

TERRY MCHALE*

An Intersection of Art and the Law in the Age of the Baby Boomer

The world was a scrappy place when Terry Flanigan and his three brothers were born in the immediate years following the end of World War II. Sixteen million Americans traveled across oceans to see humanity at its worst, and with vivid memories of power unchecked for too long were coming home to start families.

Freeways were planned and rapid transportation soon provided easy travel for anyone wanting to cross the continent. Ford and Chevrolet refined their war effort production methods to sell millions of affordable station wagons with built-in radios. Seatbelts were not considered necessary for several more decades.

The baby boom era, of which the Flanigan boys were in the forefront, was in the beginning a period of accessible affluence with an average household income of \$3,500. After years of war and deprivation, an unbridled optimism had been initiated.

The parents of the first boomers were working class. They considered high school graduation necessary to get a good job, and less than 10 percent had a college degree. They had big dreams for their children, wanting them to find ultimate success by becoming doctors and lawyers. This generation saved democracy from apocalyptic threat and then voted to use their taxes to finance world-class colleges the next generation could attend for free.

* McHale is a veteran legislative advocate with the venerable Sacramento lobbying firm of Aaron Reed & Associates. He has interviewed and written stories about such interesting Californians as Clint Eastwood, California Assembly Speaker Willie Brown, Kareem Abdul Jabbar, Willie Mays, Congressman Gary Condit, State Senator John Burton, and California Governors Pete Wilson and Gray Davis. He is writing a new and original piece for the 2026 issue of California Legal History on two brothers, Congressman Phil Burton and State Senator John Burton and their immense, decades-long impact on California law and politics.

The dour Fred Vinson, son of a Kentucky jailer, had taken over as Chief Justice of the United States Supreme Court, a role he would fill until his sudden death from a faulty heart at the age of sixty-three. Vinson, tepid in disposition and approach, would leave major issues on the table to be resolved by his successor, a three-time governor who ran for his final term as a Republican and a Democrat, California's Earl Warren.

Clarence Darrow, the greatest trial lawyer of the early twentieth century, was dead. The stories of his courtroom strategies served as how-to lessons in law school. Those choosing the law for a livelihood placed themselves at the fulcrum of great change on seminal issues covering everything from civil rights to how taxes get paid.

A study of the Chicago Bar Association by Charles Cappell and Terence Halliday reached the conclusion that the legal profession was accommodating diverse interests to an extent not previously measured or assessed.

Art was in a period of flux. Jackson Pollock was dripping paint on canvas and thrilling his followers while confusing the lunchpail Americans who shook their heads in wonderment at his popularity.

Norman Rockwell, the staid, highly recognizable New Englander rare to controversy, would break form and paint "The Connoisseur," a detailed illustration of a man looking at a Pollock painting as a message to the viewer that unlike poseurs, he was a master.

In Europe, Picasso, whose name was on the way to being immortal, was very much alive at the end of the war and would live and create for another thirty years. "Action," Picasso said, "is the fundamental key to success."

The possibilities in America to invent, to create, to establish precedent, and to alter perspective suddenly seemed endless. This would be the world for Terry Flanigan.

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Someone smart said, "Destiny is geography." This is no doubt true for the sons of John C. Flanigan II and his wife Ginny.

Family photographs serve as proof enough that John C. was one of those dashing heroes of America's greatest generation. He was an underclassman at Notre Dame during the final season of Knute Rockne's legendary run. Practical and mathematical, he had a precise way of thinking. War interrupted his life and drew a definite line between his own ambitions and what became his responsibilities. John C. Flanigan was trained in ninety days to become an American naval officer and served as a cryptologist in England deciphering

Nazi operations.

Dr. David Lantry in his lecture “Code Machines” said that “Breaking German and Japanese codes saved many lives and shortened the war by some estimates as much as two years.”

Ginny was a beauty queen who worked as a fashion model in New York. The traits that allow someone to qualify for such distinctions are obvious and, while easily recognized, are less remembered than Ginny’s warmth. Ginny was enchanted by the soldier she married and with whom she quickly settled down and had four sons in five years—Jack, fraternal twins Terry and Tim, and Mike. Whatever disappointments might have been part of their lives, John C. and Ginny were attentive parents who for the entirety of their marriage focused more on their boys than outside interests.

The family fortune was tied to Flanigan Plumbing and Heating, which they ran out of the basement of an old Chicago Victorian. The architecturally splendid building would survive enough in memory for Terry to create a book combining his artwork and poetry paying tribute to a classic San Francisco home of the same style.

Unpublished, he kept the narrative poem personal and didn’t submit the book to publishers. The esthetics are strikingly unique, the depictions of the home solitary, yet the images emerge in dimension from the page. Recently unearthed, not even on Terry’s list of things to do, the project “Victoria” was something he did twenty or thirty years ago for himself. The benefit of being a financially successful lawyer is you don’t feel the urgency of a starving artist.

Chicago was the Flanigans’ first home for a much shorter time than expected. Their father and grandfather had the entrenched plumbing and heating business as well as nightclub ventures that were working out well. They had good reasons to stay. The twins were four years old when the family moved west. Unbelievable perhaps, but Terry and Tim both swear that among their earliest memories is being in the crib together. What is undisputed is that their lives would have been very different had they missed the West Coast migration and stayed in the old-world environment of the Midwest.

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Ginny was the reason the Flanigan family departed the cold and wind of industrial Chicago. The fear of lung diseases as severe as tuberculosis was familiar in the painful coughs frighteningly common in America. Ginny’s health concerns were significant enough that her doctors recommended that for her safety she relocate to the dry desert of Tucson, Arizona.

John C. bought a motel, the Major Motel on Oracle Road, among establishments with names like the Linger Longer, the No Tel Motel, and the Welcome Tourists Court. The Arizona Department of Transportation would optimistically change the name of the street to the Miracle Mile. The new name would stick until decades later when the buildings were decrepit, long after the Flanigans moved on and rooms were being rented by the hour. The Miracle Mile once again became Oracle Road.

A young Elvis Presley made one of his groundbreaking appearances at the Tucson fairgrounds. The most popular television Western of the time, the Lone Ranger, was shot in the surrounding wildlands. Hollywood sent their best actors and directors to make movies in the relentless beauty of Old Tucson, building a studio still in use today and a recognized draw as a tourist attraction.

An Englishman, a former New York opera singer afflicted by tuberculosis and looking to recover his health, moved to Arizona and created the Tucson Arizona Boys Chorus. He had the audacity and daring to imitate the Vienna Boys Choir. The youthful altos and sopranos from Austria had garnered worldwide recognition. The idea caught on. The Tucson chorus enjoyed a period of international fame. Due to the way they enhanced the reputation of their city, the chorus members were deemed to be “Ambassadors in Levi’s.”

The Flanigan twins could sing. Terry and Tim also had an inherent dramatic flair. Not desperate or strident in a search for the spotlight as some ambitious kids can be, they understood early that a level of excellence brought opportunities. They were invited to join the chorus. The concerts and appearances were heady events. The lesson of the power of creativity became deeply imbued. The world Ginny imagined for her sons was meant to be more expansive than Little League and Boy Scouts.

“Our parents wanted us exposed to every possibility,” Terry remembers. “My mother would load us into the station wagon, the same kind of car every family seemed to own, and take us to golf and tennis and fencing lessons. We were encouraged to be daring.”

One of the places the Flanigan boys ended up in was a small horse ranch at 3736 North Jackson Avenue alongside the resilient Rillito River.

The ranch belonged to Pedro Pablo Martinez, “Pete,” a four-fingered lifetime ranch hand turned rancher. Ignoring the fact that a thumb was lost when it got stuck in the rope he tied too tightly around his saddle horn when bringing down a cow, Pete had considerable skills as an artist. His murals from more than a half-century ago have lasted in Tucson buildings. His etchings can

be found today in the famous Hotel Congress where mobster John Dillinger was arrested for the first time. Pete's work remains available to be purchased online.

Pete was a drinking buddy of his much more famous Tucson neighbor Maynard Dixon. Like Maynard, Pete was born in Fresno, California. The art world's view of Dixon as a genius of Western painting has been confirmed by the popular niche he has maintained in history. The themes in Dixon's paintings are of independence and self-sufficiency.

Today, several murals by Dixon hang in the Stanley Mosk Library and Courts Building across from the California Capitol. Home to the Third Appellate Court, host to the California Supreme Court, and housing the California State Library, the classical Greek-style edifice was described by writer Michael Rich as the best kept architectural secret in Sacramento.

Truthfully, the Mosk did have an esteemed architect, and real laborers handled the construction. Equally true is the Mosk appears to be a naturally ageless landmark of a grand landscape belonging to proud people. The Mosk is a building that can never be duplicated. The most elegant courtroom in the state is on the first floor, and the library has the feeling of a beatific chapel. This is also where drawings depicting the legal profession by Terry Flanigan are on permanent display.

Pete Martinez was in his mid-fifties when the Flanigan brothers arrived at his ranch for horse riding lessons. He was sun-burnished and straight talking. He'd been on his own since a teenager, and by the time he died was a familiar friend to movie stars with a lasting reputation and a collection of memorable films.

It was Pete Martinez who, after spending an afternoon riding, got out the paper and supplies and told the boys to draw.

The moment was an epiphany.

Terry saw a particular horse and began drawing. The horse he put on paper was not a familiar rendering by a little boy. The horse had movement and life.

"Every child is an artist," is a quote originally ascribed to Picasso and remembered by Terry. "The problem is how to remain an artist as we grow up."

Pete Martinez was not as judicious with his observation. "Terry should pursue his artwork," Pete told Ginny Flanigan. "The other boys should stick to riding."

The Flanigan brothers acknowledged Terry’s skill with pride in his abilities. They had their own talents that were not being ignored, and Terry remembers that each brother’s individualism was respected at the same time they remained a family unit.

Jack, the oldest brother—gifted, rarely out of line and never out of touch, followed by friends wherever he went—was preternaturally wise and set the bar for his brothers. They were not going to walk in lockstep, and he led by example. However, the old Catholic adage of charity beginning at home was translated by Jack into the brothers remembering they were brothers.

“There was never a fight among us, an expression of jealousy or sibling rivalry,” Terry recalls. “There was trust and lots of humor. As we got older, we filled in for one another in different jobs. We all worked at one time or another for the same men’s clothing store, and I could always get a brother to substitute for me as a lifeguard. The local joke as we were growing up was that if you hired one Flanigan you hired a Flanigan for life.”

Rusty Areias, a former legislator and noted political consultant, would make a comment when the brothers were well into their seventies that dozens of people believed they were best friends with the Flanigans.

The loyalty the Flanigans engender is a result of them understanding the responsibility of friendship. They don’t arrive listlessly at the table. They manage to be interesting, playful, and serious with equal competence, in the mix with quick witticisms and well-told stories, and informed enough to provide precise observations about people and places and events. Not prudish by any means, they are essentially decent, and folks find reasons to share long meals with them. However, the real truth is that the best friends to the Flanigans have always been the Flanigans themselves.

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The beauty that was California is inexplicably difficult to convey. The story is that the devil was asked why he was so obsessed with California, and he answered that if he could get God’s people to ruin this paradise, then no part of the planet was beyond being compromised.

John C. and Ginny Flanigan uprooted the family for the opportunities in California. Unchallenged and likely bored with the motel business, John had been offered a job estimating the cost for putting heating and plumbing units in large buildings. A construction craze that never quite ended was erupting. John C. was good at what he did, and the family was secure enough to even be

thought prosperous. If Terry's parents were disappointed that their own lives were not lived on a larger scale, those feelings were not conveyed to their sons.

"They took seriously being a mom and dad," Terry says. "The simple truth of our lives is that they were very good at providing a loving home."

On the day the Flanigan station wagon crossed into California, there were one-third as many people living in the state as there are now. The freeway system that would scar the landscape was in a nascent stage, and even the largest cities had pockets of farms and dairies and were covered with the same soil placed there at creation.

Not undiscovered, but far from exploited, the jewel was San Diego. Barely half a million people were living there, one-seventh the present population, and the surrounding communities were sparse, open land. The perfect weather of mostly sunshine was influenced by the omnipresence of ocean waves and mist. The neighborhoods with an average price for a house of less than \$12,000 were being built so schoolteachers and truck drivers could buy a home next to firefighters, cops, and the manager at Sears and Roebuck.

San Diego was safe. Whatever the crime rate might have been, it was unnoticeable. The cliches of leaving doors unlocked and keys in the ignition of a parked car were true. Kids got up early to make their own breakfasts of Kellogg's cereal and toast and were on their own. Unfenced school grounds were full of boys and girls playing on the courts and fields unsupervised.

The Flanigan brothers would ride their bikes a short distance to swim with their friends at the Plunge, a massive pool originally filled with salt water and converted at the beginning of the war to fresh water. Today, the Plunge has San Diego Historic Site Plaque 83 designating it as historically significant. The style of the pool site is Spanish Renaissance Revival and like much of San Diego was important for artistry as well as recreation.

Among the friends they encountered at the Plunge were the obstreperous O'Connors, a collection of thirteen or fourteen brothers and sisters. Ginny was close enough to their mother to help sew shamrocks onto the girls' swimsuits as a tribute to their Irish heritage.

Maureen O'Connor, a year older than Terry and Tim, would grow up to become the wife of Robert O. Peterson. The owner of Topsy's, a drive-in restaurant, Peterson whimsically installed a sculpted clown on the roof. He also added a revolutionary new two-way intercom system allowing customers in their cars to give their order to the kitchen at the beginning of a drive-through. Topsy's was renamed Jack-in-the-Box.

The first Jack-in-the-Box on Mission Boulevard was blocks from the rental apartment the Flanigans lived in before they bought their home. The boys would regularly treat themselves to the affordable fifteen-cent hamburgers with a secret recipe rumored to be ketchup, mustard, and mayonnaise mixed together.

Maureen O'Connor entered politics. She was the youngest person elected to the San Diego City Council and at forty became the first woman mayor of San Diego.

She won the job three years after Pete Wilson—a major figure in modern California history and someone who took pride in saying he was the fifth Flanigan brother—left after twelve years of leading San Diego to serve in the United States Senate. Pete was a flashpoint for serious decisions made by the Flanigans for most of their professional careers.

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Growing up in Southern California in the early sixties was a lyrical period of surfing as a religion and being influenced daily by walking barefoot in the sand. Terry liked to play. He enjoyed the beach. The four brothers were naturally athletic. Terry made the semifinals in the citywide track championships. He was a high jumper. He'd joke later that he chose the event because it didn't involve much running, and the guys stood around being cool with their sunglasses on until it was their turn to jump.

His artwork was a calling card. Terry was the one other kids asked to create campus posters, do the signs for sports programs, the cartoons for student periodicals, and the illustrations in graduation annuals. Shy with girls, an affliction from which he would eventually be fully cured, Terry was able to delight friends with his drawings of them, usually comical and sometimes not. He got involved in student politics. He and Tim were avid debaters. The wrestling with facts and putting arguments into cogent order were exciting for them both. They decided as teenagers that they wanted to be lawyers.

At sixteen, Terry completed an oil painting, two feet by two-and-a-half feet on canvas. The subject was a close-up of a young man's face. Terry titled his painting, "The Everyman."

Years later he would accept that he had inadvertently painted a version of himself. The likeness was evident. The teenage feelings of the moment were visceral and faithfully preserved. The phenomenon is not unusual in young painters. Their imagination is influenced by the face they have seen so often in the mirror.

A teacher, a middle-aged art instructor named Helen Delaney, took notice of “The Everyman” and was openly effusive about Terry’s skills. Mrs. Delaney encouraged sketching as an everyday exercise. Her critiques were honest. Real talent, in her view, was as much the result of labor as inspiration. She was an extraordinary teacher. Her expectation was that Terry would be equally committed as a student.

Her thinking was that if you want to be a great lawyer, you study lawyers like Clarence Darrow and judges like Earl Warren. Knowing the history of what you are doing is no less true for art.

Mrs. Delaney insisted that Terry explore the works of William Hogarth, the eighteenth-century modern moralist who mastered the bite of cartoon satire as easily as he managed portraits of stark realism. She wanted Terry to understand what lasting works look like. Because Mrs. Delaney also encouraged him to study Honore Daumier, Terry could ride his ten-foot longboard across an ocean wave while mulling the risk of an artist making a statement and hoping for good luck with the response. Daumier took particular joy in satirizing the French court and contemporary politicians. In 1832, Daumier was imprisoned instead of being killed by King Louis-Phillipe for the insult of drawing a fabulously insightful caricature of the King being fed money by the masses.

Terry learned that the DNA of art history is not so much an original thought as it is developing your own style by copying the techniques manifested by other artists. There is no shame in adapting to an established style. The peril is standing inert and not evolving with intellectual exposure and maturation.

Difficult to imagine now, Terry and Mrs. Delaney took a day trip alone to the Los Angeles Art Museum. Schools and parents trusted each other then. Mrs. Delaney’s interest in Terry’s artistry impacted his entire life and transformed her from a teacher into a mentor.

At the Los Angeles Museum, Terry was transported to another world. Pop Art was the rage, and he saw originals by Warhol and Rothko and Lichtenstein. There were no limits to how the world could be viewed. The daring vision of the artists was overwhelming to see in person. The Pop Art rage was an indication of how differently and brilliantly people and surroundings could be interpreted. Commercialism and advertising could now be considered art.

Lichtenstein used comic book art as his inspiration. Terry was moved by his vision. He did an 8x4 on masonite of a German half-track tank, a vehicle resembling a truck with tank tracks to drive through muddy conditions. Terry agreed all the rules could be set aside and drew in destructively bright yellow

and green the tank blowing up with words comically printed in a cartoon balloon, “The Art used to go Pop”. Outside the balloon it said, “Blang.”

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Whether it was cost or the familiarity of ocean life, Terry chose not to take Mrs. Delaney’s advice that he apply to art schools. He chose to stay close to home and, like his twin, Tim, studied rhetoric at San Diego State College.

Terry followed his brother, the uncatchable Jack, as student body president. Jack ran as a fraternity brother having beer parties with fellow students. One year later, the discussions were dictated by the tumult of Vietnam and the civil rights movement. The extended adolescence of college life was replaced by social upheaval and a political youth movement. Except for his own campaign sign, Terry began to forsake art as he concentrated on his studies. A feeling of impending violence was present on the campus. The poet of his era said, “The times they are a-changin’.”

Transferring to law school at UC Davis, Terry’s serious pursuit of a legal career was broken up with playful drawings of professors augmented with witty quotes. The pieces were clever enough to be collated into a popular calendar and sold in the college store.

He returned to San Diego as a young lawyer where he worked in the city attorney’s office as a prosecutor. Terry tried more than one hundred cases—only stopping once when new evidence made him doubt the defendant’s guilt. His debating history worked well with the analytical aptitude he inherited. At times, the law was a production line service. It was not entirely unusual to be handed a case on the morning the defendant was walking into the courtroom.

Terry and his brother, Tim, as a result of their debating background, later taught an MCLE class, “The Art of Persuasion for Lawyers.” They utilized concepts of ethos, pathos, and logos embodied in the treatise on persuasion, *Rhetoric*, originated by Aristotle.

“I’ve always seen Ethos (character) as the doorway to effective communication, how the listener first perceives the speaker or the artist,” Terry concluded.

Character is communicated in many ways, one’s knowledge, projected authority, likeability, believability, motive, or reputation. Lawyers will be attempting to convey these impressions in trial as early as the voir dire stage or jury selection, and surely at the first appointment with a potential client. The ethos of the visual artist, the painter or illustrator, most often being evaluated in absentia, relies on the immediate impact on the viewer.

It is the quality of professionalism and likability that grabs the viewer's attention. One can use their own imagination to fill in the variety of ways that the lawyer and the artist persuade their listeners or viewers utilizing the effects of Pathos (emotional response) and Logos (logic or technique).

Terry's love of surfing and the unique cultural perspective of life at the ocean would likely have been fully documented in his art if his passions weren't bifurcated by his attention to a legal career. The good news and the bad is that the idea espoused by Irish-American writer Eugene O'Neill that an artist must be consumed by their craft did not take root.

If there are regrets, they are muted by the opportunities being a lawyer has offered in the full life Terry has led. Until he got older and tomorrows became limited, he did not have time to be wistful about not primarily being an artist.

Terry joined a law firm with his brother, Tim, and a respected friend, Dan Bamburg. He reversed sides of the courtroom as a criminal defense attorney. While the work was lucrative and challenging, unresolved dissatisfaction meant a three-month escape to Europe. He studied the Masters. He was never without his sketch book. He did not miss walking through a museum or seeking out the ancient churches.

A stay in Ashland, Oregon, followed. Still, Terry could not make the total commitment to art.

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Terry made the best of his vocation and avocation by combining the two whenever possible. He focused on legal art and various legal publications commissioned him over the years to do magazine covers.

His Legal Lithograph series has been framed and is hanging on the walls of countless law firms. The drawing of Blind Justice wearing sunglasses was an accurate reflection of satire and his own ambivalence.

A provocative lithograph illustrating the evolution of women in the law profession was ahead of its time. Terry created a striking image of five characters, a young woman evolving from college days through early days of being a lawyer, motherhood, and eventually a seat on the bench. Visually compelling, there is a sense that the little girl, the fifth character making the story epic, pulling on her mother's dress as she steps into the frame will inherit a future her mother made better. The original would hang behind his desk when he was appointments secretary working for governors and winnowing down who would hold key governmental positions.

Terry was on a path to a career most would have envied, and one he went to great lengths to attain. Yet, breaking away again from lawyering, he took a class in San Francisco being taught by Howard Brody. At the time, Brody was the premier courtroom artist in America.

Long before live television intruded, the media relied on gifted artists to provide images for Americans to feel what it was like to be witness to a major trial. Brody put millions in the room with Jack Ruby, the man who revenged the killing of JFK; the Chicago Seven making a mockery of Judge Julius Hoffman; Charles Manson gaining lasting celebrity as a mass murderer; and the heiress, Patty Hearst, the kidnapped teenager who went on trial for robbing a bank with her captors, a crime in which a young mother was killed.

Brody had a scribbly, yet highly controlled interpretation of his subjects. He used Prismacolor, a colored pencil, to elicit detail.

Brody was a figure out of Hemingway, not Fitzgerald. He'd gone to war to draw the horrors of young men doing their country's work in places like Guadalcanal and the Battle of the Bulge. He would capture moments of death and near-death in Korea and Vietnam. A chronicler of the century's worst moments, Brody never carried a weapon. He won a Bronze Star for valor when he put down his drawing materials and assisted the medics.

Terry considered for a time becoming a courtroom artist. Finding out that Brody was teaching a class, he drove to San Francisco one night a week to attend.

"Brody was a mythical figure," Terry recalls. "He had a fierce fidelity to naturalistic body features and facial emotion. I learned a great deal by paying close attention to how truthful he was about drawing what was in front of him."

A man shot at the stake is painfully human when you see the spit falling from his dead lips. Soldiers manning a cannon are a team stressed and fearful as they rush to contain the enemy. Some of the men with their shirts off reveal the strain on their muscles, all of them engaged in a deathly situation.

One evening an assistant said that Brody would be late to the class. Brody was returning from Utah and the firing squad execution of Gary Gilmore, the murderer of a gas station attendant. The country was transfixed by the resurrection of the death penalty and having it carried out with guns. Brody brought the portfolio of the original artwork that appeared on CBS News that evening. Terry was able to discuss each one of the paintings with Brody and the circumstances behind their creation. As an artist and an attorney, it does not get closer to the source.

Terry did not pursue being a courtroom artist. He had too many options as a lawyer and lobbyist and consultant to take the possibility seriously. He did complete several pen and ink drawings of famous lawsuits, jury scenes, courtroom figures, and legal concepts. They sold for enough to know he had something to come back to whenever real life wasn't happening.

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Terry's brother Jack managed Pete Wilson's first run for mayor, a campaign run out of an apartment shared by the Flanagin brothers on First Street in San Diego. The first election was about getting Pete the job. During the second campaign, Terry did the graphics featuring a "Re-Pete" theme. The candidate knew what he was doing and on his way to the governorship took a close cadre of inspired followers along with him.

Prior to working as appointments secretary, first for Governor George Deukmejian and later Pete Wilson, Terry worked as a lobbyist, a trade he would return to later.

His clients included the State Bar of California. He enjoyed the change even if he was surprised by the difference in the decision-making process. A product of the hermetically sealed environment of the court, Terry learned that the strict rules of hearsay did not apply for testimony before the Legislature.

Future Appellate Court Judge, George Nicholson, was at the time beginning a distinguished career in public policy. A garrulous man with a quick mind and a tireless capacity for new projects, Nick, as he was called, met Terry when he started lobbying for the District Attorneys Association. Nick was given a tiny office with dusty furniture. The day before he started, there was a murder in his building. He and Terry would find some macabre bemusement in the story.

Nick has a history of working with the families of Frederick Douglas and Jackie Robinson. He was also involved in maintaining accurate history with baseball's Hall of Fame. A move was made to honor Emmett Ashford, the first black umpire in the major leagues. Nick asked Terry to do a portrait of Ashford.

"The piece on Emmett Ashford is watercolor on 300 stock watercolor paper and reminded me again of how versatile Terry is as an artist," Nick said. "The painting has the accuracy of bone and blood, a feeling you are looking at an umpire from the batter's box—no one could have captured the man and the moment better."

Nick also pushed Terry to do a watercolor of Norton Parker Chipman, a close confidante of Abraham Lincoln, a man who in his twenties rode on the train with Lincoln to and from Gettysburg and stood on the stage with the

sixteenth president. He would be familiar with characters good and bad from America's pivotal age who are memorialized in history as sculpted presidents and activists. The youthful Chipman survived grievous injuries in the war to serve as judge advocate prosecuting the commandant of hellish Andersonville Prison where Yankee soldiers endured inhumane horrors. A Broadway play about the trial was written and successfully produced. Academy Award winner George C. Scott directed a movie based on the play. William Shatner of Star Trek fame played Chipman, the Western philosopher.

Chipman would serve in the United States Congress. He moved west for reasons of health and spent a fruitful life growing old as an appointee of Dr. George Cooper Pardee, the twenty-first governor of California, as the presiding judge of the Third Appellate Court. He would die sixty years after Gettysburg as the man who knew Lincoln. Artwork of his that survived a housefire, a painting of the burning of Fort Sumter and a signed sketch of Ulysses S. Grant hang in the Mosk Building. Terry's portrait of Chipman would appear on the cover of a Chipman biography by Jeff Hogge. The original hangs at the University of Cincinnati where much of who he became happened because he was once a student there.

Terry Flanigan was a natural choice for illustrating a Supreme Court publication covering an article on six prosecutors who served in the Alameda District Attorneys' office. He decided to paint the Alameda County Courthouse and surrounding landscape. Inserted in equal spacing are expressive portraits of the district attorneys—all of whom would have estimable careers of great heights.

In sepia color with early twentieth-century front page newspaper style, Terry put down for permanence United States Attorney General Ed Meese; California Governor and Chief Justice of the United States Supreme Court Earl Warren; California Supreme Court Justice Ming Chin; California Supreme Court Justice Carol Corrigan; California Supreme Court Justice Martin Jenkins; and Attorney General of California, United States Senator, and Vice President of the United States Kamala Harris.

One of Terry's favorite projects was memorializing a man whom Pete Wilson called "the guru of California law," Bernie Witkin. Bernie's scholarly reputation preceded him wherever he went. His salient Witkin Library of Legal Treatises remains resonant more than fifty years after he completed the massive project. Terry was delighted when he attended a Bar dinner and noticed the place card to his right had Bernie's name. He'd never met Bernie and was looking forward to what he expected to be a conversation of depth and great insights.

A nimble man, smallish, energetic, and irrepressible took the seat just as dinner was about to begin. He glanced at Terry's place card, looked at Terry, and said, "Flanigan, the joy went out of roller derby when it was taken off television."

It was not what Terry expected as the beginning note of their conversation.

Terry would learn later that one of Bernie's prized possessions was a Kansas City Bombers jacket given to him by one of the great roller derby teams.

"I discovered he was a man of great curiosity and eclectic interests and that made his writing and his personality vibrant," Terry recalls. "I got to know Bernie. I had the opportunity to visit him and his wife, Alba, at their Berkeley Hills home in preparation of a caricature of Bernie for the Lawyers' Club of San Francisco event brochure honoring his eighty-fifth birthday. I attempted to highlight some distinct characteristics that elicit an instantly honest response. Six years later, it appeared on his memorial service program. As a final tribute, I was responsible for his image on the first State Bar Bernie Witkin Award."

Terry Flanigan succeeded Marvin Baxter as George Deukmejian's appointments secretary in December of 1988, when Baxter was confirmed to the Court of Appeal, Fifth Appellate District (Fresno). Terry was his chief deputy, focused on executive branch appointments. Chuck Poochigian, who would have his own bright future, became Terry's chief deputy and later succeeded him as Governor Wilson's appointments secretary.

Baxter recalls having difficulty finding the right person to replace Gaddi Vasquez, who is a remarkable story too. Born into severe poverty, Vasquez grew up a migrant worker to eventually become the first Latino head of the Peace Corps and had served earlier as Baxter's chief deputy.

Baxter voiced his concerns to the governor, who said Tim Flanigan had a twin brother. Baxter immediately interviewed Terry and hired him, proof again that once you hired one Flanigan brother you hired a Flanigan for life.

Governors at the time made approximately one thousand appointments per year, with roughly one hundred being judicial appointments and nine hundred being executive branch appointments. The number of judicial appointments greatly increased in 1988 during Terry's tenure when the Legislature increased the number available.

The workload is considerable when you consider researching background and history. Terry recalls it is reasonable to estimate that at least two finalists were interviewed for each judicial appointment.

George Deukmejian utilized a single appointments secretary. Governor Jerry Brown set up separate offices for judicial and executive branch appointments

during his terms in office, as did Governor Pete Wilson once Chuck Poochigian left the executive branch and was elected to the State Assembly. The system of dual offices has continued since then.

Terry tells the story of himself and the governor interviewing Appellate Court Justice Joyce Kennard for an opening on the Supreme Court.

The meeting went well and resulted in an offer and acceptance.

Days later, Terry received a call from the State Bar, whom he had previously represented as a lobbyist, asking if he would consider doing a portrait of Justice Kennard to appear in *The California Lawyer* with an accompanying biography.

He agreed, and at that moment realized that his career lines as a lawyer, lobbyist, appointments secretary, and artist had crossed simultaneously for the first time. Terry would also agree to do magazine covers featuring Justices Rod Davis and Ming Chin, who he'd earlier interviewed and played a role in their appointments to the court.

Terry has noted the daunting awareness that he was advising the governor, who in return was relying on his character and competence for that advice. He remembers meeting the best and the brightest individually as a major aspect of the job where one relies on their own style and technique.

“The most enjoyable part of the appointments process is the interviews,” Terry says. “You get the sense of being Dick Cavett for an hour as you question an array of characters.”

Chuck Poochigian, the gubernatorial staffer, Central Valley assemblymember, senator, and judge, who found success by proving you can be one of the nicest people in government and at the same time be smart and effective, remembers fondly his beginning in Sacramento working as Terry's deputy appointments secretary.

“Terry made us realize you can be calm while working in the inner sanctum of a governor,” Poochigian says. “Terry also taught us to measure the ambitions of good people with what was best for the Administration.”

Poochigian is the one who revealed that Terry would draw the people he was interviewing. The drawings would be included in the files. They were quick portraits done unhesitatingly with startling accuracy in ink or pencil.

“I think Terry did it to help him remember each person he talked to and to take them seriously as a human being. He would ask me after we did an interview together if I noticed the way they looked in a certain direction when asked a question or how they moved their hands. Terry saw things in people others didn't.”

George Deukmejian was followed by family friend Pete Wilson as governor, only the second time in sixty years that in an election the same party repeated as governor. In Terry's view, George was a serious administrator:

A dirty joke would not normally be told in his presence, and if it had been, would likely not resonate. He brought a brown bag for lunch and wanted to be home for dinner with his family. He treated everyone in his office with the same respect he'd extend to a United States senator. A former attorney general, he was an astute legal scholar, politically unflappable, an individual of unflinching integrity, and a deeply caring public servant who while running the government made sure the trains ran on time.

Pete Wilson was an Irish Catholic marine with whom you would enjoy sharing a scotch and a cigar. He had a place in the center at every level of government where he served. People who worked for him loved him. He was unrepentantly honest in spite of the political winds. Pete was important enough to our family that when my mother died, he did the eulogy. He was affectionate, appropriately funny, not a false note in his caring, a reminder that I had not wasted my time believing that as much as I wanted to do art for a living, politics can be a noble profession.

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Terry began taking an interest in the Japanese woodblock style of Ukiyo-e, a meaning traced to "the floating world." The focus is mostly on the value of personality in the confines of a strict society. The first adherents concentrated on beautiful women and sumo wrestlers. It has been described as a cross between *Cosmopolitan* and *Playboy Magazine*.

Since there was a dearth of sumos in the area, and Terry's view of beauty includes strength, he decided to paint women who were clearly capable of defending themselves and others. His colorful paintings of beauty and strength are compelling.

One of the most popular restaurants in Sacramento, Mikuni, features his paintings. "It was a personal art gallery disguised as a sushi restaurant," Terry jokes.

Terry returned to Tucson, where he now lives and works. He is influenced by the Taos Art Society, as many artists are. Earnest Blumenschein caught his attention. The founder of the Taos Society wrote with unusual clarity for a young man. Only twenty-four at the turn of the twentieth century, Blumenschein insisted that he was interested in preserving the smell of the air or the feel of the morning sky.

I have never forgotten what it was like to have an artist like Pete Martinez show me what he had done and suggest I could do the same. Mrs. Delaney lives on in my life long after she is otherwise gone. I hesitate to wonder if I would have the same commitment to art without her generous spirit.

And, not surprisingly, Maynard Dixon is someone whose work brings something new and noticeable every time I look at the same paintings. Dixon died in Tucson where the Medicine Man Gallery provides a museum in tribute to his mastery. The preparation for a painting is what Dixon appreciated. He taught that the process of stretching the canvas to make it more accepting of the paint is a physical part of getting in the frame of mind to hopefully do something that touches people.

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“I got lucky with my children,” Terry says. “That doesn’t mean it is always easy—the three of them are independent thinkers who are smart enough to want to be in charge of their own world.”

Terry’s two sons, Robert and Shaun, have successful careers in business and public policy. Both of them are tall, beach-blond handsome, toothy smiles, and personalities that are different and compelling in their own way. His daughter, Molly, has been a favored muse, a treasured little girl who has become a mother herself and enjoyably independent. Terry has paintings of Molly at different stages of her life.

“I don’t want to only paint the past,” he says. “I have two grandchildren, and I want them to have a future that they will be excited for me to paint on canvas.”

Terry Flanigan was asked how he views himself and his own work. He took a breath, and said, “I will give you the short answer. An artist is influenced and changes until the day they die. About myself, I have been an attorney, a political advisor, a legal advisor, and a lobbyist. I am also a representational artist, a portraitist, and caricaturist who incorporates romantic, cultural, historic, and commercial references.”

“And yes,” Terry laughs, “that is the short answer.”

