

NOV 7 1955

Memorandum No. 2

Subject: Use of stenographic services by
Executive Secretary.

A question has arisen as to whether I should continue to have Miss Pellicone, the Law Revision Commission's stenographer, do my stenographic work in my capacity as Professor of Law at Stanford as well as Executive Secretary of the Commission.

My practice in the matter as well as my view of the justification for it is set forth in my letter of October 31, 1955 to Tom Stanton, a copy of which is attached.

Miss Pellicone is of the view that the matter is one within the jurisdiction of the State Personnel Board.

I have discussed the matter with Dean Spaeth. He has asked me to tell the Commission that the Law School will be happy to agree to any arrangement which the Commission thinks proper. The School would, of course, be happy with an arrangement such as I have practiced to date, whereby stenographic services would be furnished to me for my Law School work in exchange for the facilities made available to the Commission, provided this arrangement meets the ready approval of everyone on the State side who may be concerned. The School would also be willing to reimburse the State for such stenographic services as are performed by its personnel in connection with my Law School work if such an arrangement is thought to be desirable and feasible. Or the School will furnish me with stenographic services for my Law School work if the Commission believes that this would be the best arrangement under the circumstances.

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

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October 31, 1955

Mr. Thomas E. Stanton, Jr.,
Chairman
California Law Revision Commission
111 Sutter Street
San Francisco, California

Dear Tom:

I want to call to your attention a matter which gives me some concern. This is the fact that I am from time to time, utilizing the services of Miss Pellicone, the Law Revision Commission's stenographer-clerk, in connection with my Law School work. My practice is to consider her services available to me in both of my dual capacities -- Executive Secretary of the Commission and Professor of Law at Stanford -- even though she is a full time employee of the State. I do this on the theory that the Commission's arrangement with Stanford contemplates that limited stenographic services shall be made available to me in connection with my University work in consideration of the University's furnishing to the Commission without cost office space, heat, light, janitorial services, the use of the Law Library, and other miscellaneous benefits. Since University stenographic services are very limited, having Miss Pellicone do my University work enables me to work with greater efficiency in both of my capacities.

As you know, during the first year of the Commission's operation I worked almost full time on Commission work. Thus, I did not have Miss Pellicone do much Law School work and I figured that my own extra services for the State compensated for any such work which she did. Since July 1, 1955 however, I have divided my time about evenly between State and University work and this has meant that I have given more University work to Miss Pellicone. I estimate that since July 1 she has worked approximately twenty-five percent of her time on University work; on specific occasions, however, she has devoted much more of her time to it. My practice is to make sure that the University work which she does, does not interfere with her work for the Commission; most of it has been done when there was a lag in Commission work.

I would appreciate an expression of your view on this matter. If you have any questions, I will be happy to answer them.

Sincerely yours,

John R. McDonough, Jr.

JRM:fp