structure was made in the late 1960s with the creation of the Executive Committee. It was made up of five partners, voted in for three-year terms that were staggered. The Executive Committee still exists as the Policy Committee, but for a long time it was almost the only concession to a formal management structure at OW&D. Back then, the firm had been experiencing a leadership void. Frank Hodgson had died in 1968, Bob Leach in 1970, John Robertson and Monte Brown in 1971, and “Mr. O” was incapacitated by illness (he died in 1975). The other senior lawyers were interested in practicing law, not managing. Insiders agree that Tom Kane, who was made a partner in 1973, partly on the strength of his handling of several sex discrimination cases, deserves much of the credit for the firm’s new direction. “Tom and I served together in the 1980s on what was called the 1990s Committee,” said Chuck Levenberg. “He was chair and designed

the management structure that still exists. Dick Bisanz also made a major contribution,” as did Jean Rusotto of the Brussels office and Craig Gagnon, now in the Minneapolis office.

Strategic Planning Units (SPUs) emerged out of talks that stemmed from a planning conference held in the fall of 1982, as the initial attempt to structure the firm more effectively. OW&D was organized into ten SPUs that included Banking and Financial Institutions, Corporate Finance, Professional Malpractice, and so on. Members of each unit were to meet on a regular basis to develop ways to increase and broaden each group’s practice and to complete a planning guide.

Strategic Planning Units were a good beginning, but they were too small to be effective. In 1985, the firm invited several industrial psychologists to its annual fall retreat to direct discussions about where the firm would be in the 1990s. Out of this came a group called the 1990s Committee. The committee proposed a number of changes, including:

- Formation of a Policy Committee, replacing the Executive Committee;

- Creation of a chief executive office, to be held by a partner who would head the Policy Committee and would run the firm with direction from the Policy Committee;
- Creation of a chief operating office, to be held by a non-lawyer who would “bring some insight from the outside world” and be responsible for all non-legal aspects of the firm’s operations;
- Creation of five departments that consolidated the ten SPUs.

Tom Kane was elected the first chief executive officer, and he served two three-year terms. Paul Boyke was named the first chief operating officer in early 1986. A certified public accountant with a master’s in business administration, he had held financial management posts in the medical industry. The five departments “were designed to respond directly to concerns raised by the 1990s Committee, such as the need for more effective marketing and client development, providing a structure that would allow lawyers to work together, and recruiting new lawyers,” Kane wrote in a 1988 firm newsletter article.

The department concept worked for a

while, said Levenberg. "I was the first chair of the largest department, the Corporate Department, but then it became obvious that the departments were too big. At one time, I had seventy timekeepers [partners, associates, and paralegals] reporting to me. It was impossible. The range of what they did was so different. The people who practice in [a particular area] need control . . . to manage and plan and budget."

In 1995, the firm evolved into its current practice group structure. Each group has a chair who is responsible for the strategic development of its practice area, and the attorneys, paralegals, and legal secretaries within the group. Many groups practice in new fields that have developed in response to client needs. As Levenberg pointed out, "Had we not developed environmental expertise and practice, we would have lost all that business when government and social forces began to establish regulations on how to treat the environment." When Levenberg joined the firm, he said, "nobody was giving a thought to it." (Other committees, such as an Ethics Committee, Space Planning Committee, and Pension Committee, provide additional management functions.)

A team commitment allows attorneys across the firm to pool their skills and experience in serving specific clients or industries. Oppenheimer lawyers now practice in four industry groups: Health Law, Insurance, Medical Devices, and Transportation, and in ten practice groups: Benefits, ESOPs and Taxes; Business Litigation; Commercial Finance and Real Estate; Commercial Law, Banking and Bankruptcy; Corporate Finance and Transactions; Environmental; Intellectual Property; International; Labor and Employment; and Product Liability.

With the emphasis on cutting costs, it is not surprising that one of the fastest-growing professions in the 1990s has been that of paralegals or legal assistants, according to the Minnesota Department of Jobs and Training. In a profession that is only some twenty years old, paralegals are becoming increasingly common as law firms, including Oppenheimer, search for ways to be more efficient and keep client costs down.

Today, a number of schools offer paralegal training and a professional society provides information, training, and support. The paralegal industry mirrors the law profession in its expansion and in its increasing complexity and specialization.

Paralegals craft pleadings, help prepare the lawyer, keep track of depositions, and do much of an attorney's administrative work. For some, a paralegal job may be an end in itself; for others a step toward full-fledged status as a lawyer. For a beginner, paralegal work provides first-hand experience, often while attending school. For a law firm, a paralegal provides lower-cost routine legal services.

* * *

Since the 1970s when OW&D decided to keep its European presence at the time Control Data shut down its Brussels operations, Oppenheimer has established offices in Paris, Geneva, Washington, D. C., New York, Chicago, and Detroit, in addition to St. Paul and Minneapolis. On January 1, 1997, the firm merged with Poms, Smith, Lande and Rose, a Los Angeles-based intellectual property firm with additional offices in Irvine and Silicon Valley.

"The merger positions Oppenheimer to encompass our clients' growing demand for intellectual property solutions," observed Michael Bleck. Other offices outside the Twin Cities include:

Brussels

Often seen as the unofficial capital of Europe, Brussels is host to most of the European Union's (EU) key institutions. They, in turn, have lured more than 200 of the world's top multinational corporations and more than 150 law firms. The OW&D office has thirteen attorneys, three of counsel lawyers, and five paralegals, supported by eighteen multilingual employees, and focuses on EU law and international corporate transactions, tax law, and environmental issues.

New York

OW&D's New York office was established in late 1986 when six lawyers formerly with New York's Rogers Hoge and Hills joined the Oppenheimer firm. They brought with them established practices in

commercial litigation, labor and employment, insurance and government procurement. The office, with seventeen attorneys and three paralegals, also practices in intellectual property, employment law, international transactions, securities litigation, insurance and environmental law.

Chicago

David Potter, a partner in the Minneapolis office, opened the Chicago office in 1986 to serve railroad clients, including the Illinois Central Gulf (now Illinois Central) Railroad. The office then began to diversify its clientele and practice, increase its visibility in the city's business and legal communities, market its services, and attract new associates. The office now has thirty full-time attorneys and paralegals practicing in the areas of transportation, insurance, health law, employee benefits, and litigation.

Washington, D.C.

The firm's third office opened in Washington, D. C. in 1983 in shared quarters, then moved into its own offices in January of 1987. Eight lawyers and a paralegal provide legal advice on federal and state regulatory proceedings, litigation, transactional matters, labor and employment issues, and contract drafting and interpretation. Attorneys represent clients in the consumer products, motor vehicle, health care, and transportation industries. This office also has handled management/labor negotiations; civil, criminal and appellate litigation; contested administrative matters; complicated commercial transactions, and legislative lobbying.

Paris

Opened in January, 1988, as a natural outgrowth of the firm's expanding French practice in Brussels, the Paris office now has six attorneys. They practice primarily in French corporate law, technology transfer, intellectual property law, international transaction law, and European Community law.

Detroit

One of Oppenheimer's newest offices, Detroit was opened in 1995 after



Benno Wolff at his computer as the age of technology catches up with the legal profession. Oppenheimer Wolff & Donnelly photo.

Chrysler selected the firm as its national discovery counsel for product liability litigation involving passenger cars and minivans. The office will expand the firm's product liability services and its practice in environment, transportation, and insurance law.

* * *

Lawyerly functions are supported by myriad staff, the largest number of which are legal secretaries who are critical for the lawyers in working with Oppenheimer's clients.

With about eighteen people, OW&D's Financial Group is its biggest staff function, handling payroll, general ledger, accounts payable, billings, and the firm's retirement plan. Lawyers, as in the old days, still do their own billings but now work through a monthly memo the Accounting Department sends to each lawyer who amends and approves it. Financial statements go to all offices, and converting Belgian and French francs to American dollars adds a challenge unknown fifty years ago.

Before 1979 Oppenheimer simply compiled its financial information and sent it to a third party for processing. Then the firm acquired an IBM 3/34 to process the information directly. A word processing department also was established at about this time, using stand-alone CPT

equipment. When Mark Thuston, now head of the Information Services Group, was hired in 1981, his job was to assist with an inventory of the paper files, help set up electronic databases, connect them and program the system for searches and sorts of databases. He soon was placed in charge of the financial system.

Meanwhile, the secretaries were slowly advancing from IBM Selectrics to Xerox Memory Writers. When the "PC revolution" set in, Oppenheimer, along with virtually every other business, had to try to hit a moving target, figuring out its Information Systems in the midst of unparalleled technological changes.

Two such changes in 1987 offered an opportunity to explore networks and address cabling. That year the St. Paul office was remodeled and the Minneapolis office was moved from the IDS Tower to the Plaza VII building on Seventh Street between Nicollet and Hennepin.

"By 1989," Thuston said, "we had 500 PCs, file servers, networks linking Minneapolis and St. Paul, and a wide area network (WAN) from here to Chicago."

Computers were no longer on the periphery but at the very heart of the firm. Most of the lawyers had computers on their desks, although some at first resisted, not seeing themselves as entering data or needing keyboard skills. E-mail

drove home the concept of a computer on every desk, Thuston said, "because that meant attorneys communicating with other attorneys. If one of your partners is sending you e-mail, you have to be able to respond." Although some attorneys still had their secretaries send their e-mail, they gradually found that it was easier to get on the computer themselves. By 1990, 80 percent of the people were using the network.

Because of computers, the library is quieter these days. Instead of attorneys dictating research into a tape recorder, there is the clacking of computer keys and the ringing of phones. Instead of attorneys pulling law books off the shelves, they often are squirreled away in their offices, seeking out information on their own PCs.

In earlier years, said Gretchen Haase, who became the firm's librarian in 1977, "there were a lot of bodies in the library because that is where the books were." There was no computerized legal research. Haase had been hired in part because of her experience with computer searches as librarian for a New York advertising agency. At Oppenheimer, the library was second to the Financial Group in acquiring computers. Online legal services such as Lexis and Westlaw and nonlegal services such as Dialog, a general information service, had sprung up in the late 1970s and early 1980s. Today the library staff has access to the Internet, library catalogues, InfoTrac (an online magazine index), government bulletin boards, and other commercial databases. One of Haase's favorite historical collections holds old Minnesota laws dating back to territorial times.

Training on a system once required days instead of mere hours, as is usually the case today, and part of Haase's job involved teaching the attorneys to conduct searches. As PCs became available, Haase's department, working with a committee of computer folks and attorneys, developed a network for the firm. Where once the response to computers mixed awe with discomfort, growing numbers of attorneys with years of familiarity with computers replaced discomfort with casualness.

Let Them Know

"Let one new person a day know you're a lawyer," Will Oppenheimer used to advise young lawyers. Years ago attorneys discreetly touted their services among neighbors, friends, co-religionists, fellow Rotary and Masonic members, and in their day-to-day transactions in the business and professional community. It was then a "very personal business," said Jim Oppenheimer.

As in medicine, advertising was considered unethical throughout the legal world, but in 1977 the United States Supreme Court ruled that attorneys could advertise. Oppenheimer hired its first marketing director in 1987 when only a handful of marketing people were working in law firms. (Today there are about 1,400.) Marketing then included handling the media, working with the firm's advertising agency, conducting marketing research, creating brochures, producing an in-house newsletter, and training lawyers in marketing techniques.

Katherine Wilson, now OW&D's director of client services, joined Oppenheimer in 1992 because she considered it an innovative law firm. "A major change in law firm marketing," she said, "has moved them away from advertising and brochures to focusing on clients directing what they want from their legal service providers."

The questions always before Wilson and her staff are: How do we make ourselves more user-friendly to clients? How do we communicate our capabilities to clients? How can we add more value to what we offer a client? How can we use technology in more innovative and creative ways to meet clients' needs? Wilson believes that it helps to answer these questions through client interviews and surveys and through inviting them to be guest speakers at internal attorney meetings and retreats.

* * *

"When I began to practice law," Jim Oppenheimer recalled, "it was a lifetime job. You stayed with your firm. There was no thought of leaving." It also was an "up or out" system. An attorney was hired as an associate, then made senior associate, then, in seven years, partner.

An attorney who did not make partner in seven years was out of the firm.

However, many Americans view work differently than they once did. Not every attorney wants to make partner, if it means working twenty hours a day. Surveys show that if they have a choice, a majority of workers in the 1990s prefer more time and a life with fewer pressures to more money.

The entry of great numbers of women into professional fields brought another set of values when many of them wanted a family as well as a career. As the idea of more flexibility invaded the workplace, Oppenheimer initiated changes that offered more choices for the firm, its attorneys and employees.

"We have three discernible levels of partner with much different levels of responsibilities," as a result of some recent organizational changes, said Michael Bleck. "We used to have only the equity partner, but in 1995 we created several new partnership tiers." Now a lawyer might be brought into the firm as an income partner, a contract partner, or an equity partner who is responsible for a certain level of client relationships and business. "Talented lawyers can work hard in terms of hours, but if they don't have clients, they can't be an equity partner," he said. A contract partner has specialized skills and is hired on a temporary basis.

There also is of counsel status, traditionally reserved for lawyers in semi-retirement who want to resign their partnership but remain with the firm. Occasionally the of counsel status has been used to bring in an older attorney who wants to continue practicing but on a more limited scale. This was the case when Stan D. Donnelly became Oppenheimer's first of counsel.

Another current cultural shift involves diversity. After the end of World War II, Gordon Shepard remembered, a few women lawyers were hired, usually to work on estates and probate, but there was a problem, he said. "In those days, a client didn't want to be told what to do by a woman." However, thirty years later, as women and minorities began graduating from law schools, Oppenheimer began hiring them. Today, clients not only want to, but demand to, work with women at-

torneys, as well as attorneys of color.

* * *

The future looks much like the present, only more so, at the Oppenheimer firm. Change and adaptation to change are the keys, said Michael Bleck and Larry Williams. Both anticipate more unfolding, deepening, and broadening of present trends: increasing globalization, a continuing search for ways to cut costs, and an increasingly sophisticated technology.

"The most significant transition for the profession, the globalization of the business world, isn't confined to the legal world," Bleck said. "It is likely that much of our growth will be outside the Twin Cities. We've been in Brussels for more than twenty-five years and only one other United States-based law firm has as much presence there as we do."

Another ongoing change is technology, which is being applied not just to administrative work but also to the practice of law. Beginning with *CDC v. IBM* more than thirty years ago, Oppenheimer's people have been creating databases for specific assignments and cases. Technology also can help solve the question of how to allocate resources.

"We're challenging the model," Williams said. "Let's not look inside for new ideas. We need to look around us, because that's what other businesses have to do. That will have more to do with shaping our future than anything else. What do clients want, where are they going, do we understand their problems?"

Oppenheimer Wolff & Donnelly today, with its size, specialization, and diversity, and its far-flung and technology-winged enterprises, is a different law firm from the one Will Oppenheimer formed in the early twentieth century, but its men and women are still walking in "Mr. O's" footsteps, following his early vision of an innovative, business-oriented law firm for St. Paul.

Virginia L. Martin is a freelance writer and the author of two other articles for Ramsey County History: a history of Giesen's Costumers, which appeared in the Winter, 1994, issue and a history of the St. Paul Friends of the Library, published in the Summer, 1995, issue.



Kellogg Boulevard in the mid-1930s. Will Oppenheimer played a major role in the downtown rehabilitation project that cleared old buildings on the river side of Third Street to make way for the new boulevard. On the right, some remnants of pioneer St. Paul still can be seen. Ramsey County Historical Society photo. See article beginning on page 4.

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