

RAOUL D. MAGAÑA

(SEPTEMBER 21, 1911–JANUARY 16, 2007)



The legal profession has lost one of its most eloquent and learned members with the passing of Raoul D. Magaña.

When he was four years old, Raoul Magaña came to California with his family from his native Coyoacan, Mexico during the Mexican revolution. The family settled in Berkeley, California where he attended University High School (class of 1928), U.C. Berkeley (class of 1932; Magna Cum Laude; Phi Beta Kappa) and University of California Boalt Hall School of Law (class of 1935).

Raoul was admitted to the California Bar association in 1936 and continued in active practice (with a hiatus for service as an infantry private in the U.S. Army during World War II) for the next sixty-four years when finally at age ninety he went on inactive status. Raoul was universally admired and respected by his colleagues, his opponents, and the judiciary before whom he practiced, both for his abilities as a trial lawyer and his absolute, unwavering integrity. Among the many honors awarded him, Raoul was a Fellow of the American College of Trial Lawyers, a Fellow, President and

Dean of the International Academy of Trial Lawyers, 1963 California Trial Lawyer of the Year, and, most recently, he was inducted into the first class of the Consumer Attorneys of Los Angeles Hall of Fame.

Raoul wrote and edited a number of legal and medical texts, some of which remain in use today including a four volume work, authored with his dear friend Leo Gelfand, M.D., J.D., for the “Courtroom Medicine” series entitled “The Low Back” a four volume work on California motor vehicle accident law; and numerous articles for the journal “Trauma”, of which he was also an editor.

Though he was raised in a Spanish speaking household, by parents who never fully mastered the English language, Raoul was a gifted and memorable speaker. Lawyers and judges now in their sixties and seventies still regularly recount talks given by him when they were in law school. Over his career Raoul addressed bar association meetings in almost every state in the Union, and when he spoke he would invariably enliven these ordinarily staid and uninspiring affairs like a fresh breeze through a hot, stuffy room. Walter Ely, later Judge Ely of the Ninth U.S. Circuit Court of Appeals, once described an argument that Raoul gave in a case they tried as opponents as sounding “...like a cascade of honey flowin’ over a bed of rose petals.” Speeches were always work, but what Raoul loved were evenings when he and his friend Spud Murphy would trade stories in front of an audience from ILWU local 13 with each story told in the appropriate accent, from Cockney, to Irish, to Italian and Swedish. A lover of poetry and Shakespeare, up to the week he died Raoul would recite passages from poems and plays he had not read since college, almost eighty years before.

Despite his reputation as an advocate and speaker, Raoul was always self-effacing and polite – to a fault. He was physically incapable of sitting if a lady was standing, and if she should happen to drop a penny on the floor, he would leap to pick it up for her (once, many years ago in New York—of course—his hand was almost crushed as he tried to pick up some change a woman dropped on the sidewalk, and she stomped on it, assuming he was trying to steal it). Professor Bernard Witkin, the author of the standard reference work on California law and procedure, told Raoul over dinner: “Raoul, you and I are both professionally modest, but you have an ostentatious humility!” Raoul Magaña’s passing marks the final faint echo of Victorian gentility.

Raoul is survived by Eugenie Magaña (DeFord), his wife of sixty-nine years, his sister, Elsa Love, his daughters Danielle and Martine, his sons Carlos, Brian and Robert, his numerous grandchildren, and many friends, acquaintances and admirers. He joins in death his father Ismael Magaña, his mother Isabel Magaña (nee Sanchez), his brother Ismaelito, his sister, Isabel Scheville, son, Alexander, and many friends, acquaintances and admirers.

At Raoul’s direction, there will be no services. To those of you who may have known him, please keep him in your hearts, your thoughts and your prayers.