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Upon Information and Belief - The Responsibility of Lawyers

Dicta Editorial Board

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that are approved investments for insurance companies doing business in Florida.

A member, former member, or the legal representatives, heirs or legatees of a deceased member may withdraw all or any part of a member's credit balance that existed seven years before the application for withdrawal is made, provided that there are no outstanding claims or opinions by the member and providing the withdrawal will not reduce the fund below the minimum set by the trustees and not below \$250,000.

It may be that in many states amendments to the insurance statutes would be required to permit the operation of such a plan and it is suggested that the members of the bar generally study and discuss the plan as one of the steps in preserving to the legal profession a field of activity which is rapidly becoming the object of corporate encroachment.

Upon Information and Belief

The Responsibility of Lawyers

Lawyers are not diligent enough in protecting their own profession and in protecting the public against the evils which arise by reason of their failure to protect their profession. The Colorado bar is not the most backward, nor is it the most forward, of all bars in this respect. An article by the late Senator Thomas in this issue describes the efforts of the tenderfoot lawyers to get the Code of Practice adopted by the first general assembly over the opposition of the old-time lawyers, who wished to retain the common law practice. In more recent years the Colorado bar accomplished a notable achievement in the adoption of Rules of Civil Procedure. The lawyers and the county judges have cooperated in improving the probate statutes, although some of the lawyers felt that a complete new code of probate practice would have been an improvement even over the present revised statutes.

During the last session of the legislature, the lawyers actively supported pay raises and a retirement plan for judges, and for some months now a committee of the Colorado Bar Association has been working out a new judiciary article to the constitution, which would very materially change the court system and the method of selecting judges. The Real Estate Standards Committees of the Denver and Colorado Bar Associations have adopted a series of title standards, which have done much to eliminate improper objections in title examinations. This is in line with the efforts of some years ago of a number of title lawyers in having adopted by the legislature a number of statutes making titles more certain and marketable. The organization of the Colorado Bar Association is an advanced type of voluntary organization rendering the maximum service for the amount expended.

However, the Colorado bar is not doing many things which other bars are doing. We are not sufficiently actively engaged in eliminating all forms of unauthorized practice. A committee is at work, however, studying the problem, which we hope will lead to an active program of eliminating unauthorized practice. In this issue of DICTA is a story of the formation of an association of lawyers in Florida to support their title opinions with a guaranty fund. Some associations are engaged in an active program of advertising the beneficial results of employing legal services. Other associations have committees on public relations to foster a program of improved publicity and other public contacts. Some voluntary associations have increased their dues and employed full-time executive secretaries to insure sustained programs of bar activity. The integrated bar has suffered reverses in some states, but in Wisconsin the lawyers met this challenge by doubling the dues of the voluntary association and employing a full-time staff. In many states bar committees are much more active in fostering and fighting legislation deemed proper or inadvisable as the case may be. In this respect, the Colorado Bar Association could very well encourage the formation by the legislature of a state office or state offices to give the legislature much greater assistance in the drafting and analyzing of proposed legislation, and in revising and keeping up to date, by the elimination of obsolete and redundant material, the state statutes.

And last but not least, a greater interest in the minor judiciary and its operations would repay benefits in the form of greater public confidence in all courts. The minor courts—municipal, police magistrates', and justice of the peace—handle probably 90 per cent of all court cases. In spite of this, most lawyers hesitate to appear in these courts and do little to improve their procedure and operation. For example, the lawyers, as a unit, almost ignored the recent Denver Charter Convention in its efforts to draft a charter provision relating to the municipal and justice of the peace courts in Denver. Even now these courts face a very serious problem because of the low compensation paid the justices of the peace.

We trust that the lawyers will consider this problem and lend their support to its solution.

An interest in all of these programs, which have been suggested as feasible programs, in addition to the programs already started, could very well put the Colorado bar in the ranks of bars aggressively protecting themselves and the public from the evils now existing, which do not do proper credit to the bar or maintain its high position in the social structure.

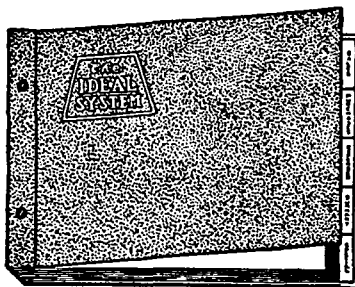
December Meeting of Denver Bar Association

At the December 1 meeting of the Denver Bar Association, H. Byron Mock, regional administrator of the Bureau of Land Management, discussed "The Western Lawyers' Stake in Improved Bureau of Land Management Administration." He thus introduced Denver lawyers to a bureau little known to them, but which has a great effect on certain legal subjects, such as titles to public lands. But, according to Mr. Mock, lawyers have a great say in this as well as other bureaus, not only as legal advisers to the various bureaus, but also because many of the top administrators in the federal government are lawyers. He urged the lawyers to make a greater effort to study these bureaus and to assist in making them either become necessary parts of important government functions, or being eliminated.

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