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# JUSTICE JOHN PAUL STEVENS AND BABE RUTH

4/20/1920 – 7/16/2019

by William Grewe

## October 1, 1932, Wrigley Field, Chicago, Illinois. World Series. Game 3. Yankees v. Cubs.

Chief Justice of the United States Charles Evans Hughes was not in attendance. Civil War veteran and newly-retired Justice Oliver Wendell Holmes, Jr., was absent. It mattered not. On this autumn Saturday afternoon, a crowd of over 49,000 amateur judges including eleven-year-old John Paul Stevens were on hand to watch the Cubs and Yankees square off.

A clever presidential candidate finagled the honor of throwing out the first ball, but the crowd, including young Stevens, paid him little mind. Some 90 years later, Stevens would not recall that FDR had made the honorary toss. This was no time for politics. Stevens and the rest of the overflow crowd had come to see someone who mattered. *The Babe*. Babe Ruth.

Stevens, seated behind the third base home dugout with a bag of peanuts in hand, took it all in. Already the possessor of a sharp and critical mind – *Stevens, as a child, with the barrel of an intruder's gun pointed at him, was the only one in his family calm enough to recall and turn the combination to his father's safe* – he soaked up information, listened intently and could recall what you had said even when you could not.

Stevens was rooting for his hometown Cubs but, like the others, he had come to see The Babe. No television. No inter-league play. No matter. This was the World Series and the greatest ballplayer who ever lived was in Chicago.

As Stevens watched, The Babe was greeted with a shower of lemons as he walked along the foul line toward the visitors' dugout. The Babe slapped them away like pesky flies. This was Chicago, no honor given and no offense taken. But The Babe had something on his mind. While Hughes and Holmes and others like them knew of justice recorded in big books, Ruth knew of another kind. The kind learned in orphanages: the first watched out for

the last; and the oldest looked after the youngest.

Like the biggest kid among many, The Babe had taken up the cause of Cubs shortstop Mark Koenig. Koenig, after playing on the great Yankees teams of the 1920s, was, in 1932, playing independent league ball on the West Coast when, unexpectedly, the Cubs starting shortstop was shot through the hand by a showgirl. His season over, the Cubs were desperate. A traveler said he had seen Koenig and thought he might have some hits left in his bat. He did.

Koenig took a train to Chicago and came out swinging. He hit .360 over the last quarter of the season, lifting the Cubs over the hump and into the World Series.

Despite saving their season, the Cubs voted Koenig only a half-share of the World Series bonus money.

Stevens recalled that, between innings, The Babe was jawing with Cubs players, questioning their character in short-changing Koenig. Koenig and others recalled it, too. In some ways, it was surprising. It was unexpected advocacy at its best. Ruth and Koenig were not friends. They had played one entire season as teammates without ever speaking. Their lockers were purposely on opposite ends of the room. Koenig and Ruth had come to blows when The Babe questioned Koenig's play. No matter. The Babe stood for him. He was a Yankee regardless of his uniform.

Stevens, in 2019, recalled the left-handed Ruth stepping to the plate in the fifth inning. Someone shouted something from the Cubs dugout which Stevens could not make out but assumed regarded the Koenig matter. Ruth stared back. Silently, Ruth raised his bat and pointed it at the centerfield scoreboard, Stevens recalled. The first pitch was delivered. Ruth swung. The ball flew deep toward centerfield, coming to rest beyond the scoreboard.

At a conference in Ohio, when asked to tell the story of that day, Stevens recited it

as told in this article. A bankruptcy judge, perhaps gently letting Justice Stevens know that his memory might have waned with age, approached Stevens after his talk and said that his grandfather was at that game, too. While seated in the left field bleachers, the homerun ball had landed near his grandfather. Stevens did not argue with the bankruptcy judge, nor did he include his name in his autobiography.

When Stevens returned to Washington, just to make sure, he checked the framed box score hanging on his wall. Yes, it confirmed that his memory was as sharp as ever. The Babe had homered twice in Game 3, once to center and once to left.

Two and a half years after the "called shot," The Babe's career was finished. On the road, between innings, knowing that he was but a shadow of his old self, rather than return to the visiting dugout after the third out, The Babe quietly disappeared through an opening in the centerfield fence never to take the field again.

Stevens would go on to academic success, memorable service in World War II, an appointment to the U.S. Supreme Court by President Gerald R. Ford in 1975, and an active life after leaving the bench in June 2010. He died this summer at age 99, after serving on the Supreme Court longer than any other Justice. He was the last World War II veteran to wear the robe at 1 First Street NE.

Koenig, who lived into the 1990s, was the last surviving member of the '27 Yankees, thought by many to be the greatest team of all time. To the end, like Stevens, Koenig was clear-headed and blessed with great recall. He was a touchstone. A keeper of Yankees history and the greatness of The Babe.



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