

UNITED STATES COURT OF APPEALS  
WASHINGTON, D.C. 20001-2867

J. Skelly Wright  
United States Circuit Judge

October 14, 1982

Professor Edward H. Rabin  
School of Law  
University of California, Davis  
Davis, California 95616

Dear Professor Rabin:

Why the revolution in landlord-tenant law is largely traceable to the 1960's rather than decades before I really cannot say with any degree of certainty. Unquestionably the Vietnam War and the civil rights movement of the 1960's did cause people to question existing institutions and authorities. And perhaps this inquisition reached the judiciary itself. Obviously, judges cannot be unaware of what all people know and feel.

With reference to your specific question, I was indeed influenced by the fact that, during the nationwide racial turmoil of the sixties and the unrest caused by the injustice of racially selective service in Vietnam, most of the tenants in Washington, D.C. slums were poor and black and most of the landlords were rich and white. There is no doubt in my mind that these conditions played a subconscious role in influencing my landlord and tenant decisions.

I came to Washington in April 1962 after being born and raised in New Orleans, Louisiana for 51 years. I had never been exposed, either as a judge or as a lawyer, to the local practice of law which, of course, included landlord and tenant cases. I was Assistant U.S. Attorney, U.S. Attorney, and then U.S. District Court judge in New Orleans before I joined the U.S. Court of Appeals in Washington. It was my first exposure to landlord and tenant cases, the U.S. Court of Appeals here being a writ court to the local court system at the time. I didn't like what I saw, and I did what I could to ameliorate, if not eliminate, the injustice involved in the way many of the poor were required to live in the nation's capital.

I offer no apology for not following more closely the legal precedents which had cooperated in creating the conditions that I found unjust.

Sincerely,  
s/J. Skelly Wright