



Firm History Part 1: 1948 - 1960

Celebrating our 70th anniversary provides us an opportunity to reflect on our heritage as a law firm and the individuals whose contributions impacted our growth and the clients and the community we serve, as well as the legal profession. It is also an opportunity for us to share this history with you, our clients and friends, who have been as much a part of this history as the attorneys who have been privileged to serve you. This is the first of a four-part reflection on our journey as a law firm.

The Founding of Montgomery County's Oldest Law Firm

In 1941, prior to the start of World War II, James R. Miller, Sr. had become a member of the Maryland Bar, but his entry into the practice was delayed as he, like many others, answered his country's call. An officer in the Marine Corps Reserves, he served in the Pacific and was severely wounded on Saipan in June, 1944. For his heroism on Saipan, he was awarded the Silver Star. He spent nearly a year in various Navy hospitals learning to walk again and adjusting to his physical condition and retired as a major in December, 1945.

As he had planned to do when the war was over, Jim Miller, Sr. opened a law office in Rockville, Maryland which prospered from the start. For the first months of his practice he had no office secretary. Instead, his wife, Lee C. Miller, herself a graduate of law school, but working then in Washington, D.C., typed at night. After a few months, it became apparent the firm was outgrowing the one-person practice. In 1946, Lee Miller left her job and passed the MD Bar, becoming the 149th woman admitted to the Maryland Bar, and joined what became Miller & Miller.

The Evolution of Montgomery County Spurs the Growth of a Firm

Montgomery County was changing in the late 40s and early 50s from a predominately rural area to a suburban county with a population rapidly growing both in numbers and in income. Interstate and other highways were being planned and constructed as were additional public facilities necessary to serve the expanding population. Housing projects and shopping centers were being planned, financed, built, sold and leased in increasing numbers. This evolution brought governmental change with it as well and, after a struggle, the Charter was adopted for Montgomery County and with it the County Council-County Manager form of government. This environment created plenty of legal business which Miller & Miller was prepared to undertake.

Lee Miller concentrated on wills, estates, real estate settlements, and running the office while

Jim Miller, Sr. did just about everything else. Landowners who wanted to sell their property to developers, or who wanted to develop their land themselves, came to Jim Miller for help, as did those who were fighting eminent domain suits, or negotiating with the Park & Planning Commission or Public Works Department for permits. Contractors seeking to be paid or defending against perceived unjust claims also came to Jim Miller for help in court. Tort claimants sought Jim out as his reputation as an outstanding trial lawyer grew. As zoning regulations were instituted in the upper county and tightened in the lower county, Jim Miller became a preeminent lawyer representing clients before zoning officials.

A Permanent Home

In 1952, the Spiedel property at 200 Monroe Street in Rockville came on the market. It consisted of several acres of land on which was located the old “Hege” house, built in the late 1890s and in poor repair. Lee and Jim Miller, recognizing the property’s potential for office development and as the answer to their own crowded offices, bought the property. They restored the large house, remodeled it into attractive offices, and in 1953, moved the offices of Miller & Miller to the first floor of what was then renamed the “Miller Building.” It has been the firm’s home ever since.

In October, 1955, James R. Miller, Jr., a graduate of Georgetown Law School who had passed the District of Columbia’s Bar examination before graduation, joined the firm. While waiting to take the Maryland Bar exam, he appeared in court in Maryland pro hac vice as a member of the D.C. bar. In March, 1956, Jim Miller, Jr. took the Maryland Bar exam and received the third highest mark in the State, and was admitted to practice in Maryland in June, 1956. Jim Miller, Jr., joined the firm as a partner, but the firm name remained unchanged to avoid confusion with James Robert Miller, H. Ralph Miller, and William Miller, three brothers practicing together in Silver Spring as “Miller, Miller & Miller”.

In 1956, Jim Miller, Sr. and the firm received Martindale Hubbel’s coveted “A” rating, indicating that legal colleagues viewed both Jim Miller, Sr. and the firm as excellent in skill and integrity. Such a rating was given only to qualifying lawyers who had been practicing at least ten years. Jim Miller, Sr. had for a number of years been developing an expertise in the appeal of ad valorem tax assessments of commercial, industrial and multi-family real property. He was thoroughly familiar with the methods of determining the fair market value of real property. The assessors respected his expertise as did the administrative boards and courts which heard challenges to the valuations asserted by the assessors.

In 1957, Jim Miller, Jr. took on the task of creating an organization of businessmen in Rockville to replace the one or two previous such groups which had disbanded. The result was the formation of the Rockville Chamber of Commerce of which Jim Miller, Jr. was Charter President.

Miller, Miller & Canby is Born

William (“Bill”) M. Canby’s family had been in Montgomery County and in Maryland for many generations. His father was one of the leaders in getting the County’s Charter adopted. Bill Canby started law school at Washington & Lee University, where he had been an undergraduate

as well, but the Korean War and active duty as a young Naval Reserve officer interrupted his education. His marriage to Nancy Yesaire during his active duty resulted in his decision to finish his last two years at the University of Maryland Law School from which he graduated in 1958. He then clerked for Judge Henderson on the Court of Appeals, and after finishing his clerkship, Bill Canby went to work at the County Attorney's office, having decided that he wanted to practice in Montgomery County where his roots were so deep. During Bill Canby's clerkship, then Chief Judge Prescott became familiar, and impressed, with Bill's abilities. Chief Judge Prescott also knew and respected the Millers, having engaged Jim Miller, Sr. to represent him several years before and, when Jim Miller, Sr. asked if he could recommend any young lawyer as a possible associate in the firm, Judge Prescott's answer was Bill Canby.

Bill Canby became an associate of Miller & Miller in 1961. He was a natural lawyer and a man of impeccable integrity. He was practical and knowledgeable in many areas. His family's involvement in Montgomery County, and familiarity with many of its residents, enabled him to establish new client relationships as soon as the announcement of his association with Miller & Miller went out. Many of these clients, and their descendants, have remained clients of the firm to this day.

Bill Canby became a partner in 1963 and the firm's name was changed to "Miller, Miller & Canby," which the firm has chosen to retain in honor of its outstanding founding lawyers. Likewise, while the County's evolution from a predominantly rural outpost to one of the Country's wealthiest counties continued unabated, the foundations laid by the Millers and Bill Canby in representing clients in real property, land use & zoning, eminent domain, ad valorem tax appeals, business & tax, estates & trusts and litigation, became established as the core of the firm's practice areas.