



## Oral History Interview of Charles Kindregan (SOH-019)

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### Oral History Interview of Charles Kindregan, Jr.

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#### Interview Summary

In this interview, Charles Kindregan, Jr., distinguished research professor of law at Suffolk Law School, discusses his educational background and professional career as an educator. Mr. Kindregan also reflects on his research interests, published work, and achievements, especially in the family law field, as well as his experiences and the changes he has witnessed at Suffolk Law School since he began teaching there in 1967. Mr. Kindregan concludes by discussing his family's connections to Suffolk University.

#### Subject Headings

Kindregan, Charles P.

Suffolk University. Law School

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This interview took place on April 10, 2007, at the John Joseph Moakley  
Law Library, 120 Tremont Street, Boston, MA.

**Interview transcript**

**ALAIN DUCHEMIN:** All right, so it's recording. So, what is your full name? Professor, is it Charley?

**CHARLES KINDREGAN:** Charles Kindregan, Jr.

**DUCHEMIN:** Okay.

**KINDREGAN:** And I am distinguished research professor of law here at Suffolk University Law School.

**DUCHEMIN:** Where are you from?

**KINDREGAN:** Originally from the great city of Philadelphia.

**DUCHEMIN:** Okay. What are your hobbies?

**KINDREGAN:** Hobbies? I work. I write. I think. I lecture. I teach. I do a little bit of stamp collecting. And I have a special interest in the American Civil War.

**DUCHEMIN:** All right. What is your family like? Do you have any brothers and sisters?

**KINDREGAN:** Yeah, I have a sister, and I had a brother and sister who are deceased. And my mother is still alive.

**DUCHEMIN:** Okay, okay. Where did you go to college?

**KINDREGAN:** La Salle University in Philadelphia. Home of the NCAA [National Collegiate Athletic Association] basketball championship team.

**DUCHEMIN:** Yeah?

**KINDREGAN:** Of 1953, I think it was.

**DUCHEMIN:** Did you play any sports?

**KINDREGAN:** Yeah, I did some track and field. I was originally a runner but then the coach said, “You know, you’re getting a little heavy. You might want to try shot-putting.” (laughs)

**DUCHEMIN:** (laughs) What did you major in while you were at La Salle?

**KINDREGAN:** History.

**DUCHEMIN:** History. Were you involved in any other extracurricular activities?

**KINDREGAN:** No, that was basically it, yeah. A little bit of acting.

**DUCHEMIN:** Little bit of acting.

**KINDREGAN:** Some people say teaching is acting, but—maybe I got started that way. (both laugh)

**DUCHEMIN:** Never heard that one before. What was your first job, and how was it?

**KINDREGAN:** I taught briefly in a high school in Ohio, but then I had an offer to teach in a Virginia military college. Virginia Military Institute. Not as a permanent member of the faculty, but as a visiting person to fill in for someone. I don’t know whether they got sick or left or what. So I had two interesting years in Virginia teaching at VMI [Virginia Military Institute]. And

that's when I decided to go to law school. When I decided I didn't want to be a college teacher. I wanted to be a law school teacher.

**DUCHEMIN:** (laughs) All right, we'll get into your law career in just a moment, but I just want to ask you some other general questions. Have you—so you explored teaching, and that's pretty much—

**KINDREGAN:** Yeah, and that was the career I really wanted.

**DUCHEMIN:** Okay. So what influenced you to be a law student? Or a law professor?

**KINDREGAN:** Well actually, when I was at VMI teaching, I got very friendly with a man who turned out to be the dean of Washington and Lee Law School, which is also, of course, in Virginia, and in Lexington, the same town. And he was the one who convinced me that I really might want to go to law school and—

**DUCHEMIN:** Did he see like something special about you or what?

**KINDREGAN:** Well I would like to think so, but I don't know whether he thought that. (Duchemin laughs) It was good advice. He asked me to come over and take a course on property law. And to me, it was absolutely fascinating. I think on the first day, the teacher was asking about, "Well, you own the land and everything above it, right? Well, do you own the birds when they were flying over?" And I said to myself, "These lawyers, you know, they think differently. Nobody else asks questions like that." I just found it fascinating. So that's why I wound up in law.

**DUCHEMIN:** Where'd you end up going to law school?

**KINDREGAN:** I went to law school in, well, two schools. I went to Chicago Kent College of Law, which is the law school for the Illinois Institute of Technology. And then I took a second law degree from Northwestern University.

**DUCHEMIN:** How long were you in law school for?

**KINDREGAN:** Second one being an LL.M. [Master of Laws] degree. How long was I in law school? Took me a long time to get out. (laughs) No, I liked it. I liked being in a law school. And that's why I decided to come back and teach in the field. Through the regular curriculum, as a Juris Doctor degree, and then one year in the LL.M. program at Northwestern.

**DUCHEMIN:** And then once you were done with law school, what did you do after that?

**KINDREGAN:** Practiced very briefly. Looked for a teaching job, was recruited by several schools, and my wife and I were both from the east, so we decided to come east. And that's how I wound up at Suffolk University.

**DUCHEMIN:** Okay. So what do you teach here at Suffolk University?

**KINDREGAN:** I teach—

**DUCHEMIN:** What type of law?

**KINDREGAN:** Well, I used to call myself the utility infielder of the faculty, because I seemed to teach everything in the curriculum at one time or another. But of course you don't do that anymore. It's all become so specialized that I have more or less settled, in the last twenty years or so, into the family law field. And so my primary course is family law, and I teach a course in financial issues in divorce cases, and I teach a course in assisted reproductive technology law.

**DUCHEMIN:** Wow, that sounds real interesting.

**KINDREGAN:** Yeah. I have a brand new book out actually, on assisted reproductive technology law. And I'm also the chairman of the American Bar Association Family Law Section Committee [Committee on the Law of Genetic and Reproduction Technology, Section of

Family Law, American Bar Association] on that. And I'm in the process, actually just finishing it now, of drafting a new model code, which is going to be proposed this summer.

**DUCHEMIN:** Wow, congratulations! Um—

**KINDREGAN:** It's nice to finish things, and then start something new.

**DUCHEMIN:** So how many books do you have? Or is this like your second?

**KINDREGAN:** How many? I don't know. I think, I don't know, about ten maybe. It depends on how you count. I have a four volume book on Massachusetts family law practice, which is actually in its third edition. So, do I get to count that as twelve books, or four? I don't know. (both laugh) And then I have some others. And I'm actually doing a book on Alabama law<sup>1</sup> right now.

**DUCHEMIN:** Why is it called Massachusetts family law? Why isn't, is it—

**KINDREGAN:** Well, because—

**DUCHEMIN:** The law's different?

**KINDREGAN:** Family law, particularly, is very state specific. For example, in Massachusetts, two men can marry each other, two women can marry each other.

**DUCHEMIN:** Oh, yes. Right.

**KINDREGAN:** That's not true anywhere else.

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<sup>1</sup> *Alabama Family Law* is a two volume set of books co-authored by Judith S. Crittenden and Charles Kindregan, Jr., from the Alabama Practice Series of legal books. It was published in 2008 by Thomson/West [Eagan, MN] and it covers family practice management and ethics, and explains the interrelationship of state, federal, and international family law topics.

**DUCHEMIN:** Right, right

**KINDREGAN:** And there are other differences from state to state. For example, Texas has no alimony. Massachusetts does. And you can go on and on and on, just—it's very state specific.

**DUCHEMIN:** So how long have you been teaching here for?

**KINDREGAN:** Forty years.

**DUCHEMIN:** Forty years?

**KINDREGAN:** Four zero.

**DUCHEMIN:** Wow.

**KINDREGAN:** Yep.

**DUCHEMIN:** Has a lot changed since day one?

**KINDREGAN:** A lot has changed in the last forty years. I think when I came here we had about seventeen members of the law school faculty. Today there are over ninety.

**DUCHEMIN:** Wow.

**KINDREGAN:** That alone was a big difference. Sometimes I look around the room at a faculty meeting and I say, "Who is that person?"

**DUCHEMIN:** (laughs) Really?

**KINDREGAN:** But of course, that's the whole story of Suffolk University itself. It's become a much bigger school.

**DUCHEMIN:** A lot more healthier.

**KINDREGAN:** Yeah.

**DUCHEMIN:** Do you have any concerns about Suffolk Law School? As of now?

**KINDREGAN:** About this law school?

**DUCHEMIN:** Yes.

**KINDREGAN:** No, I think we've made a great deal of progress. And I think it's been—sometimes I wish it were a little faster, but on the whole, I think we've made some great progress. The excellent deanship of Paul Sugarman,<sup>2</sup> back in the early nineties, made great progress. And certainly, we've made progress under Dean [Robert] Smith,<sup>3</sup> and we're very optimistic about our new dean that's coming in, Fred Aman,<sup>4</sup> who was the dean at the University of Indiana Law School for ten years. And of course, I was also here when Dean [David J.] Sargent,<sup>5</sup> now President Sargent, was the dean, and a very good one. So just looking at it in terms of the progress we've made, I think it's been tremendous. Slow, but tremendous.

**DUCHEMIN:** How would you make it better?

**KINDREGAN:** How would I make it better? I would like to see, not within the law school, but I would like to see more attention devoted to our alumni. I think we could really improve our alumni efforts more than we have. I know I get, all the time, correspondence from the law

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<sup>2</sup> Paul R. Sugarman served as a law faculty member and dean of Suffolk Law School from 1989 to 1994.

<sup>3</sup> Robert H. Smith has served as a law faculty member at Suffolk Law School from 1999 to the present and dean of the law school from 1999 to 2007.

<sup>4</sup> Alfred C. Aman has served as a law faculty member and dean of Suffolk Law School since 2007.

<sup>5</sup> David J. Sargent graduated from Suffolk Law School in 1954, then served as a law faculty member from 1956 to 1973, dean of the law school from 1973 to 1989, and has been president of Suffolk University since 1989. OH-016 in the Moakley Oral History Project is an interview with President Sargent.

schools that I attended. And I think we're making progress on that front. But I think we could do much more. I tried to—I was associate dean for four and a half years, too.

**DUCHEMIN:** Here at Suffolk?

**KINDREGAN:** At Suffolk, yeah. And I tried, as Dean Sugarman did, to work on that. And I think we made some progress. But I would like to see even more. That to me is the biggest thing that we can do.

**DUCHEMIN:** Are you still in touch personally with some students that you had in the past?

**KINDREGAN:** Oh, many of them. Yeah. Some of them still send me jokes. Some of them send me emails.

**DUCHEMIN:** They call you for advice, too?

**KINDREGAN:** Some of them call me for advice. And I've occasionally taught a class with one of them. I'm right now teaching a class in assisted reproductive technology law with Maureen McBrien [JD '03], from Todd & Weld [law firm in Boston]. She graduated from here about four years ago. Five years ago.

**DUCHEMIN:** That's great, that's great. Um—

**KINDREGAN:** I like my students. I really like my—I like the students at this law school and this university. And I find that they're students on the whole, that nobody has given a lot to, but they're willing to work to better themselves and to better the world around them. And I've always been impressed with them.

**DUCHEMIN:** Show them some kind of enlightenment, I bet.

**KINDREGAN:** Yeah, we try.

**DUCHEMIN:** Yes. What do you think Suffolk stands with, you know, other law schools, like BU [Boston University] and Northeastern? Do you think we're compatible? Better? Underneath?

**KINDREGAN:** Well, that's a hard question. What's that little school across the river? Begins with an H [Harvard University]? That school, of course, (Duchemin laughs) gets students who are superior academically, on paper. So that gives them that advantage. The advantage that we have, I think, is our student body. I mean, I think—over the years, I've just seen so many of them make something of themselves, even though the world hasn't necessarily given them a whole lot. And to me, that's a sign of a good law school. You mentioned other law schools. We're certainly competitive with the other local law schools. They may have a better national reputation. I'm thinking particularly of Boston University and Boston College, because they draw from a more national base than we do, typically. But we're starting to change that.

**DUCHEMIN:** Yeah, I hear that you guys are reaching out internationally.

**KINDREGAN:** That's right. Internationally and nationally, both. One thing that I think, and I'm very proud of this because it's something I've been focusing on, is the degree to which our own faculty scholarship is being recognized. Right now, I'm the co-editor of a new electronic journal [Social Science Research Network (SSRN)], which goes out to all of our alumni, and will be, starting this month, go out to all our students. And it will have all of the recent faculty articles, with links to all of the older articles that were written. And I have noticed that, among the American law schools, there are I think around two hundred of them, we are now ranked fifty-second in the country. Which is, you know, a lot better than the rest of the country. The other local law schools, particularly BU, BC [Boston College], and Harvard, are also highly ranked. Northeastern, not so much. And Western New England and New England, even less. The truth is that we are becoming a school that's known for its contributions to scholarship as well.

**DUCHEMIN:** That's good, that's good. Especially with this new building<sup>6</sup> too. I mean, I'm sure that attracts a lot of people as well.

**KINDREGAN:** The new building is a wonderful building to teach in. It's only a building, but it is—the classrooms are marvelous, I can see all of the students. Even the ones in the back. They can't hide on me anymore. (Duchemin laughs) And that's really a good thing. And of course the—I had something to do with it, because I was the first project manager on this building, long before we started building it. At the planning stage. And one of the things that I really wanted was to have a building that's comfortable. And for students on every floor to be able to sit and talk. And you walk into the building, you see it. People sitting there, talking. And go up to the second floor and you see it again.

**DUCHEMIN:** Right, right.

**KINDREGAN:** All the way up to the—

**DUCHEMIN:** Kind of like a lounge area.

**KINDREGAN:** Yeah, except every floor is, in a sense, a lounge. Or even into the library.

**DUCHEMIN:** Yeah, I don't come in here often. I always feel real relaxed when I get in. Kind of loosens me up. I'm sure like when students come in here, it kind of like de-stresses them out before they go to class, you know?

**KINDREGAN:** Of course it doesn't look like the Taj Mahal, unlike that building across the street that the college—

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<sup>6</sup> David J. Sargent Hall, located at 120 Tremont Street in Boston, Massachusetts, is the home of Suffolk Law School and the Adams Gallery; it was dedicated on September 10, 1999. Featuring cutting-edge technology, including three thousand high-speed Internet connections and moot courtrooms equipped with advanced media capabilities, Sargent Hall ranks as one of the most technologically advanced law school buildings in the United States.

**DUCHEMIN:** Oh, 73 [Tremont Street]? (Kindregan laughs) Yeah, with (??) the red carpet. (both laugh) You know, like a celebrity. So we talked about what legal—what legal topics are you—we had talked about that.

**KINDREGAN:** Particularly interested in?

**DUCHEMIN:** Yeah.

**KINDREGAN:** Well, right now, it's the assisted reproductive technology, which I've been involved in for the last few years. And that to me is an area that's really revolutionizing parenthood, because—I just have a new article out on that subject—because the old tests for determining who's responsible for a child still apply in most cases, but in a lot of cases, they don't. So we're really developing new standards. I've had a strong interest in the same-sex marriage case, when it came out, of course, because that was revolutionary. I was asked by the Gay and Lesbian Bar Association to submit a brief on the subject of parenthood, and I did that. And some of my writings were also cited by the court in that decision. So it was—to me it was a revolutionary thing.

And I think it was a just thing. I think it was the ultimate [justice]. I'm gonna, I guess, give a sermon now. (laughs)

**DUCHEMIN:** Go for it.

**KINDREGAN:** I guess it was based on the idea that you go back to the case of Loving versus Virginia,<sup>7</sup> which is a case I teach in my course. And that was a case where a white man and an African American woman were prosecuted in Virginia for getting married. And the [United States] Supreme Court said, You marry a person that you love, and that ought to be the way it is. And they reversed the conviction.

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<sup>7</sup> *Loving v. Virginia* [388 U.S. 1 (1967)], was a landmark civil rights case from 1967 in which the U.S. Supreme Court declared Virginia's anti-miscegenation statute, the "Racial Integrity Act of 1924", unconstitutional, thereby overturning *Pace v. Alabama* (1883) and ending all race-based legal restrictions on marriage in the United States.

Now that was forty years ago, exactly. Same year I came here. And I've always thought that this case<sup>8</sup> is, in a way, an outgrowth of that. Says, in this country, people ought to be free to follow their heart, and to do what they feel is the right thing in their life.

**DUCHEMIN:** Yeah.

**KINDREGAN:** As long as they're not hurting anybody else doing it.

**DUCHEMIN:** Yeah, it's simple.

**KINDREGAN:** Yeah. And so I was pleased to see that. And I wrote some articles on that. I was asked by the American Bar Association to do an article on the history of marriage, leading up to that decision. And I did that. Now an area that I'm getting into is the area of posthumous reproduction. People having children after they're dead, (Duchemin laughs) which is a little bit controversial. (laughs)

**DUCHEMIN:** Yeah, yeah. (laughs)

**KINDREGAN:** And I had an article in the ABA [American Bar Association] Family Law Quarterly on that, too. (Duchemin laughs) So there's a lot going on in family law.

**DUCHEMIN:** Yes.

**KINDREGAN:** So when I was asked to write this new book about Alabama law, I said, "Why me? I've only been in Alabama once." But they said, Well, nobody has written that book. So they asked me to do it. And I'm working on it right now.

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<sup>8</sup> *Goodridge v. Department of Public Health* [798 N.E.2d 941 (Mass. 2003)] was a landmark state appellate court case dealing with same-sex marriage in Massachusetts. Delivered on November 18, 2003, by a four-to-three margin, the Massachusetts Supreme Judicial Court ruled that the state can not deny the benefits, obligations, and protections conferred by civil marriage to two individuals of the same sex.

**DUCHEMIN:** How's that going?

**KINDREGAN:** Good.

**DUCHEMIN:** Good.

**KINDREGAN:** I'm finding things are a little bit different in the Deep South than they are in New England.

**DUCHEMIN:** Oh yeah. (Kindregan laughs) Absolutely.

**KINDREGAN:** But I won't go there. (both laugh)

**DUCHEMIN:** We can talk about that later, because I agree with you.

**KINDREGAN:** Okay. (laughs)

**DUCHEMIN:** What are your personal accomplishments?

**KINDREGAN:** Well—

**DUCHEMIN:** Do you see yourself being at Suffolk forever? Or—

**KINDREGAN:** Oh, I hope so. I hope they carry me out feet first. I do love this school. And three of my four children went here. To Suffolk University. One went to the university, and then to the law school. The other two went to different universities, and then the law school. My fourth child's an artist. So, not a bad family of three lawyers and one artist.

**DUCHEMIN:** Yeah, you need (Kindregan laughs) a different one. (laughs)

**KINDREGAN:** It's funny though. My youngest son, who is the artist, he works in Hollywood. He's a film animator. He did take art courses here at the university. So in a sense, all my kids had Suffolk degrees. And my late wife was also a Suffolk graduate. So, a lot of connections to the school.

**DUCHEMIN:** How did you and your wife meet? Did you guys meet here?

**KINDREGAN:** Hmm?

**DUCHEMIN:** Did you and your wife meet at Suffolk?

**KINDREGAN:** No, actually we came here when I came to teach. But then she took a master of public administration degree while we were here. And then she went to work for the [United States] Navy, and worked as an assistant project manager on renovating battleships and aircraft carriers. And the *USS Constitution*.<sup>9</sup>

**DUCHEMIN:** Wow. So that's pretty much it. I just want to thank you for your time.

**KINDREGAN:** Pleasure.

**DUCHEMIN:** Is there anything else that you'd like to add to this interview?

**KINDREGAN:** Oh, you never say that to a law professor! You'll be here for the next six days listening to me! (both laugh)

**DUCHEMIN:** All right, I'm going to turn this off.

**KINDREGAN:** Okay. I hope that was help—[end of conversation cut off by tape]

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<sup>9</sup> The *USS Constitution*, a.k.a. "Old Ironsides," is a wooden-hulled, three-masted heavy warship of the United States Navy. Launched in 1797 and named by President George Washington after the Constitution of the United States of America, it is the oldest commissioned naval vessel afloat in the world. Its current homeport is the Charlestown (MA) Navy Yard.

**END OF INTERVIEW**