



The Ninth Judicial Circuit Historical Society

**Oral History Interview  
Of Ninth Circuit Judge Howard McKibben  
By Mark McKibben  
April 2022**

**Mark McKibben**

Today is April 8th, 2022. We are in the Bruce R. Thompson Federal Courthouse in Reno, Nevada, and my name is Mark McKibben. We are here today to interview my father, Judge Howard McKibben, and to make a video for the Court and the archives of the Ninth Circuit Historical Society.

I want to ask you today to start with some reflections about growing up in the Midwest.

**Judge McKibben**

Well, Mark, I'm delighted to be here with you, too. I thank the historical society for the opportunity to memorialize the oral history of several of our senior judges. And we really appreciate all the work the historical society has done over the years in promoting the history of the Ninth Circuit and the history of the various districts within the circuit.

I was born, unfortunately, April 1st. Fortunately, I was born, but it was April 1st and that made it a little unfortunate because I was an April Fool baby. I was born April 1, 1940, in Virginia, Illinois, which is in the middle part of Illinois in the southern section. And when I was two years old, my sister and I were abandoned, basically, and the welfare authorities took us to Normal, Illinois, where the orphanage was, and then we were there for a little over a year.

And then two people that I call my "guardian angels," Bernice McKibben and James McKibben, decided they wanted one child, but when they saw us and knew it was a package deal -- they were going to have a girl -- and fortunately, I was able to become part of the adoption process with my sister. And they adopted us and that made all the difference in the world for me, because they were educators.

My dad was a superintendent of a school district in southern Illinois and my mother was an English and Latin teacher, and they provided the love and support that gave me a firm foundation for my future life. And I know that I would never be seated here today if it hadn't been for the two of them. I call them my "guardian angels."

So that was a very fortunate twist of fate for us, to have that opportunity to be adopted. And then we spent our first six years in Clinton, Illinois, in the southern part of Illinois where Dad was

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superintendent of a school district. Then, we moved to Oneida, Illinois, which was a town of about 500. And it was located equidistant between Galesburg, close to the Mississippi River, and Peoria. And my dad was the superintendent there and it was a consolidated school district and we went there in 1948. And then I went to school, all the way through high school, in that area.

And I worked on farms, most of the time baling hay. And in those days I got 50 cents an hour, and now people are getting \$17 an hour to do hamburgers, but that's what happens with inflation. And I will tell you we worked hard. And I was so tired at night. You know, I basically worked and slept during those years, but it was great experience for me. And then I went to high school there in 1954.

**Mark McKibben**

Let me ask you a little bit about your high school experience. Was your father still the superintendent of schools?

**Judge McKibben**

He was, and I was very fortunate because in 1954 they constructed the new school building, high school building and all the other kids used to say it was because my father wanted to be sure that I had four years in a new school building that they built the school in 1954. And I did have the full four years there during that period of time. And my father was the school superintendent there for some 30 years. I enjoyed my years in ROWVA a great deal.

**Mark McKibben**

Did you participate in athletics?

**Judge McKibben**

I did. That was probably my primary love during that period of time. They gave out 14 letters. They didn't have letters my freshman and sophomore year for baseball, but I received letters in all of the other sports all four of my years. And I particularly loved track and field. That was my specialty. I had received a medal from Jesse Owens in Chicago when I went up there, unattached, and broad-jumped when I was in middle school.

And then I set the record in four different events in high school. I was fortunate to run the hundred under 10 flat and -- it was wind-aided -- and I broad-jumped about 22 feet and ran relays in about 22 seconds.

So at least I could escape quickly if any incident came up. And that was one of the advantages I had, even though I was small when I was in high school. But I loved sports. It was just a major part of my life during that period.

**Mark McKibben**

Were there coaches or teachers in high school who were particularly influential?

**Judge McKibben**

I really liked Bill Adams. He was our track coach and he was our football coach and he believed that it was important to win, but he also believed that it was important to be fair in competition. And I think he understood the concept that it's not always whether you win or lose but how you play the game. And that's what he instilled in me and all the other athletes there at the school, and I always admired him for that. Not only was he a great coach, but he was a wonderful example and a wonderful human being. And I have always thought that that was a very, very important part of our life during that period.

And I was never enthralled, necessarily, with English or literature, although my mother was an English teacher, but I had Miss Parkinson as my teacher in high school and she taught us poetry, and I loved poetry. And I probably liked Robert Frost. "The Road Not Taken" was my favorite poem.

And then Carl Sandburg was born in Galesburg, Illinois, which is 15 miles from where we were, and I used to visit his home from time to time, and I enjoyed his poetry, too. So academically and sports-wise, we had an idyllic setting there, I think, in ROWVA High School as a foundation for future life.

**Mark McKibben**

Now, you go on to Bradley University in Peoria. And you were there on an academic and an athletic scholarship in track. What were your events in track?

**Judge McKibben**

Well, they were the same ones that I had in high school. But there was one thing that happened when I was a sophomore. I was running up at the University of Chicago on the 60-yard indoor dash, got into the finals and a person named Ira Murchison was in the finals with me, and he had set the world record in the hundred meters. And I thought, "Well, maybe, I have a shot here," because he was five six, I was five eight, one of the few people I competed against that was shorter than I was.

I have to say, when that gun went off, he was a good 10 feet or 15 feet down the track before I even got out of the blocks. By the time I got to the finish line, he was coming back to congratulate us on finishing the event. It was 60 yards. And I knew at that moment that I was not world class.

But he did something extraordinary. Off his jersey, he took the little cardboard thing they had and he wrote "IRA Murchison world record 10.1 Berlin" and gave it to me. And I have that framed now and that's one of my prized possessions. And it was at that moment in time that I realized, while I loved sports, I probably ought to spend a lot of time on academics and do something else.

**Mark McKibben**

And what was your major and what activities were you involved in at Bradley?

**Judge McKibben**

Well, I majored in political science. I always thought, in the back of my mind, that I had received a wonderful gift from society when they took me into The Baby Fold and found two wonderful people to nurture and care for me. And so I wanted to give back in some form. And I always thought public service was the most important thing I could do, so I selected political science, history, psychology as my courses during that period of time, because I thought that that might be an entrée into either politics or into law or to public affairs or public service in some form. So that's why I selected that as my major.

**Mark McKibben**

And where did you go to law school?

**Judge McKibben**

Well, before I went to law school, I finished up at Bradley. Another part of being part of public service, I was able to formulate a student court when I was student body president there. And I selected the chief justice, and that's how I first got involved in knowing that maybe law was what I wanted to do later on.

So I went from Bradley, then, to receive a master's degree from the University of Pittsburgh Graduate School of Public and International Affairs. And they had the Cathedral of Learning there which was right next to Forbes Field. And I would go up on the top floor with binoculars and a radio and, instead of having to spend the money, which I didn't have, to go to the baseball games there -- they played football there, too -- I would watch it with my binoculars and listen to it on the radio. And that way I saw all of the games of Pittsburgh Pirates and the Steelers. It was a lot of fun. And we did that with a lot of the other students there.

So I got a master's degree in public administration, and then I went to Saginaw, Michigan and did an internship in the city attorney's office there, at the city manager's office.

**Mark McKibben**

And then from there, it was on to law school?

**Judge McKibben**

And the reason I decided to go on to law school, because I thought that was another an entrée into public service, but also the assistant city attorney in Saginaw, Michigan, was blind. And he gone to the University of Michigan and he was a wonderful human being. And I spent a lot of time with him. And he and I were in the courtroom a lot and I loved being in the courtroom. And I thought, you know, here, somebody with that disability, was able to get through law school and perform the way he did, and I had all my faculties, I felt I can do this.

And so he convinced me I ought to apply to the University of Michigan. I had already applied to Northwestern in Illinois and been accepted, but I thought Michigan was probably the thing do, so I applied there and I was accepted and so I went to the University of Michigan Law School.

**Mark McKibben**

What was your experience at Michigan like and did you meet someone special at a mixer?

**Judge McKibben**

Right. I stayed the first year in the Law Quad, which is an internal part of Ann Arbor's Michigan school, and it's Gothic architecture patterned after Cambridge and Oxford. It's just a beautiful setting. And I stayed in the Law Quad that first year and had three wonderful roommates.

The start of my second year, I went to a law school mixer and my wife, later on to be, Mary Ann, and some of her girlfriends crashed it. She was doing graduate work in library science at the University of Michigan. And I saw her across the dance floor, and for me it was love at first sight. And so I danced with her and, from my standpoint, the music has never stopped. And we have been married for 56 years now. Might have taken her a few days longer to say that she was going to be my partner for the rest of my life, but I knew right away. And I would say that even though I received a wonderful experience and legal background from law school and education, that the greatest thing I took out of Ann Arbor was Mary Ann.

**Mark McKibben**

And after law school, you packed up your car with Mary Ann and headed west. What was your thinking? Why didn't you go back to Illinois?

**Judge McKibben**

Well, the year before, I had visited my sister who was in Carson City teaching school, and I fell in love with the Sierra Nevada mountains, Lake Tahoe. And I got a chance to meet the lieutenant governor in Nevada, Paul Laxalt, and he spent an hour talking with me. It was kind of amazing. I just called him and he said, "Come down and talk with me." He didn't have an opening, but he knew somebody that did in the Carson Valley, which is the lower end of Lake Tahoe and over the Sierra Nevada mountains where you have the beautiful valley. And he said there was a man named George Abbot, who had been undersecretary of the interior under Eisenhower, and that he had an opening, and he would talk with George and see if there was a spot for me. And he found that George did need somebody, so that's why we decided to go west.

My roommates went back to Washington, D.C. and to New York, and they thought I was a little daffy to be going west. And Mary Ann said, "I have a library science degree. Do they have libraries in Nevada?" And I said, "Oh, yeah, I'm sure they have libraries in Nevada." And she found a very nice spot when she came out here. And we have never regretted it. We thought we might go down to San Diego later on or someplace in California, but we've stayed and just enjoyed it very much.

**Mark McKibben**

So when you come back to Nevada, you have to pass the Nevada bar. What was that like?

**Judge McKibben**

Well, now, that's another interesting story, because they had a residency requirement. That's been eliminated by the Supreme Court now, but in those days it still was a requirement. I tried to tack the two periods I had been there, the summer before and the summer when Mary Ann and I came out for good, and the bar examiners and the board of bar governors denied my application, so I had to wait a year because of the residency requirement. And you were born during that period of time, so that was an interesting year for me.

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And when I took the bar, I was fortunate to pass it. But I worked with George Abbot, then, in his law office during that year and during a couple years after, before I ran for district attorney there.

**Mark McKibben**

And was George Abbot a sole practitioner?

**Judge McKibben**

He was. And because of his experience with the interior department as undersecretary of interior, we handled a lot of matters involving ranches, livestock, sheep. I learned a lot about the grazing permits and what have you. One of the things that happened, I was sent out to try to resolve a dispute over water rights, which was critical in our state, and when I got there I went to the ditch and to the box where the water was being diverted and there were two gentlemen ranchers there and they both had shotguns. And I had to resolve that dispute.

I had no idea what do except try to do what I could to get them to become friendly. And I finally was able to succeed at that, but I can tell you I didn't learn anything in law school about resolving a dispute like that. And water was so precious in Nevada, and still is, it's almost more precious than children, if you can believe that. And so it was a difficult dispute, but I felt then I could be a negotiator.

**Mark McKibben**

Then, what made you decide you wanted to work in the DA's office?

**Judge McKibben**

Well, I had enjoyed, when I was in law school -- and Professor Israel particularly -- criminal law and criminal procedure. And again, this was kind of my thought process about wanting to be in public service and thinking someday, you know, I might run for Congress or for the Senate, something like that. And I thought, "Well, you know, this will get me in the courtroom. I love being in the courtroom."

So when I was with George, I still could, in addition to having private practice, be involved with the district attorney's office. So I was hired as a deputy DA. And then a year and a half after that, the district attorney decided to retire and then I ran for that office. And I was fortunate. I didn't have any opposition and so I was elected district attorney, then, about a year later.

**Mark McKibben**

And are there any particular cases you handled as district attorney that stand out in your mind?

**Judge McKibben**

Well, there is one. It's kind of an amusing case, but at the time it was unusual. There was a man named Reverend Love who had the Love Chapel up in Lake Tahoe. That was part of our district, the south end of Lake Tahoe. And he was making hundreds of thousands of dollars performing marriages. And the district attorney came to me and said, "Howard, I want you to file an injunction. I don't think he has a congregation and he is violating the state law to conduct these marriages."

So I filed the application for an injunction with the court, and the morning of the hearing, which was set for 10:00, I looked out the window of the courthouse and I saw vans coming up, and they all had flowers on them and the people getting out of the vans had long hair and flowery dresses and pants. And they took chairs out of the vans and set them up in the lawn of the courthouse, right in front of my window. And then a limousine shows up and it's Reverend Raymond Love. And he gets out of there and puts a podium up and he starts preaching. I knew at that point he had a congregation and I knew that I was in trouble, so I went in and dismissed the case.

Again, here was another incident where I really couldn't call on any of the legal background I had from Michigan. You just had to use some common sense. And that was an interesting but kind of a difficult case. It made you understand that your legal background doesn't always help you resolve some of these disputes.

### **Mark McKibben**

So how did you decide you wanted to be a judge?

### **Judge McKibben**

Well, I had toyed with the idea of running for attorney general in Nevada and/or Congress, and then one day I was in the office and I got a call from Governor O'Callaghan, whom I had known and had respected a great deal. He was a Democrat. I had been a president of the Nevada Young Republicans, so I was kind of nonpartisan, but I was registered as a Republican. And he called me one day and said, "I would like to have you go on the state bench." And I said, "Well, Governor, we hadn't really thought much about that," and he said, "Well, give it some thought. Judge Manoukian is going to go on the Nevada Supreme Court and I would like to have you be the judge down in Douglas County."

So we talked about it. I talked with Mary Ann and I decided maybe this is better than a political life because it keeps me in the courtroom all the time and that's what I really love. So I put my name in and three of us were selected to go to the governor's office. And then I got a call from him and I went to the governor's office and he was there and he said, "I think you know why I asked you to come." And I said, "Well, I had an idea because you had asked me if I wanted to apply for the position."

He is gone now, but he was a wonderful person. But he loved to tell the story that, as I was leaving, he said, "Oh, by the way, McKibben, you are a Democrat, aren't you?" And he said I almost fainted. That's not true. What happened was I said, "Governor, you know better than that," but I said, "I will keep politics out of everything." And so that's how I was appointed to the bench.

And then I was there for seven years, reelected, and I didn't have any opposition there either. And as a judge, I was a judge in Douglas County, which is the south end of Lake Tahoe and the Carson Valley, and then I was also the judge over in Yerington, so I was a traveling judge. And to go over to Yerington, I had to go early because oftentimes there were sheep and cows on the highway and I had to weave through them, and it took extra period of time to do that. So I was the commuting judge for a while. And then we modified the statute so that we had a judge in Yerington as well as in Douglas County, and that made my life much easier.

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**Mark McKibben**

Did you have any interesting cases you handled as a state judge?

**Judge McKibben**

Well, there were several, but one in particular involved some midwives who were being prosecuted by the district attorney for practicing medicine without a license, and so I heard that case. Half of the people in my courtroom were doctors and the other half were midwives and women who had had children with the midwives. And, in fact, some of the women that were there were nursing their babies in the courtroom. And the bailiff came up to me and said, "You know, what should I do about that." I said, "Nothing. They're being discrete and I don't want the focus to be on what's going on there. We need to have it be on what the issues are in the case."

So we went ahead and I ultimately ruled that the practice of midwifery -- and I looked that up to make sure I was saying the right thing about it -- was not the practice of medicine, that it was referred to 20 times in the Nevada statutes, and that at no time did the legislature say it was the practice of medicine. And so I dismissed the criminal action, and here we are, many years later and the same language is still in the statutes about midwifery. So the legislature hasn't changed anything. And they fill an important spot for those who can't afford medical help, but they always have nurses and doctors available to handle the very difficult cases. But that was one of the interesting cases I had.

**Mark McKibben**

And how did your nomination to the federal bench come about?

**Judge McKibben**

Well, that was another kind of interesting story. I was in my chambers one day and my secretary came in and said, "Judge, the president is on the telephone." I said, "The president of what?" And she said, "The United States." I said, "Well, I better take this call." And so I lifted the receiver and President Reagan was on the other end of the line. Had a wonderful discussion with him that must have lasted five or ten minutes and we talked about a number of things.

He said, "You know, Senator Laxalt has put your name forward." And Paul Laxalt had contacted me and asked if I would consider the judgeship, and I said, "I would be honored." And he said, "Paul has recommended you and under Paul's recommendation and looking at your credentials, I think you would be a good fit for the federal judgeship, and I'm delighted that you are interested."

And then I will never forget, right at the end of the conversation he said, Judge McKibben, God bless you and God bless your family." Just a wonderful conversation. And I don't think all the presidents have done that, since that time, but he was nice to reach out to us and talk with us. I mean, I will never forget that conversation.

Then, in order to be sworn in, it was the period of the election between Reagan's first term and his second term, and so I was one of ten to get confirmed with one day left before the adjournment of the Senate. And I had to fly back with Mary Ann quickly on the red eye, the day before the Senate was going to adjourn. And I appeared before the judiciary committee. And I had met with Duke Short, who was the assistant to Strom Thurmond, who was the chair of the

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judiciary committee. And he was the only one that came in because the committee was out of session. The senate was still in session, but they were out. And Duke Short told me what the questions probably would be.

When Senator Thurmond came in, he talked with Duke Short for a second, and I wondered what the conversation was. So he went right down the line on questions and I responded to them and then we had some pleasantries afterwards. And Paul Laxalt was seated next to me, Senator Laxalt, and Mary Ann was right behind me.

So I asked Duke Short afterwards, I said, "I don't want to be presumptuous, but could you tell me what the discussion was with the senator?" I thought maybe he was going to say something on the questions. He said, "The senator said who is the pretty lady sitting behind the judge?" And he said, "Well, that's his wife." He said, "Well, we have to confirm him."

So I always joke that it was because of Mary Ann that I got the commission. And it was shortly after that, within a day, that the President signed of commission. And I got the call in San Francisco on the way back and I was sworn in the next day.

### **Mark McKibben**

Where was your duty station when you first went on the federal bench?

### **Judge McKibben**

I thought it was going to be in Reno. And two weeks before the hearings I was advised that my duty station was going to be Las Vegas. And of course, we lived up here, and you and your sister, Susan, were going to school in Douglas County, and so it was a hard decision whether I wanted to continue to take the position, but I did. And I immediately had to go to Las Vegas, and that was my duty station. So for four years, I lived in Las Vegas and I lived in Douglas County. I would go down to Las Vegas on Sunday night and hear cases Monday through Thursday, fly back up here Thursday night, hear cases in Reno on Friday, and I did that for four years.

When I went on the bench in Las Vegas, we had right at a thousand cases each. Judge Claiborne wasn't hearing cases. He was in trouble with the government at that time, and so Judge George and I divided almost two thousand cases each, a thousand apiece. We had the largest caseload in the country. And he and I tried, individually, about 50 criminal jury trials during the first 16 months I was on the bench. So we had quite an experience in handling federal cases during that period of time.

And I have to say this, Judge George was almost like a brother to me. I mean, he helped me so much. He had been appointed by Reagan six months before I was, so he was the senior senator at that point, along with Judge Foley in Las Vegas and Judge Thompson and Judge Reed in Reno. And Judge Reed was the chief judge at that time. So that was a very difficult period but, I got through it, I think, because Judge George and the other judges were so accommodating. Probably, we have as collegial a Court as any in the country, and it's just been my good fortune to be a part of that collegial group. And they helped me during that very difficult period.

As did you and my entire family, because it was difficult going back and forth, often, like that, and still keeping up with the events that all of you had in high school.

### **Mark McKibben**

What were your early experiences with the Court?

### **Judge McKibben**

Well, again, it was just the volume of cases that we had and the complexity of the cases. When I went into chambers for the first time, we had boxes stacked all the way to the ceiling, and I'm not exaggerating. On any Monday morning, we had a calendar call with 125 cases called that were set for trial. They were that far behind. And Judge George and I and, to some degree, the other judges, the ones in Reno, helped out, and Judge Foley. But basically, Judge George and I handled that large caseload because the judges in the Reno area were handling the Reno cases, and Judge Foley was getting close to senior status, so it really devolved on us to clean up the backlog. We did it, but it took a long period of time and a lot of perspiration.

In fact, I recall once I was so stressed at the end of the day that I went into the elevator to go down to my car and I still had my robe on. And a couple of the attorneys were in there and they laughed about it. Fortunately, it happened to be Halloween, so I said, "This is my dress for Halloween." But that gives you an idea of the period of time we were going through.

But we had some interesting cases during that period, cases that involved the mafia, the Spilotro brothers. They ended up being killed and buried in a cornfield in Indiana. I had a case involving Barry Seal that was made into a movie here recently called American Made, starring Tom Cruise. And they had a woman judge in the movie. I stayed by the phone thinking I might get a call, and I never did.

But that involved Barry Seal, who was the youngest pilot to fly for TWA. He gave all that up and started running drugs out of Central and South America. And we had Styrofoam® boxes filled with cocaine in the courtroom that were stacked up as high as those bookshelves over there. And Barry Seal decided that he was going to give up everything with TWA and run drugs. Then, he also claimed, during the Reagan administration, that they had commissioned him to run guns down to the Contras, during that period of time, and working through Vice President Bush.

And so if you see that movie, American Made, they describe how they were delivering the cocaine to the United States. He had a couple of Learjets. They would drop the bundles after they came in through the Gulf of Mexico, and those bundles would be picked up, put on the Learjets and taken different places in the country. And then, they were stopped in Las Vegas, and that's how I ended up with that case. And we had 13 defendants. And Barry Seal testified, and he was in the witness protection program at that time.

Shortly after that, he went out of the program. He was going to appear and testify against the Ochoa cartel in a trial in southern Florida and he was gunned down and killed in a parking lot in Louisiana two months after he testified in our trial in Las Vegas. And to this day, the federal government believes that he has a lot of money buried someplace, but they have never found it. But he made millions of dollars during that period of time. But he weighed about 300 pounds and Cruise didn't weigh anything close to that so he didn't look like Barry Seal, but they portrayed it pretty well in the movie.

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Another case that I had that was an interesting case was with David Copperfield, the illusionist. He had put on performances in Russia but he refused to put on the performance in Moscow because he said he hadn't been paid. Well, Ris LisS, which it was testified to was an arm of the mafia in Russia, had put up the money for him to perform. The mayor of Moscow was going to be there, who was the second most important person in Russia.

And so Ris LisS ordered him to come out to a building, which was described as a room inside that building the size of the courtroom. There was one table there and there was \$500,000 in cash on top of the table. And the head of Ris LisS said, "We are very upset, Mr. Copperfield, that you are not going to put this performance on, on Sunday, but here is your money. But I can tell you we are not happy about it." So he gave him the 500,000.

Copperfield put the event on the next day, and then when he got ready to leave, he had his passports to leave but he didn't have Carnet papers, and that's what it required to get his goods, all of his props, out of Russia to bring them back to Las Vegas. And it took him two and a half years to get those back and he ended up paying the \$500,000 back, plus interest, to Ris LisS to do it.

And then he sued the insurance company, and that was the trial that I had, but we learned a lot about the underbelly of Russia and what goes on there and what Copperfield's involvement was. I almost asked him if he could make the case disappear, but I thought that was probably inappropriate.

But those were some of the interesting cases. We had many, many more.

### **Mark McKibben**

And at some 37 years on the federal bench, when did you take senior status and why do you keep serving on the bench?

### **Judge McKibben**

Well, I took senior status when I turned 65, and I am now 82 so that would have been 17 years ago. And I'm still hearing cases because it's the love of my life, other than you and Susan, our grandchildren, Elizabeth and Alex, with Susan's children, our grandchildren, Zachary and Annabelle, and Mary Ann -- and that's my personal life -- and all of the friends that we have.

But in terms of my professional life, I couldn't have had a finer position, I think, in terms of enjoyment and inspiration, than being on the federal bench. And I have had so many wonderful colleagues to work with, starting back in the early days. And I have described the judges then and the others that we have had. Every one of them, just so collegial. Because I like to stay stimulated, and hearing cases and being in court is the love of my life -- second love of my life -- and the main one, professionally.

And I have just always felt that it was important to continue to provide public service as long as I can, and my health, so far -- knock on wood -- has held up and I still have some of my faculties left. I guess that is up to somebody else to judge. But as long as I can do that, I want to continue to help out. And we still have a huge caseload here so I'm glad that I can still make a contribution.

## **Mark McKibben**

And other than deciding cases, what else have you participated in as a judge that you enjoyed?

## **Judge McKibben**

Well, Chief Justice Rehnquist appointed me chair the national committee on federal-state jurisdiction and I got a chance to have a committee with 13 people that included chief justices of supreme courts in the country, together with other judges and circuit judges. And we dealt with issues that were common to both the state courts and to the federal courts. I thoroughly enjoyed that.

I chaired the Ninth Circuit jury committee. We developed a handbook for jury trials and we also enhanced the handbook that we had on the instructions for juries. And so that was a wonderful experience. I think I served on that for four to six years and really enjoyed it.

Two other things that I have thoroughly enjoyed on the bench that are other activities are naturalization proceedings. I tell them, those who have been naturalized, that they have done it the right way, they worked hard to be here. And I equate naturalization to what happened when I was on the state bench, to handle adoption proceedings.

When I was a lawyer, I always did adoptions for free and told the people to put the money in an account for education. And I was the first judge in Nevada to allow cameras in the courtroom for those proceedings. And we allow cameras in the room for naturalization proceedings. And I tell those who have been naturalized and admitted as citizens that they're part of a loving community now and they have been adopted by this great country.

And the other thing that I enjoyed doing a great deal is to work with students and to spread the word about the federal judiciary, the state judiciary and the law, and the rule of law. And I go to the high schools and talk with the students. We have put on mock trials over here with the students. I particularly like going to the middle school and going to the elementary school to talk with the students. And I take my gavel and a little mock-up of a hairpiece.

And I will be eternally grateful to Thomas Jefferson for the fact that he went to John Jay, who was chief justice of the U.S. Supreme Court at the time, and said, "I don't mind if our judges wear robes, but please don't have them wear the wigs because it makes them look like rats peeking through oakum." So I will always be grateful for that. I don't mind the robe, but I'm glad I don't have to wear the wig. But the kids love the wigs and the gavels that I take.

One particular thing that happened with third-graders I went to once -- and Alex, my grandson, happened to be in that class -- I asked what president had appointed me. And little girl raised her hand and said, "Was it George Washington?" I said, "Well, I'm not quite that old." And then a boy raised his hand and said, "Abraham Lincoln?" I said, "Well, you are getting warmer and I'm getting younger." But it's that type of interchange that I just love. And they are so enthusiastic and they love to learn about the law and being a lawyer and they love learning about being in court.

And I think that, like a pebble that you toss out into a lake and the ripple effect, over time, people will continue to have respect for the judiciary, continue to have respect for the rule of law, and that's important to our society. And I have been so happy to be a part of the process where we foster that, and, hopefully, our commitment to the rule of law will continue with the judges that come after me. But that's another reason that I have been senior judge for all of these years and continue to come in.

**Mark McKibben**

Is there anything that I haven't asked you about that you would want to add?

**Judge McKibben**

Not really. I think we have covered it all. I have to say the great love of my life, of course, is Mary Ann. She has been with me all these years. And you and Susan and our grandchildren, all of you have kept me young. My colleagues who have been wonderful to work with, as I said before. It's just been a great joy. I couldn't have asked for a better life.

And I have very much enjoyed the opportunity here for the Ninth Circuit Historical Society and for our Chief Judge Miranda Du to set up the proceedings today, and to memorialize some of the thoughts that I had have had in my mind over the years. And I'm delighted, Mark, that you could be with us today to engage in this conversation. Thank you very much.

**Mark McKibben**

Well, thank you for sitting for this interview. I really enjoyed it.

**Judge McKibben**

Okay. Thank you.