Interview with J. William Conger

June 17, 2009

KEK: Hi, this is Karen Kalnins; I’m a Reference Librarian at the Oklahoma City University Law Library and today is Wednesday, June, I’m trying to think of the date, 17th 2009. It is about 2 o’clock here in the afternoon. I am in Oklahoma City, Oklahoma today. I’m going to be speaking with Professor Bill Conger. Mr. Conger is a professor and an attorney here in the city of Oklahoma City and he’s a professor here at the Oklahoma City University Law School. This interview is part of the larger oral history project that the Oklahoma City University Law Library is sponsoring. As a part of that project we are interviewing attorneys and judges throughout the state of Oklahoma. So, welcome Professor Conger.

BC: Well I’m delighted to be here.

KEK: Well I was so pleased when you agreed to this interview.

BC: Good.

KEK: So what drew you to the law?

BC: I have wanted to be a lawyer since I was 12 years old and this is well documented including the fact that to my mother’s absolute horror I drew with what passed for a Sharpie back in those days, I wrote on my bedroom door “J. William Conger, Attorney and Counselor at Law.” My father was a lawyer and I was very influenced by him of course. But it’s true I’ve always wanted to be a lawyer and I have been one now almost 40 years.

KEK: Well wonderful. Well how did you prepare yourself for law school?

BC: Well when I was in undergraduate school at my father’s suggestion I did not take any pre-law courses. What he said to do and I think it was right; is the advice that I give a lot to the students today, he said “Go and get a good liberal arts background and learn about good books and great ideas and poetry and literature and history and philosophy.” And I did that. His thinking was that you will learn when you go to law school about the law and if you have these other things this will help you and make you a wiser person. To this day I pass that on to students and to young lawyers all the time. It’s one of the things I speak to law students in orientation. I always give them a talk each year about being a lawyer and one of the admonitions that I give to them is what my dad gave to me. And that was do something besides just the law, take care of your spiritual self, then take care of yourself. Educate yourself, that will take you into the realm of wisdom. So that’s a long answer to a short question.

KEK: No it’s great, I appreciate that. So where did you decide to go to law school?
BC: I started out at the School of Law at Louisiana State University in Baton Rouge. And the reason that I did was I grew up in Louisiana and then I moved to Oklahoma, Bartlesville, Oklahoma when I was a junior in high school. I went to undergraduate school at Oklahoma University. I’m a twin. My twin sister went back and went to undergraduate at LSU. But as you know the legal system in Louisiana is different than all other states, because it is a civil law jurisdiction. I felt like I ought to at least start there, that I could always if I graduated from LSU I could still move anywhere in the country and be fine. But if I graduated from a common law law school, it might be difficult for me to go back to Louisiana. As it turns out, I stayed at LSU one year and then I had to fulfill some military obligations. Plus I had gotten married and the cultural shock of south Louisiana to a lady that was born and raised in Bartlesville, Oklahoma was almost too much. Plus I’d become really an Okie and I wanted to come back. When I finished the military duty I came back and graduated from OU. I found that frankly after a year of law school at LSU is that much of what they do down there is very similar to the common law. It’s just that they call it different things and they have different words because a lot of it is developed from the Napoleonic code and the Justinian code and it’s codified law. I took, we had a lot of foreign professors that were visitors at LSU and I took for example Introduction to Civil Law from a guy named Saol, one from A. M. Annapolis and he was the Dean of the Athens Law School. I took Civil Law Obligations, which is Contracts from Saol Lipfinoff who was a Venezuelan professor. So it was real interesting but I enjoyed OU very well too. So and then here I am at OCU.

KEK: That’s right, your third law school. So what year did you enter into LSU?


KEK: What year did you graduate from OU?


KEK: And you just reminisced a little bit about some professors that you remembered from LSU. Do you remember any professors or did anyone have an impact on you from OU?

BC: Yes we had at OU a very famous professor named George Frasier and George Frasier taught Civil Procedure and we called him “Tiger.” Every law school has one that you are literally scared to death in class to be called on because you really truly feel like a skeleton after it’s over. Yet we all really respected him because he was not a bully. He just took the Socratic method to hall of fame proportions in my view. And the other thing was he was equal opportunity in making everybody feel like a skeleton. We took great pride when we were bloodied by Tiger Frasier but as I say we all respected him very much. He probably had the most influence on me. There’s another professor that is still there that I have become very good friends with professionally that I admired a lot then and it’s David Swank. He just had a good… I think influence on me as to what it meant to work hard and to value this profession and to treasure it for what it is. As you know because you are a lawyer that lawyering and as I tell students I’m
telling the choir no, it’s hard work. Yes there’s sometimes moments of glory and glamour but basically again as I teach students I’ve been in a lot of courtrooms and I’ve argued a lot of cases. I hope I make it look natural and at ease and easy. But the truth of the matter is I work very hard to affect that and to…My opening statements are not from the hip. They are things that I have practiced and thought about and delivered and delivered in front of my partners and other people. I always tell students I say “You know Tiger Woods has a beautiful golf swing because he swings and swings and swings and practices and practices and he’s totally focused.” And that’s what you have to be as a lawyer.

KEK: Good advice, very good advice. What were your plans after law school?

BC: You know I always wanted to be a trial lawyer. Like most things in people’s lives I didn’t start out as a trial lawyer. I was going to go to work for the district attorney in Oklahoma County because I thought that would give me a bunch of experience. Instead I had a classmate of mine who was a year out call me about an opportunity to go to work for a corporation in Oklahoma City that was a New York Stock Exchange listed corporation and it was a holding company that had a whole bunch of different businesses. That was back in the early 70’s and those types of corporations were referred to as synergistic. You know they would have different types of subsidiaries that did totally different things but somehow complemented each other. I’d never even taken the course on corporations in law school. I went and did that and I got heavily involved in doing a lot of SEC work and a lot of registration statements and handling all of that; securities regulations in the New York Stock Exchange regulation compliance so I developed early as a corporate lawyer. That’s what I did with a mixture of litigation. But most of it, since I was in-house, I was kind of this kid overseeing real experienced trial lawyers so mainly I was just watching them. And I loved it and I never lost my feeling for the courtroom. Ultimately I transitioned from a real heavy corporate practice not only internally but then I went out and started my own firm and it grew. When that firm started I was doing about 50% litigation and 50% corporate transactional work. That ultimately evolved into as my firm grew, we had more and more corporate lawyers then I…it just evolved into pure litigation. But it helped me a lot because most of my litigation was business related litigation. I was representing accounting firms and brokerage firms and large corporations.

KEK: What kinds of things did you learn in that first job doing the corporate work?

BC: Oh, I think I learned one a work ethic. I think that I was fortunate being in a corporation in that every time that I would start engaging in something new, I was allowed to go to seminars around the country and learn about it. I think the main thing that I began to realize in my early practices is that if you work hard enough at something most of us are capable of doing any type of law and that says as you know, we’re fungible. We’re supposed to be able to do all these areas of law. Just like here on the faculty, all of us here on faculty are supposed to be able to teach anything. Now if Dean Hellman came to me and said, “We sure want you to teach water law
next semester.” That would be a serious crisis but I think that I could do it. But right now if you ask me “What’s the most important thing in water law?” I would say turning the faucet on or something, I wouldn’t know. But we’re supposed to be able to do that. And I just began to learn because I was doing so many things in the corporation that were different but I just learned that you can do those things. I also learned to ask. I never was afraid to ask another lawyer or call somebody up and I had great mentors in my career. I’d say the main thing I first started realizing was gaining my confidence and thinking I could do this, that was it.

KEK: How important was it for you to have mentors?

BC: Real important, I mean absolutely critical. I talk to students about that all the time. Many of them don’t want to, to have mentors and as you know we have a mentoring program here. We don’t impose it on anybody but they assign us 8 or 9 students. Each year out of those 8 or 9 students I’ll have 3 or 4 that really want to be mentored and want to be…come to my office and want to go out to lunch with me and talk to me. That generally carries through their whole career and in several cases well after they’ve graduated. I have a number of students that I’ve taught here now that I’ve been here six years, they’re out and they still call me up. I was lucky because I had that set of mentors. You know interestingly out of all of my mentors I had three really main mentors and only one of them is alive now. He’s retired. One of them was Barth Walker. Another one was Mr. Thompson, which was Ralph Thompson, former Chief Judge of the Federal Court here, it was his dad. Finally the one that is still a dear friend of mine is a guy named Earl Mills who taught me to try lawsuits. He was one of the great trial lawyers in Oklahoma and I’ve actually had people say “God if you close your eyes you think you are hearing Earl Mills trying a case.” Other lawyers that he has mentored to and taught how to try lawsuits have had the same experience where somebody says “Yes, you try a lawsuit just like Earl Mills.” To us that is the ultimate compliment.

KEK: That’s right.

BC: But those guys are guys that helped me. I had a lot of other lawyers that I looked up to and I would call them. They weren’t really mentors of mine but if, like Jim Turner was a great lawyer here and he’s dead now. Jim was just this lawyer that kind of tried anything. He had one of those old time practices. He’d do divorces and he’d do criminal work. He was a lawyer’s lawyer. But when I was first starting out with my law firm I was by myself. I was a solo practitioner. I was doing a lot of divorces and things you have to do to keep the doors open I’d call Mr. Turner up. I called him Jim because he insisted on it. He was central casting. He had this gruff voice. But I’d be ready to settle a divorce case and I wouldn’t be sure exactly that I was in the right range and doing the right thing. He’d walk through it with me, never charge. I’d always say I’d be happy to pay you and he never would take a… And lawyers and that’s again what I teach students. I say call them up, they love it. They’re flattered if a young lawyer calls them and they are to this day. He was great.
KEK: That’s sounds wonderful. What year did you start your own practice?

BC: I started it in 1976 I think.

KEK: And what was the most challenging thing about going out on your own?

BC: It was the scariest thing in the world and yet it was something that I just, I don’t know why I dreamed about it and I wanted to do it. Nobody in my class had done it. In those days you went to work for a law firm or a corporation or into the military. I remember I bought a book and it was how to make $100,000 practicing law. I read it and it had all the stuff that I now teach in it, kind of. Return your phone calls. Do good work. Get a mentor; all those things and so I actually leased my office space from Barth Walker who became a mentor of mine. The biggest fear that I had was getting clients. I didn’t know if I was going to and I had three children, little ones. But it turned out that Barth would send me business and he was a very successful lawyer. Then all my classmates were so fired up when they found out I was doing it and then in those days we were all pretty close in class. So my friends that were working in the larger firms like Crowe and Dunlevy, McAfee and Taft they would send me cases that either they had conflicts on or that they couldn’t make money on because of their fee structures, but I could. I knew a lot of the partners in those firms because I was real active in the county bar association. I’d been practicing about 5 years so people knew who I was. They knew I wasn’t going to try to steal clients because if it was a conflict I’d do the conflict and then the client would go back to the firm. Kind of a long story short is, I’ve never missed a paycheck. I mean there were leaner months then others but it was just a thrill. I realized that I didn’t want to be a solo the rest of my life. It’s just too hard. I was coming home and eating with the children and then going back at 8 o’clock at night till about 11 because I’m making my own Xerox copies, I’m doing a lot of things. I had a secretary but the coffee pot was mine. If I needed some cash and there was money in the bank I’d get it. I didn’t have to ask anybody.

KEK: That’s right.

BC: So it was a good deal. That was kind of what ended up and what later became Hartzog, Conger, Cason & Neville, which is about 35 lawyers now. I’ve still got in my bin at home my sign that said “J. William Conger, Attorney at Law” that was on the door.

KEK: That’s wonderful. What kinds of cases did you handle in that solo practice?

BC: Just about anything. I did a lot of divorces. I did not do too many criminal things. I did a lot of very small business transactions. I can remember I helped these two ladies buy a small clothing store which failed. I mean I kind of thought it might. You know just anything I could get, I would do. I tried not to take cases that I wasn’t going to get paid on or that I was dealing with somebody that I didn’t want to represent. Of course that did happen from time to time, it always does. But run of the mill, kind of guy in the trenches types of cases that’s what I was
doing. One of the things that later on I ended up doing, I did a lot of adoptions. I’ve always told
students when they’ve asked me questions “What’s the most rewarding kinds of cases that
you’ve been in?” I said “Well, adoptions were because in those days you really represented all
parties.” You can’t do that now. But a lot of times I would be contacted by a doctor and they
would say “I’ve got a young high school woman that’s pregnant. She and her parents have talked
about it and they want to give the child up for adoption. Can you help us on that?” And I’d say
“Yes.” So you are seeing both ends of the spectrum because you’re seeing a young woman
giving up a child that she’s carried for nine months. Even though they want to do it, they are
sixteen years old and it’s probably the best thing to do. But you know it may not be for other
people. You go up and get them at the hospital and you take them out of the… and this is in those
days, and you take them out and you put them in the car and drive down to the courthouse. Go
into the judge’s chambers and it’s private and terminate her parental rights. Very traumatic, then
you go, generally you’ve arranged to meet their parents in the parking lot somewhere and you go
and so there’s trauma to it. Then you go back to the court and you get all the papers for the
temporary adoption and then you charge back to the hospital. You go back up to the nursery and
the nurses are all waiting for you and typically you have maybe a little coming home dress if it’s
a girl that the adoptive parents have given you to give to the nurses. The nurses are cooing. So
it’s me, a brand new baby and then they give you all the freebees. You know that first seven days
worth of diapers and all of that. I usually had somebody go with me but the adoptive parents
don’t and they’re at my office. So you come back and you literally are saying “Here.” And
they’re all people who, that I was involved in, are couples that could not have children. Then
many of them had gone through a lot of that just real tough indignity of dealing with fertilization
and just that stuff and it’s no fun. I’ve had, I did this one time for, I adopted two of my
neighbor’s children, the only two they had right across the street. They all knew, the children
knew they were adopted, knew I did it. So I’ve watched them grow up and they’re in their late
twenties now. And I’ll never forget just to show you the difference between spectrums. I’ve
argued twice at the World Court at the Hague and I’ve finished a trial over there against the
Iranian government, which is another story in itself. There was a young guy named Tony from a
major New York firm and we had hired him because we wanted somebody that was involved in
the procedural issues that had to be followed and that knew them and he had. This was after the
Iranian hostage crisis and so all litigation against the Republic of Iran was shifted over to the
Hague and they set up these U.S. Iran tribunals. We had this week-long trial and we are, this guy
Tony and I are sitting in a little café having a beer or something and he said “So what are you
going back to in Oklahoma City on Tuesday?” I said “An adoption.” He said “What?” I said
“Yes, I’m going to do an adoption Tuesday morning.” He said “You’re going from the World
Court to do an adoption?” I said “I sure am and I can’t wait to do it for my neighbors.” I
remember Tony and Tony was about 23 years old at the time and all he had done was travel back
and forth from Europe. He just couldn’t get over that that’s what I was doing.

KEK: Well it sounds like you really enjoyed adoptions or at least how they were.
BC: I did, I did. Yes I mean as you see it’s, you’re giving joy obviously to one couple’s life and hopefully you’re helping a young person who’s made a very difficult decision with their parents. You’re just helping them implement it in a dignified way. You know with the birth mother, I spend a lot of time with them and I always am talking to them beforehand being sure they still want to do this because I know just from experience and intuitively it’s easy to say when you are in the first trimester, but when you are getting ready to deliver and do deliver and see your own flesh and blood, that’s tough.

KEK: That’s right and they could certainly change their minds.

BC: They certainly can. One of the things and now of course you have to, the lawyer representing the adopting parents is one person. The lawyer representing the birth mother is another person. Now you have to notify the father and back in those days a lot of, most often the parents of the birth mother and the young birth mother didn’t want the father to know about it. They just didn’t want it and shouldn’t have happened. That’s my little story of one of the favorite things that I…and still is that I one of the favorite things and I don’t do it anymore.

KEK: Very good. Any other memorable cases while you were a solo practitioner?

BC: No, not as a solo.

KEK: Now you mentioned earlier that you were active in the bar association. How important do you think it is for young attorneys to be active in the bar association?

BC: I think it’s real important. I encourage young attorneys to do it and it’s not for some people. Then there are some people that are literally bar junkies I mean they just love it so much. Tommy Wells the current ABA President is this great guy from Alabama and he was over here as you know; he was at our school a month or so ago. A number of us went out to dinner with him. We were talking about the bar association and people in it. And he said “I guess I’m a Bar junkie. I’ve been involved in it forever. My children didn’t know where there was such a thing as a vacation where you didn’t wear a badge because they always went to the ABA meeting with me.” They’re now two both of them are lawyers and they are very active themselves. But I think it is very important. It was just something when I started practicing all of us were active in the county bar and not so much the state bar. I didn’t know much about the state bar. All of us were very active in the county bar and now that’s changed a little bit with young people. Part of it is we have so many with families where mom and dad are working. So getting involved in the bar activities, they can’t give the time to it because they are running to soccer matches and they are doing things that back when I was a young lawyer we just didn’t have those kinds of distractions. So bar activities were real important. I think it’s important because it builds up camaraderie and it builds up relationships and possible referrals. It’s also a way of giving back. Some people don’t like the profession as much as I do. I mean I love it. So I always felt like it was real important. It has its moments. You have time earlier in your career and then if you’re married
and have children you reach a point where your children are now in school and you’re involved in their school. So I was coaching the team and I was on the school board at the school. I’d do this and that and I wasn’t doing bar activities. Then they graduate and go off to college and grow up and then I came back to the county bar and served again on the board; then eventually got very active in the state bar. I’ve spent my time doing that and it’s been very rewarding to me. I think it’s been helpful. I know a lot of lawyers now because of that. I’ve met a lot of people that are really nice people in our profession and I probably wouldn’t have met them if I hadn’t been active in the bar. It was fun, although the title Past President has a nice ring to it now.

KEK: It has a wonderful ring to it.

BC: I’m ready to slow up a little bit.

KEK: Tell me about your year as the President of the Oklahoma Bar Association because you were the President from January what was it, of 2007?

BC: No 2008 to 2009.

KEK: Okay 2008 to 2009.

BC: I just handed over the reins essentially January the first. Normally the President in our Bar gets sworn in as soon as the Supreme Court can set a date. But it’s like January 16th or so, you know a couple of weeks into January. I thought it was a wonderful experience. It was a lot more work than I thought it would be. Part of it is…I had told them I was not a micromanager. We have a wonderful and experienced staff out at the Bar center and we have an experienced Executive Director and we pay them to run the day to day operations. I’m a big believer in that. I found out that although I said “Now don’t bother me with this little stuff” but they do. And I realized that I finally got philosophical about it and it was because Bar Presidents are transient with one every year. I think that they just don’t want to do anything that you don’t know about or that might not be pleased with because we all have different platforms that we are doing in our year. So I spent a lot more time out there then I thought I would. I think the main thing that I enjoyed most was just traveling around the state. I gave a lot of speeches. Just really kind of went all over. My favorite thing happened to me as far as going places is I got a call from the Executive Director in probably April of last year during my year. He said “Judge Deavers from Mangum, Oklahoma in Greer County has called and they are going to honor Yonna McDaniel for 62...” Do you know about this story? You’ve heard me say it?

KEK: No I haven’t heard it from you. I heard it from another attorney about this attorney who had, this woman who had been a member of the Bar Association…

BC: 62 years. So anyway, John the Executive Director said “You know Judge Deavers would sure like for you to come out and give a proclamation to Yonna.” And of course I said “I’d be
more than happy to. When is it?” He said “That’s the good thing. He wants you to come so bad he said they will set up the luncheon on any day you could be out there.” So okay so I set it for the day certain. And I drive out there; well Mangum is five hours away. It’s a long way out there and I had to be there at 11:30. So we get there and the courthouse is in the middle of the town square. It’s Americana. There’s a bunch of guys out there barbequing, smoking a brisket and everything out on the courthouse lawn. I go in and I report to Judge Deavers that I am there for duty and I’ve got my proclamation. He says “Okay” and I go meet Yonna and her family which her daughter was the school principal at Mangum. She had two sons that were, looked like they were in their 50s. So they have this nice luncheon and all the lawyers and all the town’s people come out. After the luncheon is over, Judge Deavers presides and he says to John Warbler who is the DA, he says “John would you get up and give the prayer.” John gets up and he gives a prayer’s prayer. I mean I’m listening to him and I’m thinking this isn’t John’s first prayer. It turns out he’s real active in his church. So he gives a prayer and then we finish that and then Judge Deavers calls on old Elwood out there in the audience to give the pledge of allegiance. We’re up and doing the pledge and I’m thinking this is great. And Yonna is at counsel’s table with her family and I’m sitting at the counsel’s table with the DA and me and the mayor. So they call on the mayor and it’s a lady and she gets up and I was going to say something. I just hadn’t even prepared a speech or anything. But I’m listening to her and she gets up and the town’s people are all out in the pews in the courtroom. And she says “Yonna I just want to thank you for 62 years of practice in our community.” Yonna by the way did not go to law school; she read the law and took the bar exam and I don’t know how old she was but I’m guessing 90. But she was very fit and she was with the program. But the mayor says “Yonna you are a great lawyer but really the things that I remember are just what you’ve done in the community and most of all is my involvement in your Sunday school class for the last 50 years” and she goes on and on about that. I’m just floored because I spend a lot of time telling students that when they go back to their communities, particularly smaller communities, but all communities really you are one of the 3 or 4 most educated people in the community. The clergy, the doctor, if there’s a little college nearby the professors, but you are there and the town’s people expect you to lead. They expect you to be in the mayor’s office. They expect you to be the president of the rotary club. They expect you to teach the Sunday school class. And all of that so when it came my turn I said “Yonna you are a great inspiration not only to women but to all of us because of 62 years of service. But you also are the epitome of what I try to teach students.” And I tell the story about being the most educated and I refer to what the mayor had said and I said “You know I tell my students that you are not a lawyer joke when you are in a Mangum, America or Altus or Lawton because you are on the school board and you’re doing…” and the town’s people are nodding their heads and I couldn’t believe it. So I give the proclamation and her family was not going to speak but everybody was having such a good time. Her daughter gets up to speak and her son gets up to speak and he starts crying. You know he’s so moved. Anyway it’s all ended. It was kind of a feel good story because when I got ready to leave the town’s people would come up. They’d say “Mr. Conger, thank you for coming out.” It meant something because they know how
far they are out. It meant something that the President of the Bar and I know any Bar President would have done this would come out to honor their person Yonna. You know now that I told this story I think I gave you Yonna’s name to contact.

**KEK:** You did. I did contact her. She, I never heard back from her.

**BC:** Okay. She may have been feeble. I later learned that her kids were trying to get her to retire and to stop doing this. And I don’t think she was doing much of it. I think her husband is either dead or he’s an invalid. In any event, when I left I got in my car and drove back and I was thinking what a great day. And I am a lucky guy to have participated in that. I can remember Yonna, I didn’t know her, but for years she was the delegate to the House of Delegates for the Oklahoma Bar Association. She’d come into the annual meeting. I never knew till somebody told me that she’d never gone to law school.

**KEK:** Right, right.

**BC:** I mean you can’t do that anymore.

**KEK:** No. No you certainly can’t.

**BC:** But anyway that’s a great story. And I told that story the rest of my time and in fact I wrote an article about it in the, in my, in one of the Bar Journals. That was, it was a great year. We had some difficulties. We had some very difficult personnel issues. As you know our long time general counsel was charged with sexual assault and that had to be dealt with and was. So one of my predecessors, a past president, said he called me up and he said “Every year there’s at least one thing that’s an issue and a problem.” I said “I’ve got mine and it’s coming toward the end of my term.”

**KEK:** That’s right. Well I see, Professor Conger I see we are about half-way through so let’s go ahead and take a break and then we’ll continue on with our second half.

**BC:** Okay. Okay.

**KEK:** Hi, this is Karen Kalnins again; I’m a Reference Librarian at the Oklahoma City University Law Library and it is still Wednesday, June 17th 2009. It’s a little bit before 3 o’clock here in the afternoon. I am still here in Oklahoma City, Oklahoma at Oklahoma City University Law School with Professor Bill Conger. In the first half of the interview Professor Conger talked about how he went to law school and we started talking about his time…his year as the President of the Oklahoma Bar Association. He was the President from 2008 to 2009. And in the first half, and when we had ended you had mentioned there were some difficulties, some challenges. Tell me about some of those.

**BC:** In the, challenges in the Bar Association?
KEK: Yes that you encountered in your year as President.

BC: Well we had some, in my year we had some very difficult issues in the general counsel’s office. We had some issues involving the general counsel himself and he ultimately resigned. Then we had other issues just regarding the functionality of the office. There was some, like all personnel matters there were some hard feelings and that ended up raising some very difficult questions about the authority of the board of governors to deal with issues in the general counsel’s office because they also deal with disciplinary issues. There were some lawyers in the community that felt like we didn’t have, the board of governors didn’t have any say in what went on in the general counsel’s office. Well that was news to me. I think it was news to the Supreme Court which is ultimately our boss. So we spent quite a bit of time with the court in trying to deal with those issues, then deal with lawyers who felt like again the general counsel’s office ought to be totally independent from the Bar. The issue was really unfortunate because I thought it was a misunderstanding. None of us was trying to get involved in dealing with any discipline cases or discipline lawyers. We don’t want to do that and we don’t have the time to do that. We’re perfectly satisfied with the independent mechanism for dealing with attorney discipline issues. It’s generally worked to my knowledge fairly well. Those problems have now been resolved but it kind of lapped over into John Parsley’s year, who’s the current president. I’ve been involved in it. We have a wonderful new general counsel now Gina Hendryx and Gina is, Gina is our former ethics counsel. We’re real proud that we have an ethics counsel. Gina is really well thought of throughout the state. So it’s a very popular choice to have her as the new general counsel. What I’ve been told is that we are getting really quality applications for the ethics counsel and they’ve hired some new lawyers in the, or they’re hiring new lawyers in the general counsel’s office. They’ve hired a new, brand new investigator who happens to be a former police officer and a very credentialed guy and the dad of one of my students who just graduated. So I was glad to see him out there. Those were the difficult issues that we had to deal with. But on the main, it was a good year, I was pleased with it. We did a major remodeling of the Bar center which was long overdue. That was done and it was done without raising dues within budget. We stay very close within budget because the Supreme Court watches us so closely. They are our bosses and they are our active bosses. The president always takes the budget and you’re prepared for cross-examination. Fortunately my year they were fine with it. You stay in touch with the Chief especially. Then we have a liaison member of the court that serves on the court of the board of governors. During my year it was Justice Stephen Taylor who I’m very fond of and now the Chief is Justice Jim Edmonson who is also a great guy. We have a great Supreme Court right now. We’re really well made up.

KEK: That’s great. What was your platform when you were, while you were President?

BC: Well several things. One was the rule of law and I wanted to and that was really not of my own creation. The ABA President at the time Bill Newcomb was trying to get all the states to focus on the rule of law which was his primary platform. But what he wanted us to do and
Oklahoma was one of the first to do it, was to have these rule of law conferences and invite different segments of the population to it. Like politicians, business people, the media of course, the medical profession and have a conference on the rule of law and how it relates to all segments of society. It’s not something lawyers own, it’s important to everybody. We had a conference here at OCU over in the Kerr McGee Auditorium and the Meinders School of Business and we had an ‘A’ list group of speakers. Mike Turpin spoke generically on what the concept of the rule of law was. President McDaniel, formerly Vice-Chair of Kerr McGee talked about the rule of law in business and he’s a fabulous speaker and also a man with a lot of substance and a profound body of experience, so he had some great stories to tell and to illustrate it. Then Vince Orza the Dean of this business school who came from the media as part of his other world life. He talked about the rule of law in the media. We had a doctor named Shane Onerwrecker from St. Anthony’s that had just really a marvelous talk about the rule of law in the medical profession. Everybody talked about how good it was. What he was talking about is how you have to do certain things as a doctor that you may personally not agree with. He was referring to abortions. But he was not controversial; he was dealing with this just tying it into the rule of law. It was very interesting to all of us. Then I conducted a panel that consisted of Judge Vicki Miles-LaGrange, Janet Levitt who is the Dean at the Tulsa Law School and an international lawyer, that’s her practice and Burns Hargis who is my former law partner now President of OSU. We talked about the rule of law globally because Vicki Miles-LaGrange is heavily involved in a number of conflict countries like Rwanda, Liberia, Gabon, places like that and dealing with their system. It was a fabulous free-flowing discussion. With those three panelists you don’t have to do much to get them going. So they talked about that and how that global rule of law affects us locally here. So it was pretty interesting. It was a big success. Word got out with the ABA about how successful it was. I was getting calls from people at the ABA. “Can you…we’ve asked so and so of Minnesota to contact you?” I said “Oh yes I’ll help them” Dah, dah, dah, dah, dah. Only to learn that the video guy, there was no sound. So this wonderful conference is not recorded anywhere. So that’s…

KEK: That’s too bad.

BC: Oh it just about made me want to cry. I called Jerry Hunt and I was civil but I was one disappointed guy. They sent a work study guy, a student over at the… But it was a malfunction it wasn’t the kid’s fault. It was a malfunction. Oh it just killed me. The other things that I concentrated on were…the independence of the judiciary. Mainly just did a lot of speaking about that. Then access to justice was important. The other thing was I developed along with some other people that I had appointed; a leadership academy. It was to bring what originally was decided to be young lawyers to educate them about leadership and train them to be future bar leaders. It kind of was based on the same principle that Leadership Oklahoma is. We had four different sessions, heavy sessions, national speakers. They attended a lot of our board of governors’ functions. But we ended up, we had so many people apply that were really
experienced lawyers in the state. The General Counsel of the Cherokee Nation applied. She’s argued several times to the U.S. Supreme Court. So I said “Well look, if these people are doing it let’s include them too and get kind of an intergenerational mix.” You know we’d limited it to 25 students. We had gosh, unbelievable applications. It was so successful we’re going to do it again this year and our real plan was to do it every two years or three years. But that was done. That was very successful. The other thing that I wanted to do and I just didn’t get to it was an innocence project and focus in on that. It’s something that Dean Hellman is real interested in. He and I actually went and met with Barry Scheck and these guys in New York on that. There’s so much stuff for us to do, if we could do it all but…those were my main platforms and the main things that I focused on. I thought I accomplished all of them except for the innocence project in a good, well, you know successfully.

KEK: It sounds like you had a very full plate Professor Conger.

BC: It was. It was a full plate and in fact I’m type A and I have a hard time saying no and I’m a pretty highly motivated person. But I am getting frankly of an age that my stamina is not there. You know each summer I generally teach over in Europe. So I did that and I also have been involved with the Chinese students. They couldn’t get over it. Particularly these lawyers that came over from Tian Jin, they’d say “How do you do that?” I’d say “Like this.” (juggling) It was a busy year and unfortunately I got real sick during the annual meeting and had to be hospitalized. So I missed my own annual meeting. And it clearly, I was burning it at both ends I think. I am going to be slowing down on some of these outside activities and committees and boards. I think focus more on OCU and what I’m doing here. The President and the Dean were very gracious in allowing me to do this. I told them it would take away and they viewed it and they said “No this brings honor to the school and this is important.” Tom McDaniel was so, he’s just so gracious but he asked me to be and I was the commencement speaker last year for the entire school. I mean the undergraduates. I was honored to do that by the way. So anyway there was a lot to being President, a lot of things there.

KEK: That sounds like it. What generally, for someone who’s not, who’s say outside of the legal profession, what are basically, describe the duties of the President of a state bar association.

BC: Well the duty is it’s one of oversight of course. I think the duty is to communicate. We are a mandatory bar so you have to be a member if you are going to practice law in Oklahoma. We have over 16,000 lawyers. It’s to see that we provide good services to those 16,000 lawyers by way of CLE and law practice management and insurance programs and things like that. It obviously, you as the President are the leader of the Board of Governors. We have 17 Governors. There are Governors at Large and there are Governors that are elected from different judicial districts. I think the Bar President, like the President of any organization, part of his or her duties is to get consensus among your governing body and keep them on the same page. We don’t want or I didn’t want a bunch of kewpie dolls and puppets. I wanted civil discourse and I wanted
consensus on important issues if I could get it, not unanimous. But I wanted some sort of consensus where we could go away and there was a loyal majority if that was the case; that and then dealing with the Directors and the Executive Director. Directors are our full time staff personnel, that’s what we call them. You know the head of the CLE is a Director. The head of purchasing is a Director. So dealing with them and dealing daily with the Executive Director. That’s what I would tell a person that’s on the outside looking in. This is what we’re trying to do and also manage our budget. We do a zero base budget line like all good organizations. We don’t want any surprises.

KEK: True enough. Well let’s go back to your own career. What year did you form that practice with your partners?

BC: That was in 1977 or ’78, I don’t recall. A guy named Larry Hartzog, who was my boss at that company I went to work for early on, and I decided to go into practice together. This is after I’d been a solo practitioner. We had another fellow that was in a very prestigious Dallas firm by the name of Lynn Cason and Lynn was a fraternity brother of mine and also a classmate although he was a year behind me in law school. He was a tax lawyer. Larry and I at that time were doing a whole lot of oil and gas drilling funds which are generally private placement securities offices. It’s selling limited partnership interest and wealthy investors using the tax write-off in the possibility of earning a lot from production. But we needed a tax lawyer to really do that. So we talked Lynn into leaving this really prestigious firm where he was a young associate and coming up with us. We did it. Lynn was, he may have been number one in his class in law school but he was an academically very credentialed attorney. Larry and I were both credentialed but we weren’t law review and order of the coif I think and Lynn was. When we, that was a very big time in Oklahoma of a lot of business going on and a lot of oil and gas. Ultimately it became a bust. We envisioned that we would be hiring people and getting people and Lynn said he wanted to hire only top students. That was okay with me and Larry. So we go to OU and we send letters to the law review and say “We’re a new firm. We’re coming down to interview.” And a bunch of them signed up to come interview with us. At the program we said “Why did you sign up?” and one guy said “Because I wanted to see who these three guys were that sent us letters wanting us to come interview with postage due.” And what we did, we didn’t put enough postage on our letter. We used this real thick grain letterhead and so we were mortified of course. But what we did we just said “Look, what you see is what you get. We brought the whole firm down here and you are important to us.” You know we ran into a number of students that were just willing to take a risk. One of them like Valerie Couch I remember, who’s now Judge Couch. Valerie was an English professor who had gone back to law school. She was still young but she didn’t want to go to McAfee Taft and Crowe and Dunlevy. She thought this was great. So we started getting this reputation that it was the place to work. We were paying in the high salaries too; that it was a real family oriented firm. Great place to work in working with top students. McAfee and Crowe began to take notice of us because we were getting people they thought they should be getting,
that this upstart firm couldn’t do that. So now we are very competitive. But that’s how the firm grew and then Burns Hargis came in and we added his name to the firm. Then he left and went over to McAfee and ultimately to BOK and to banking; then Drew Neville who was a fraternity brother of Lynn and me and a dear friend and a great trial lawyer. He came because the Lynn and Neville firm was splitting up. So he came and brought a number of people with him. So that’s our firm.

KEK: Wonderful. Well what kind of law did you all focus on or do you still focus on?

BC: We are what I would describe like McAfee or Crowe. We are a general practice firm and so we had a lot of disciplines in there. We have a huge litigation practice and I used to be the Chair of the litigation group. We had a heavy, heavy tax and wealth transfer practice, estate planning things. And we had a large corporate/transactional practice. So for example when the New Orleans Hornets NBA team came here, we were their counsel and handling all of that. Actually the truth of the matter is McAfee and Taft sent us that business because they had a conflict because they had represented the NBA before. So they sent us, they recommended us to the Hornets along with two other firms. So it was kind of a beauty pageant and the Hornets selected us. I was over here by that time. Armad Poliana (sp?) who teaches as an adjunct over here handled all of their work. So that’s our practice and that’s the way I describe it, it’s just general practice. We don’t do any violent crime work. We do a considerable amount of white collar crime work. You know it’s kind of a nationwide practice. I was in courts all over the country. In fact before I came here the Dean had asked me if I would teach a trial practice court and I said I can’t make it all the time because I’m on dockets everywhere. Then I kind of started getting my life in better order and came out as an adjunct to teach and that resulted in coming out here full-time which was totally serendipitous. I wasn’t looking for the job, but Tom McDaniel asked me “How can we get you to come out full-time?” I said “I don’t know. Let me think about it.” He said “Well Larry, I’ve talked to Larry, and Larry would like for you to teach more courses in the law school.” I said “Well Tom honestly that’s the only thing that would make me come out is if I could teach.” He said “Well I kind of wanted you to be the general counsel too.” I said “Well I don’t want to read construction contracts because they’re doing all these buildings.” He said “No we’ve got somebody that oversees that,” which I couldn’t believe. So it’s about 50/50 and I love it. But as Tom knows I wouldn’t do it if I wasn’t able to go in the classroom and be around the students. He was real nice. He asked me. They redid the offices down there in the administration building and he said “Now I’ve got an office I can redo for you, if you want it.” I said “Tom, you know I can be your general counsel from the law school, but I can’t be Professor Conger from the administration building. And I’ve got to have contact because Larry wants me to mentor some of these students and I have got to be here.” That’s why I office over here rather than over on faculty row so I can get…so students can come in and they do all the time. But anyway I digressed but that’s…
KEK: No that’s fine. What, tell me about some of your most memorable cases while working for the law firm.

BC: Okay. The most memorable case was a case against the Iranian government here. I was representing an Iranian family, an extended family, two grown sons, both married. The mother was the, it was matriarchal and they had gotten out of Iran. What they had done was they were trying to get all of their money out. They were fairly wealthy people. They got this money out through the Iranian telephone company which paid monies…it’s a complicated scheme and I won’t bore you with that. It was questionable I think. My people were told this is how they do it. What I think was going on is that some of these mullahs these religious people of which were in all facets of the Iranian government and everything was state owned. So the telephone company was state owned. We think that they were using our family to skim off things for themselves. So they were making it legitimate by getting our, by turning ours into U.S. dollars in getting here. Then the Iranian government, apparently this was going on kind of worldwide and the Iranian government decided to start cracking down on this and they were going to go find these people even if they were in different jurisdictions. They started chasing them down in Paris, other people not my clients, and in Vienna and Switzerland. They get my people and tell them to give the money back and said “It’s not your money, it’s our money.” Then they would get people that were remote family members in Tehran on the telephone begging my clients to give the money back clearly. My clients taped it all and it’s all in Farsi so I had to have it transcribed. So it’s clearly...they are threatening. These are guys from the Iranian justice department. Long story short is they bring suit over here and a lawyer knew that I had been over to the World Court. So he called me up and said “Would you take this case? I don’t think I have the experience for it.” Which he did I mean since it’s just a case, it’s a trial hearing. But anyway I did. We had this trial and these guys from the Iranian justice department come over here and it’s in the downtown county courthouse, Judge Niles Jackson. We’ve got these translators there because everybody is speaking in Farsi. We were the defendant but I’d filed a counterclaim. They, it ended up the case was argued for about a week. Some of the people in the Iranian community here, including a guy named Hussein Sahvah who is a business professor. He was the second guy in charge of the Iranian finance when the Shah was in power. So he was one of my expert witnesses. And then another guy was Mahmud Shandiz who the Associate Dean at Meinders. Mahmud and Hussein were worried about me about my safety. I said “What about yours?” They said “Ah we don’t care about us, they’re always after us.” The jury returns a verdict in favor of my clients making, they had frozen all of my clients’ money and assets, making them entitled to it. It was about five million dollars plus they gave me on my counterclaim a million dollars. So I got them for about six million dollars. They were just so happy and so nice. I’ve kind of truncated the story because this was over a period of three years and lots of hardship on them. But they were so grateful and I was, I really enjoyed them. I just liked them. You know sometimes we lawyers have clients that we don’t like that much but these people I just really liked. I think the other cases that I had the most fun trying was I represented Coca Cola Bottlers and so I did all those mouse in a Coke can
cases and people find a bee in their can. They, none of the experienced plaintiff’s lawyers take those cases because there’s no damage for one. If they have any damage it’s soft tissue. Frankly you know the ones that would bother me is if somebody would drink a pop out of a can and there would be little glass shards because it’s been in a warehouse and something happened. Or frankly a lot of times that happens in a store. But Coke gets through, but other than that this is the, the people I reported to were in Atlanta. They don’t settle those cases. So you have to try them. I’ve tried probably 25 and I’ve never lost one and it was because mostly the lawyers on the other side are very inexperienced and they misjudge their case. They want a whole lot of money for it. Oklahoma jurors are…they are pretty hard working people. They come from what was then the GM plant or Tinker Air Force Base or schools, cafeteria workers. When somebody says that they found a bee in their Coke can….. First of all I put on all kinds of evidence about how the processing is done. A bee can’t get in there. I mean it’s going through conveyor belts, upside down and getting stuff squirted in there and all of that. These guys will want and ask juries to give $500,000 and it makes them mad. Things, people think…plus we have great people out in the Coke bottling plant here that made great witnesses. They were just good old heart-warming people. But Valerie Couch and I tried a lot of those cases and she, before she went on the bench. She was kind of my second chair when she came to the law firm. Then she moved on to become really a great lawyer in her own right. But I had fun with those cases because that’s a tort case. It’s a two day trial, maybe a three day trial. They are not too hard to prepare and jurors kind of like them. Used to be when they would be at the courthouse they would hear that we would have one and there’d be a little high school tour there. They’d always bring them in because so many times if you go in and watch a trial it’s just boring. And this is going, clipping along pretty fast. So those cases I liked and then I did a whole lot of cases representing the major accounting firms like KPMG and Coopers and Lehman.

KEK: How did you make those accounting cases interesting for a jury or understandable?

BC: It’s hard. But what you do is you take a whole lot of complicated accounting functions and you explain it to them. But accountants don’t count all the beans in a jar, they can’t. So they do samples and they have these things that do…You know the ones that we tried and if the court would let us we’d talk to jurors. They generally understood it. They would come in and they’d have no background in it. You just have to get, use good witnesses and good expert witnesses that teach them. Teach them what generally accepted accounting practices are and GAP and all of that. Then they say “Oh I get it. I see. That’s how you are doing that.” But they are pretty boring cases frankly. The most interesting one I had was KPMG and the State Board of Accountancy here, the Oklahoma State Board of Accountancy was trying to put them out of business because they were the auditors for Penn Square Bank when it failed. And that was a serious case. We tried it for about 20 days. I was able to, they found on our favor on every single thing except one issue and that one issue they were just flat wrong on. But I was able before they did anything, what, you know to shut the firm down, which would have basically been a domino
all across the country, I was able to get them to resolve certain things. Part of it was the members
of the State Board of Accountancy were small time, small firm accountants and they resented, at
that time it was Pete Marowitz is what KPMG was, they resented them and part of it was Pete
Marowitz’s own…they brought it on themselves. They were arrogant. They were the biggest
firm in the state, untouchable and acted like it. Anyway that got resolved. It was a fun case to try.
I mean because no money was involved in it. The stakes were big but it wasn’t like you were
going to be in front of a jury getting ready to get hit real bad. Representing them helped me
represent the other accounting firms because people would hear about me. So that was kind of a
specialty which was a real irony for a guy that was a history and philosophy major. You know if
I took any course that related to accounting it would be something like Accounting for Poets. It’s
just the last thing in my mind that I would end up in this world of accounting.

KEK: Well but obviously you were able, I mean you were successful and your reputation grew.

BC: Well it kind of gets back I think to just the idea that my dad said that is “Good lawyers and
particularly good trial lawyers they can try anything. It’s just a question of getting educated.” I
mean I couldn’t go over to the business school and teach a course in accounting now at all. But at
that time I was staying up on the literature and I had all kinds of resources available to teach me
things. It’s like when I take a deposition of an economist for example, particularly if it’s a
professor, well I’ve got my own economist and they’re feeding me with everything to focus on
that. I go in and get that deposition well the witness all of a sudden knows…well this guy knows
what he’s talking about. And it perks them up and it makes them honest. It’ll keep them from
trying to manipulate me. So I learned that a long time ago to do that. You don’t in front of a jury,
like I tell all my students in my trial practice class, you know if you’re dealing with medical
terms you know those medical terms just like the doctor does. Don’t get up there and say “Now
you know” don’t poor boy it and say “I can’t pronounce this, but you know mesothelioma is you
know all that.” That doesn’t work, you think it does. But what the jury is more impressed with is
if you can examine a doctor and use the exact same language as they have. They think God this
guy knows what he’s doing. That’s what you want to do in a courtroom. You want to tell a story.
That’s how I think you make complicated things simple but you can’t oversimplify it. You’ve
just got to tell a story, use metaphors, use things like that. I always felt real comfortable in that
area. Some lawyers used to tell me, Judge Couch, their thing they hated most was taking, felt the
most inadequate…was taking the depositions of experts. And we both thought why would that
be, that’s the most adequate you could feel because all you have to do is ask questions. What did
you do? How did you come up to that opinion? You read up about it but here you’re not trying to
trick them or anything like that. Now where experts have to deliver reports beforehand a lot of
times I don’t even take their deposition, because I don’t want them to know what I’m going to
ask them.

KEK: That’s right because you’ve already got their reports.
**BC:** I’ve got their report and I take it to my expert and they’ll say “Oh this can’t be and this….” Well why go ask them that, because they’ll just cure it. So when those rules came and changed, we changed. Before that I had to know what the expert was going to say. So I had to take their deposition. But I’d hold back a lot. I just would want to know “What are your opinions? How did you arrive at them? What did you look at? What authoritative sources did you use if any?” Things like that.

**KEK:** What kinds of skills do you think someone needs to have in order to be a successful trial lawyer?

**BC:** I think that they have to have a lot of passion. I think that they have to have a lot of stamina. It’s a younger man’s game. I think that they have to care about their client or at least have the jury think they really care about their client because if you project that then you know the jury is going to start caring about your client. They’ve got to like you too. You have to be a great storyteller. I think you just have to kind of love life and be a person that likes people, likes to be in that kind of environment. You have to be tough but not a bulldog. That’s one of the things in our profession. I think those are the primary attributes. The one most important of all attributes of good lawyers is and any lawyer will tell you this, is being prepared. You just, it gets back to what I was saying you prepare, you prepare and you prepare. When a case comes in the door for me I start looking at it and I did mostly defense work. So a lot of times I’d be thinking God I can’t think of any way that this is defensible. But somehow you come up with it and then you start developing your case themes and those may change over a period of months that you are working on it. Then I start looking at and preparing jury instructions real early because those are my boundary lines. That’s what keeps me focused in where I’m going. That’s basically what I do in a trial. That’s what I try to teach students to do and there’s some that have natural gifts. It’s just easier for them and we all know people, some reason they can just get up in front of a crowd and…but most people can’t. Most of the people that I teach that first day in trial practice and they go around the room. I ask them each one individually “Why they are in there?” and I’m telling you more than half of them will say “Professor Conger I am here because this is so far outside my comfort zone and I need to do this and I had a classmate that took your class last year and…” A lot of them will never see a courtroom but they gain that confidence to stand up on their feet. If you are a corporate lawyer, you’ve got to go into a boardroom with 40 people in it and talk to them. It’s a good skill set to have. Some of them as I say that first exercise that I give them they’re just petrified. In fact my assistant Gayla was in here and she was cleaning my desk top because I had so many things on there. She said “Well what are these things?” They were movies. I said “I don’t know. Let’s open one of them up.” I’m scared to death of what’s going to be coming across, and I don’t know because sometimes people send me things they shouldn’t. And yes you do look at it once and delete but I’m sitting there and it opens up and it’s this guy in one of my classes standing at the podium. And Gayla and I started crying and we’re laughing. He was so scared. We videotape now and always have in our class. Now they don’t use those reels
anymore it’s all this digital video. So I said “Oh you can get rid of those.” What I was doing was trying; I do it so they can home to their apartment or wherever and that night. I say “Look at what you are doing and look at Judge Couch who you can see from the right. You know you got your head down here and you’re looking at the next question while the witness is answering.” So I had some of those on there and we had a scream looking at them. But I cleared them all off. I think I had them on there for when, KR or somebody told me we don’t use the video camera anymore. We use the stuff. I just wanted to see how it worked. But it was great.

**KEK:** Well that’s wonderful. So what year did you come over here to OCU?

**BC:** 2003, February 2003.

**KEK:** Okay. So you’re no longer practicing formally with that law firm?

**BC:** No. I’m called ‘of counsel’ but I don’t do anything and my name is still in the firm. They asked if they could do that. That’s kind of natural because I’ve been in the community so long and when I first came nobody wanted it. It certainly wasn’t because I was unhappy or anything at the firm. This was a lifestyle change for me and a professional change. A lot of people said it’s because I’ve had some heart issues and said “Did you go out there because it’s more laid back?” I said “No, in fact I’m busier right here than I was in the law firm because I had bypass surgery back in 2001 and then I kind of really slowed down at the law firm. I got out here and I’m just as busy as can be. So I left under, they thought I was crazy. They supported me and I left under good circumstances. But they didn’t want to have me leave because it did cause quite a stir in the community. All the lawyers were saying “What are you doing?” Although this is really interesting, I was working out at the gym and Bruce Day, a lawyer here in town, he was on the treadmill next to me. This was after I’d been out here maybe six months or so. He said “Conger you know there are a lot of us that envy you.” I said “I actually know that” because a lot of them have told me that. He said “You know I can’t believe it. None of us could believe that you would do that.” I said “Well I kind of love it.” He said “What are you going to do today?” It was summertime. I said “Actually, I’m going to read all day because I’m working on a new course and I’m just going to be studying today.” He said “Golly, like no clients or no nothing?” I said “No and I don’t have any meetings.” That’s the one thing about academia that is really different. And Tom McDaniel told me this when I came out he said “You’re going to find one thing that’s a real difference.” And I said “What?” He said “Meetings.” He said “You’re going to be, you’re used to your law firm making a decision at nine and it’s implemented by ten.” He said “Here, we come up with a thought. Then we form a committee. Then we meet for a couple of weeks” you know. I do, I get so tired of meetings around this place.

**KEK:** Well but that’s the academic environment.

**BC:** Yes.
KEK: What do you enjoy most about your job now?

BC: The students. I feel like I’m making a difference in their lives. So there’s kind of instant gratification. You just feel like you’re doing something for them. There are some jerks in the student body like there are anywhere but on the main I find that most of the students are so motivated. I mean as you know this is a…this bunch has a sense of entitlement that is unbelievable. I just like working with them. I deal with so many of them. A lot of it is not even lawyer related, they’ll call that chair, they call it the ‘purple chair,’ the one you’re sitting in. They call it the purple chair and I get emails that say “Professor Conger can I get a little purple chair time next week with you?” I’ll say “Yes.” You know they’ll come in they’ll want to talk about stuff going on in their life. They’ll say “I don’t know if you know me or not but I’m falling apart.” Some of them just need a Dad talk and that makes me feel good. I love that. I love the people I work with on the campus. That’s another thing…is you get to work around people like you. I love working with the librarians. Darla is my assigned librarian and it just feels good to be able to call and say “Darla could you gather this or that for me?” It saves me going hunting around. One of the things I told the Dean when I came out here I said “Dean Hellman, I don’t have research skills anymore I mean because I’ve always had it done for me.” I started out as a young lawyer. But as a young lawyer we were researching in ALR, Am Jur, then to the case. We didn’t have this, and we didn’t have Lexis. So I said “I’m not…” He said “No,” he said, “We have people. You’ll have a research assistant” which I do. Then he was telling me about the librarians. He said “That’s really kind of what they live for. That’s what they like is to take a project and to help you with it.” So that’s been a big help to me. The other thing in being the general counsel of the university is I’m exposed to everybody. So I work on so many different things. Like our copyright project, you’ve been into those things. I really enjoy that. I think that is fun. I deal with the coaches a lot. I don’t deal with student discipline but I deal with the disciplinarians a lot because they will call. Certainly if they are going to expel somebody from school, they’ll call and give me a heads up about it. Or I might participate in drafting the student discipline code. How much fun was that? I worked with a couple of professors, a number of students. So I’m doing a lot of things that I just think is kind of neat in my stage of life. It certainly has enthused me a lot more. I’m glad to be the general counsel of the university. Higher education law is interesting and unique. It didn’t take me long to get on board with it. I think it’s just because I’ve been practicing so long. You kind of know you can do things. There are areas where, like we’re working on some pretty complicated employment type trusts for retirees now. That’s way out of my field and I couldn’t, so I sent it to an outside firm to…because it’s such a specialty that’s just not something that I would, should be doing. But like the copyright things, I feel comfortable with that. That’s not something I did in private practice.

KEK: Right. It’s something completely different.

BC: But it’s different and there’s so much available on it. Of course as you may well know I was the first violator of our copyright policy that I wrote.
KEK: Well but we got that straightened out.

BC: We got it straightened out because I felt so bad about it. Darla said “Okay, well you’re the general counsel.” I said “Now wait a minute Darla, you are absolutely right. This is not right and I need to do this exactly right.” So we did it. And I’m glad we did it. I’ve been seeing these different webinars come up on that area and particularly the digital aspects of it. And I’m thinking, I was thinking about calling Victoria and saying “Victoria you know maybe with my budget, your budget and the law school’s library budget we could finesse one of those things, because we’ve got a lot of people. The librarians would benefit from that. I would benefit from that and so…”

KEK: Very good. Now Professor Conger is there anything that I haven’t asked you about that you would like to say or that you would like to talk about?

BC: No. As you can tell I will talk to a post. I just, I’ve just been very fortunate to have had a pretty wonderful career. You know on the main I am waking up every day happy and looking forward to coming to work. I have some bad days just like all of us do but really I’ve really been lucky in that I’ve been in a job always that I have liked. And I think I’m particularly lucky to have an opportunity to reinvent myself here at the last and that is a lot, because it’s not something that I was looking to do but it sure has you know rejuvenated me. I’ve enjoyed talking to you. You know I’ll be more than happy to help in any way on this project. I’m so excited that you are doing it.

KEK: Well great. Thank you so much for your time today. I really appreciate it.

BC: Okay.

KEK: I know you’re a busy person so thanks. Okay.