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SPOTLIGHT ON JEWEL McCLANAHAN

The following article on Vice-President J.F. McClanahan is reprinted, with permission from the Charleston, West Virginia Sunday Gazette-Mail of March 15, 1981:

Responsibilities Great, Board Chairman Says

By John G. Morgan

Jewel F. McClanahan, president of the Bank of Winfield and owner of insurance, realty and mobile home companies, has held a low-profile, part-time state job almost 20 years.

He has served under four governors as a member of the state Employment Security Board of Review...

McClanahan, chairman of the three-member board for the past four years, feels that his rags-to-riches experience as an employee, employer and entrepreneur uniquely qualifies him for the post.

He says he may be the "best prepared man in this country" for the job. "I see both sides — that of the employer and employee,"...

Members are named by the governor. The board is an independent agency, although it is in the budget of the federally funded state Department of Employment Security.

The board holds weekly hearings on growing heaps of claims. McClanahan says he does additional work at board offices and often studies cases deep into the night at home.

His personal achievements include long jumps in business, education and politics.

From boy wood chopper at 50 cents a week, he advanced to what he confirms today as millionaire status. With less than one year of high school, he became an administrative law judge. From precinct worker, he moved up to help in regional and state-wide campaigns during the four election years of 1952, 1956, 1958 and 1960.

He can play a violin. And he occasionally plays with a close friend, Senate Minority Leader Robert C. Byrd. McClanahan says he hopes to get a leave of absence and help Gov. Jay Rockefeller in a Senate campaign in 1984, if Sen. Jennings Randolph doesn't choose to run.

Before accepting appointment by Gov. W.W. Barron to the review board in 1961, McClanahan resigned as Putnam County Democratic chairman. Remarkably, he served as a minority member on the board for 16 years...

The state official is president, chairman of the board, chief executive officer and majority stockholder in the Bank of Winfield, which he was instrumental in establishing about three years ago. He is vice president of the National Association of Administrative Law Judges.

Born in the Manila Creek community on the left hand fork of Poca River in Putnam County, McClanahan was one of 12 children. From small jobs at low pay, he advanced to shift worker at a Nitro chemical plant 1941-44.

He later became a Nitro grocery store owner and supervisor of the making of license tags by the old State Road Commission. He was named "most outstanding young man" in Nitro in 1950.

He believes his "peasant" background is an important part of the qualification for his present position. Which brings up a question: Why would a millionaire want to continue to serve in a \$14,000-a-year job?

"I like to help people who help themselves," he says.

* * *

RESEARCH PROJECT

One party to an administrative hearing offers in evidence a tape recording as proof of a disputed fact (for example, to prove that an employee quit his job, or made unauthorized personal telephone calls). The conversation may have taken place over the telephone, and recorded, with or without the knowledge of one or both of the parties, by the proponent of the evidence, the respondent, the telephone company, a government or private investigator, or some other person, with or without warrant or permission to do so, in the course of such person's duties, or otherwise. Alternatively, the conversation may have taken place in person, and recorded by concealed or exposed microphone.

What, if any, are the potential liabilities of the hearing officer and his agency in admitting or refusing to admit such evidence? When must such evidence be received or rejected at an administrative hearing? When may it be received or rejected?

The NAALJ Journal will award a prize, and suitable recognition, to any member who submits an original, concise, complete and documented synopsis of the law of wiretap and eavesdropping evidence, as applied to administrative hearings, by January 1, 1982. Entries should not exceed 1,000 words, exclusive of citations.