

January 1951

## Additional Report of Forms Committee

Dicta Editorial Board

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## ADDITIONAL REPORT OF FORMS COMMITTEE

Since the standard pleading samples to be used under the 1951 Determination of Interest Statute were published in the August, 1951, issue of *Dicta* it has been called to the attention of the Committee that certain amendments should be made thereto. The following are therefore submitted and recommended by the Committee:

1. The Notice as published on page 307 of the August, 1951, *Dicta*, should be amended by inserting the word "other" between the words "all" and "persons" in the fourth line thereof, so that the Notice will read as follows: "To (named persons) heirs at law of ..... Deceased, to all *other* persons who are or claim to be heirs of said decedent . . ." This correction is deemed necessary to comply strictly with the statutory form of notice.
2. Footnote 14, shown at page 306, should be amended by adding the following: "There is no statutory requirement for an Order for issuance of notice, for publication thereof, and for service by mail. Your Committee feels that if such Order were omitted the proceedings would be perfectly proper. The above sample is presented, however, for the convenience of those attorneys who feel that the inclusion of the Order is better practice."
3. An additional alternative phrase should be submitted by the Committee to be used in place of the fifth line of text from the bottom of page 305 to provide for the factual situation where there has been no conveyance of the real property since the decedent's death. The phrase at the present time reads as follows: "And that petitioner is the record owner thereof." In the event that the proceeding is brought by one of the heirs who as a matter of fact has not received conveyances from other heirs, this phrase could read as follows: "And that decedent at the time of his death was the record owner thereof." Your Committee feels that the proposal of this alternative phrase is necessary because in a great many instances the proceedings will be brought by one or more of the heirs in order to determine their rights in the real property.

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### REFERRAL LAWYERS NEEDED

The Legal Service Committee requests that all lawyers who have been in military service and are willing to assist persons now in the armed forces advise the Bar Association office of their former branch of service, rank and principal duties. The Committee's function, as part of a national program, is to refer military personnel to reliable, competent and sympathetic counsel who will give due consideration to the service man's ability to pay for the service needed.

## WANTED BY THE EDITOR

In December, 1923, a four page bulletin captioned "The Denver Bar Association Record" was distributed. This publication represents Volume 1, Number 1, of *Dicta* and has grown in size and been published each month since. The name *Dicta* was first adopted with the November, 1928, issue which was Volume 6, Number 1.

No known copies are now extant of any numbers of volumes 1, 2 and 5. Also missing are numbers 1, 2, 5 and 6 of volume 3 and numbers 8, 9, 10 and 11 of volume 4. If any reader can locate these issues in his office or library please communicate with the Editor of *Dicta* at 319 Chamber of Commerce Building in Denver. Your cooperation will be appreciated and arrangements will be made to purchase or reproduce any missing issues located.

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## NEW TREASURY DEPARTMENT REGULATION

Acting Secretary of the Treasury E. H. Foley has announced changes in the regulations governing the enrollment of persons for practice before the Treasury which will permit the Department to maintain a closer supervision over enrollees.

All enrollment cards which shall have been issued to persons enrolled to practice before the Treasury Department prior to January 1, 1952, shall be void after March 31, 1952. An enrollee holding a void card shall promptly surrender it to the Committee on Practice. Application for issuance of a renewal card may be made at any time between January 1, 1952, and June 30, 1952.

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