

An Interview with Tom Murphy

Based on an interview of Tom Murphy by Brad Marshall in March 2015

As part of the Bar Association's ongoing historical interviews project leading up to the Association's 75th anniversary, I had the pleasure of sitting down with Tom Murphy, a mainstay in Prince William County's legal community for over 40 years. Tom was born in Providence, Rhode Island and moved with his family to the Washington, DC area shortly thereafter, settling in Manassas when he was in second grade. He grew up in the Old Centreville Road area of what is now the City of Manassas Park, where he sold lemonade out of his little red wagon to the construction workers building the new city. Tom attended Yorkshire and Bennett Elementary schools, and then Osbourn High School. At that time, Manassas was just a town, and the county seat. During high school, Tom made money by setting up a burgeoning newspaper delivery empire, where he would develop routes and then sell them to other kids, and also worked at the Gulf gas station in Yorkshire, where gas sold at the steep price of 29 cents a gallon!

Tom's principal at Osbourn was none other than Bill Murphy, who later became Judge Murphy. Tom recalled that Judge Murphy was attending American University Law School at night at that time. Judge Murphy established an advanced curriculum at Osbourn. Tom credits a constitutional law assignment in his government class there with sparking his interest in and passion for the law. Judge Murphy even got him access to the Pentagon Law Library, where Tom did his first bit of legal research. Tom also got to know Selwyn Smith around this time, as he would occasionally act as lay-minister of Tom's church. Shortly thereafter, Smith finished his term as Commonwealth's Attorney and went on to become a Circuit Court Judge.

Tom graduated in 1963 and went on to attend the University of Virginia, where he was a prestigious Echols Scholar. Tom is a "Double Hoo," having attended both undergraduate and law school at U.Va. Tom majored in history, and was a brother of Sigma Pi fraternity. Tom also worked as a sports writer and later as an editorial writer for the college newspaper, and was also editor of the University of Virginia Magazine. Tom was one of the first people in his family to ever attend college. Tom noted that at that time U.Va. was all male, and that the biggest social issue of the time was the Vietnam War. Tom graduated from college in 1967, and went on to attend law school, where he graduated in 1970.

It was during law school that Tom first met Paul Ebert, when he hired Tom as a law clerk in the Commonwealth's Attorney's Office during his second summer of school. Tom's job was to revise the County Code, because at that time Paul also served as counsel to the County Board of Supervisors. During that time law students could take the bar exam before they graduated from law school, which Tom did in December of his third year. Tom noted that his bar number is four digits (the State Bar is currently issuing numbers in the mid-80,000 range!). Tom was then hired by Mr. Ebert as an Assistant Commonwealth's Attorney, joining Bill Stephens, Ed Fox, Bill Murphy, and Jim Robeson.

Their office was in the white house on Peabody Street that is now Olmstead & Olmstead. At that time the Circuit Court was housed in the metal building that is now the County Police Evidence Storage facility, and Chambers were located in the apartment-style building adjacent to the white house, while both the General District and Juvenile and Domestic Relations Courts were located in the historic courthouse building on Lee Avenue. The GDC judges at the time were McDougal Rice and William May, who also served as the J&DR judges. Prince William was still a combined circuit with Fairfax and Alexandria, so Judges Arthur Sinclair and Percy Thornton actually "rode the circuit".

Tom laughs looking back on his first day in practice on July 1, 1970: he anticipated observing court until he got his feet wet, but instead was handed a GDC traffic docket and sent to court alone! Tom remarked, "I never even tried a case. I never even watched anybody try a case!" Tom said that Paul Ebert did the lion's share of the circuit court trial work, and the assistants would do traffic dockets, preliminary hearings, and sit in with Mr. Ebert on complicated criminal trials. Commonwealth's Attorneys positions were all part-time until 1980, so he and the others were trying to supplement a part-time salary by building up a private practice. His starting salary was \$7,500 (which was about the same amount as his total student loan debt from law school – Tom noted that U.Va. Law School costs about \$60,000 a year today!).

Tom went on to serve as an Assistant Commonwealth's Attorney until 1979, when he left the position to pursue private practice full time. When asked about his mentors as a young lawyer, Tom said that Paul Ebert, Bill Stephens, and Jim and Stewart Robeson had the biggest impact on him. Stewart, Jim, and Tom purchased the building across from the old post office, where they maintained their private practice as well as their prosecutorial duties: "We were sort of like the Commonwealth's Attorney's annex over there." They would have court three to five days a week, and manage their private practices around that. "At that point in time, you were still kind of a small town lawyer. I did real estate settlements. I did criminal law. I did family law. I did personal injury law. Small corporations. Pretty much whatever walked in the door." He later followed Bill Murphy into practice with Selwyn Smith, Frank Hoss, and Bill Stephens. "A four-man firm was probably a big firm in the early 1970's" Tom remarked.

"In the 70's and 80's, the practice of law was really totally different than I think you see it now." Firms were just getting into land use and real estate law, but in the bigger practice areas, they were competing with much larger firms out of Fairfax. "When I first started practicing, you felt comfortable dealing with a number of different areas, but more and more, as the laws got more complex, it became difficult to really practice in all of those areas."

Tom said that, other than those already noted, the lawyers that had the biggest impact on the legal community were Ed Flournoy, John Foote, and Rick Pfitzner. When asked about judges, and if there was one whose photo should be beside that word in the dictionary, Tom immediately noted Judge Sinclair, who was then the Chief Circuit Judge for Fairfax and Prince William. "Arthur was just a real gentleman. I don't think I ever heard him raise his voice in a courtroom, and he had an easy mannerism, but he also expected you to come prepared."

Tom noted that the Bar Association consisted of about 50 attorneys at that time, as compared with the nearly 450 we have now, but said that at least 20 or 30 would show up at bar meetings, and "you knew every lawyer that was in the county." The association met at a restaurant at Lake Jackson called Georgia's throughout the 1970's. There was also an annual event such as a Christmas dinner dance or the like. The Association had elected officers, and it dealt with major issues on behalf of the county's attorney population, such as the new minimum fee schedule.

Tom and I also discussed his longtime involvement in the Kiwanis Club. Tom was involved in the Key Club in high school, which was sponsored by Kiwanis. Tom later joined Kiwanis in 1973, and has held many offices at the local, state, division, and district levels. He noted that "lawyers have historically been involved in Kiwanis here in Manassas," and said that when he joined, Bill Stephens and Jim Davenport were both in the club, among others. Tom has done a lot of work as a sponsor and advisor to the Key Clubs at local high schools as well, including the one he was a member of years prior. Tom has also been very involved with the Boys and Girls Club, even sitting on its board of directors. He also fondly recalled coaching little league baseball with Herman Whisenant.

When asked to reflect on this bar and this community, Tom went on to say "I think we have had a unique situation here with Paul Ebert, who has been the Commonwealth's Attorney for so long. I look back and I am proud to have been one of his first assistants and served with him. The organization that has grown here, relationships with other members of the bar, relationships with the judges, has given us some stability as a bar. I'm not sure that's always the case." I noted to Tom that the integrity and collegiality that our bar currently enjoys traces its roots directly to his generation of attorneys.

Tom Murphy will have been in practice 43 years as of this June. When asked how much longer he may practice, Tom, in his classic style, closed by saying, "lawyers never retire, they just lose their appeal."