

8/3/56

Memorandum to Law Revision Commission

Subject: Proposed changes in commission staff.

I recommend that the Law Revision Commission establish a new staff position of Assistant Counsel, that Mrs. Nordby be promoted to this position, and that a new Junior Counsel be hired. My reasons for these recommendations are as follows:

1. During the past year I have continued to devote well over one-half of my time to work for the commission. In part, this may be due to a constitutional inability or at least reluctance on my part to delegate responsibility. But it is due in larger part, I believe, to the fact that this amount of work on my part has been necessary to get the job done, at least on the schedule we have maintained. Whatever the explanation, I must reduce the amount of time which I devote to commission work in fairness to both Stanford and myself.

This means that a substantial part of the work I have been doing -- both administrative (lining up research consultants, preparing memoranda, budgets, annual reports, etc.) and substantive (writing staff reports, drafting the commission's reports and recommendations to the Legislature, etc.) -- must be done by somebody else. I think that there can be no doubt that the position of the person to whom such work is delegated should be established at least at the level of Assistant Counsel.

If the position of Assistant Counsel is established, I recommend that Mrs. Nordby be promoted to it. She has passed the civil service examination for Assistant Counsel and is No. 1 on the department promotional list. She has been with us as Junior Counsel almost two years and worked prior to that time for

several months for Stanford on the Education Code revision work. Her work has always been of the highest quality and I am confident that she can handle the added responsibilities of the new position.

We also need to continue the position of Junior Counsel which Mrs. Nordby now holds. To the person holding this position would fall a part of the duties now handled by Mrs. Nordby as she takes over a part of mine. In addition, the Junior Counsel would have the following responsibilities:

1. Work in connection with the commission's printing program. There is a great amount of detail work here: cite-checking, marking copy for the printer, proof-reading of galley and page proof, etc. Once we get a regular printing program under way, it will add substantially to the work of the office, most of which must be done by an attorney.

2. Preparation of staff studies. Even though most of our research work is done by outside research consultants, we will always have some staff studies and, depending on what decision is made on the questions raised in the agenda memorandum recently sent to you, we may have a number each year involving topics too small in scope to warrant retaining a research consultant.

3. Agenda work. Part or all of the agenda work could be done by the Junior Counsel instead of by Stanford under the agenda contract.

Due to the flexibility of the commission's general working arrangements, under which research consultants do most of our studies and our agenda work is done by Stanford, the situation cannot develop of not having enough work to keep both an Assistant Counsel and a Junior Counsel occupied. The work loads of both positions can be maintained by having them do work which we might otherwise have done outside.

If the recommendations made herein are accepted by the commission, the question arises as to when they should be put into effect. I recommend that this be done as soon as possible. Budgetary limitations may preclude taking any of the action recommended before July 1, 1957 when the next fiscal year begins. However, it may be possible to put at least a part of the recommended changes into effect - e.g., establish the Assistant Counsel position - during the current fiscal year by making some changes in our various accounts.

Respectfully submitted,

John R. McDonough, Jr.  
Executive Secretary

Res: do both as soon as  
practicable