

Erle Stanley Gardner – Passion For Justice Leads To Founding Of The World's First Innocence Project

By JD Staff

Erle Stanley Gardner was the driving force behind the founding in 1948 of the world's first innocence project. The Court of Last Resort was a loose consortium of lawyers, investigators and experts around the country who were aided by *Argosy* magazine, which provided support with expenses and published accounts of cases. The structure and approach the Court of Last Resort used in investigating cases is perhaps most faithfully followed today by Centurion Ministries and the Innocence Institute at Point Park University, but all innocence projects in the country use a variant of it.

During the Court of Last Resort's decade and a half of existence, the organization aided a number of wrongly convicted people. Gardner wrote a book about the organization and the wrongly convicted people it helped that was appropriately titled, *The Court of Last Resort*. First published in 1952, a revised edition was published in 1954. Gardner was 71 when he left the organization in 1960, and it dissolved several years later.¹

Gardner was not a young man in 1948. However, helping found an organization at the age of 59 to help victims of grave errors by the legal system wasn't surprising considering his background and passion for justice.

Brief biography

After graduating from Palo Alto (CA) High School in 1909, Gardner was expelled during his first-term at Valparaiso University in Indiana when he was falsely accused of participating in a dormitory bottle-smashing incident involving a professor. Returning to California, he was admitted to the bar association in 1911 after serving a two-year apprenticeship in a lawyer's office.

As a young lawyer in Southern California, Gardner became known for his flamboyant trial tactics during his defense of poor white folk and minorities he thought were getting short-shrifted. During one trial, for example, he exchanged the identities of Chinese merchants to discredit his client's identifi-



cation by a policeman – by showing that to the policeman all Chinese men looked alike.

Writing at night and practicing law by day, at the age of 32 Gardner sold

his first two stories in 1921 to the magazine *Breezy Stories*. In 1923 he sold his first novella. He became successful enough writing primarily short legal mysteries and whodunits that by 1932 he was only practicing law two days a week, and writing and editing his stories the other days.

After two full-length books, *Reasonable Doubt* and *Silent Verdict*, had been rejected in 1933 for serialization by a number of magazines and several book publishers, William Morrow and Company agreed to publish them under new titles: *The Case of the Velvet Claws* and *The Case of the Sulky Girl*. The main character of the books was a defense attorney named Perry Mason who relied on his faithful secretary Della Street and private investigator Paul Drake.

The books sold well. Thus began what became a series of 82 Perry Mason books over almost 40 years that helped establish Gardner as the all-time best-selling American author. From 1933 to his death in 1970 he wrote a total of 140 books, some under pseudonyms, of which almost 100 sold a million or more copies.

Showing his intense interest in false accusations (perhaps because of his experience in college), in each Perry Mason book, "Mason defended a client charged with murder. The client is always entangled in a set of suspicious circumstances which makes him look guilty. When it seems as if all is lost and his client will be convicted, Mason risks everything – his life, disbarment, and/or a jail sentence – on a desperate last bid, confident that he can win acquittal. In a surprise ending, Mason's desperate bid pays off and he saves his client in a climatic courtroom scene, producing evidence at the last moment which not only clears the defendant but reveals the real murderer as well."²

After a radio version of *Perry Mason* had been airing since the mid-1940s, Gardner formed Paisano Productions in the mid-1950s to produce a television version of *Perry Mason*. With

Raymond Burr starring as Perry Mason, the weekly program aired for nine years (1957-1966) and became the most successful lawyer series in television history. Gardner appeared as the judge in the final *Perry Mason* episode.

Although he was in his late 60s and early 70s, Gardner lived at a break-neck pace from 1957 to 1960 when he was writing books, editing *Perry Mason* scripts, and working with The Court of Last Resort.

The *Perry Mason* television program not only made tens of millions of dollars for Gardner, but it fueled interest in his many books, which averaged sales of 26,000 copies per day during the mid-1960s.

Gardner finished his last Perry Mason book in 1967 and he died three years later at 81.

Perry Mason re-runs and made for television *Perry Mason* movies starring Burr are still aired on cable television. Dozens of Perry Mason books are still in print, and they sell well enough that major book-sellers stock them on their shelves.



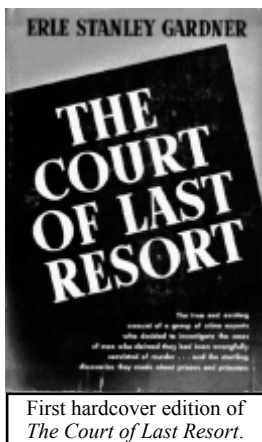
Gardner as the judge in *Perry Mason*'s final episode (1966)

Between his wildly popular books, nationally broadcast radio program, network television series, and articles and books about The Court of Last Resort, Gardner undoubtedly raised the consciousness about wrongful prosecutions and convictions more than any one person in U.S. history.

Endnotes:

1 See, *The Court of Last Resort: A Historical View of Justice: Denied*, By Theodore Ponticelli, *Justice: Denied*, Vol. 2, Issue 9.

2 Erle Stanley Gardner 1889-1970, *Contemporary Authors Online*, Gale, 2003.



First hardcover edition of *The Court of Last Resort*.

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