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## Board of Governors Meets

Dicta Editorial Board

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desirable to approach the question from the standpoint that uniformity is the goal to be achieved. The goal is justice in the administration of the law; uniformity is a mere useful incident along the way which should be applied when proper or necessary to achieve the end of justice, but which should not be sought for its own sake. Public interest does not require uniformity; it requires justice.

### **Board of Governors Meets**

A meeting of the Board of Governors of the Colorado Bar Association was held at the Broadmoor Hotel, Colorado Springs, January 31, 1948.

As the first order of business, the treasurer of the Association, Vernon V. Ketring, presented his report which included among other things, a statement that in the calendar year 1947 twenty-five per cent of the receipts of the Association was derived from sustaining memberships as compared to total dues paid, whereas in previous years sustaining memberships had made up to fifty per cent of the total receipts of the association.

Mr. Van Cise then outlined the current plans and activities of the Judiciary Committee, informing the board of the constitutional and statutory obstacles which make difficult the placing of the proposed judiciary revision recommendations on the ballot this fall. He stated that the committee has divided the proposals of the committee into three categories: first, those which are non-controversial such as those dealing with increase of salaries of judges and retirement provisions; second, the debatable provisions against which some opposition has been evident and; third, the controversial measures, particularly the non-partisan election features of the plan. Concerning the variance between constitutional and statutory provisions relating to placing these proposals on the ballot, Mr. Van Cise suggested that it might be possible to secure the cooperation of the governor in requesting an advisory opinion of the Supreme Court as to the constitutionality of some of the statutes involved. If such an advisory opinion were not called, Mr. Van Cise stated a declaratory judgment action might be had in time.

The desire of the committee to subject to a special session if one could be called on the non-controversial measures was reported by Mr. Van Cise. He stated that it was the plan of the committee to attempt to secure from all members of the legislature their agreement to vote for the non-controversial matters if a special session were called in the thought that the governor would then be more amenable to the issuance of such a call for such a session.

Mr. Stanley Johnson then answered the queries of the members of the board arising in discussion of the proposals made by Mr. Van Cise on behalf of the Judiciary Committee. Mr. Henderson inquired as to whether there would be other matters in the call for a special session if one were made. Mr. Johnson answered that it was possible that school salaries would also be included if special sessions were called this year. Mr. Johnson suggested that

if the board did not approve the attempts of the Judiciary Committee to secure a special session of the legislature the probable alternative should be to suspend operations of the Judiciary Committee until just prior to the time the new legislature takes office.

One of the members inquired if there was any organized opposition to the judiciary plan. Mr. Johnson stated there was none that he knew of and cited examples of the Colorado Press Association and the Credit Men's Association as being in favor of the plan. Mr. Lattimer stated that the Pueblo area is in favor of the plan and suggested that the major problem was one of educating the public.

The board then discussed the political mechanics involved in the question of whether to take the whole of the judiciary plan to the legislators, which was the suggestion of Mr. Lattimer, or the non-controversial portions of the plan only, which was the suggestion of Mr. Van Cise and the committee. Mr. Mabry stated that in the Trinidad area the whole of the plan except the non-partisan features appeared to have approval. Mr. Robinson stated his opinion as being that the governor would not call a special session unless a great deal of pressure was put on him. Mr. Van Cise then stated that the Judiciary Committee was preparing its bills and would distribute copies of them to all of the legislators within the next two weeks to canvass the individual legislators' opinions as to whether or not they could support such a bill in the event that a special session was called and he requested the consensus of the board. After discussion, it was declared to be the sense of the board that another meeting of the Board of Governors be held on Saturday, March 20, after the legislators have been interrogated as to their attitude toward a special session to enact the non-controversial measures of the committee's plan relating to salaries and tenure. The Judiciary Committee was instructed to make report on its canvass at that time.

Mr. Robinson then read a letter from the chairman of the Committee on Integration of the Bar, which letter suggested that proposals for integrated bar might be included in any special session called. Mr. Mabry and Mr. Calkins stated it to be their opinion that it would be inexpedient at this time to proceed with proposals for integration by legislative action and it was resolved that an attempt by the Colorado bar to foster, by legislative action, any program at integration be temporarily postponed until the Judiciary Committee problems are concluded, but that it was the sense of the board that the Integration Committee be invited to attend and discuss this matter at the March 20 meeting.

The chairman then read letter of Mr. Horace F. Phelps concerning local associations' committees on grievances which was referred to the state Committee on Grievances to contact the local association committees and work out a program relating to procedure on grievance complaints and report to the board on March 20.

Mr. Carpenter then presented a resolution of the Committee on Unauthor-

ized Practice which was discussed by the board. Mr. Lattimer suggested that one of the problems of the unauthorized practice committees is that there is no definite statutory punishment for the unauthorized practice of law and that if specified punishments were included in the statutes the mere threat of the punishments would tend to deter those engaged in unauthorized practice. Mr. Carpenter felt that the power to assess punishment is inherent in the courts. Mr. Carpenter then moved that the Colorado Bar Association petition the Supreme Court to adopt a rule or rules in substantial accordance with the proposal of the Denver Bar as embodied in resolution promulgated by the Unauthorized Practice of Law Committee of the Denver Bar Association dated the 29th day of January, 1948. His motion was seconded and unanimously carried and the president-elect, Mr. Robinson, appointed a committee consisting of: Mr. Carpenter as chairman, Mr. Appel and Mr. Phelps, to present the resolution of the board to the Colorado Supreme Court.

Interim report of the Legislative Committee requesting the action of the Board of Governors concerning the provisions of the Knutson bill now before Congress which relate to community property was presented and it was resolved:

“That the Board of Governors endorses and approves the provisions of the Knutson bill which provide for division of family income on a community property basis in all states,”

and the secretary was instructed to inform the chairman of the committee, Mr Robert Bosworth of Denver, of the board's action.

Submitted by Mr. Wilbur Rocchio of Denver, the interim report of the Placement Committee was received and placed on file and Mr. Robinson suggested to the members of the board present that they publicize the activities of the Placement Committee as to younger lawyers.

Mr. H. Harold Calkins then importuned the Board of Governors with the annual request of the Junior Bar Section for an appropriation of funds with which to carry on its work. He reported the activities of the Junior Bar Section for the ensuing year is being concentrated in public relations, but stated that his section would continue to offer its aid to any committees and activities of the parent association. It was resolved:

“That the association furnish to the Junior Bar Section, One Hundred Dollars for its activities within the current year.”

After discussion of the visit of the Freedom Train to Colorado this spring, and other topics allied to the public relations of the bar association, the board resolved:

“That the Public Relations Committee of the Colorado Bar Association and that of the Junior Bar Section be instructed to present a concrete program of public relations at the March 20th meeting of the board.”

Mr. Robinson presented the board a report of the Joint Committee on Professions and submitted to the board recommendation of the committee that

a joint institute of physicians and attorneys for the consideration of related problems be held in Denver in the spring, which recommendation was approved by the board. Discussion was then had on the suggestion of the committee that the Board of Governors consider placing one delegate from the Colorado Bar Association on an inter-professional council now in existence. It was the sense of the board that the council should be further investigated and that more definite recommendation be made to the board. Mr. Robinson stated that a member of the Committee on Professions will report to the Board on March 20.

The chairman read to the board a letter of Mr. Frank Hickey, chairman of the Committee on Statutes and Publications, recommending that each lawyer in the state be canvassed as to his opinion on the need of a new statutory compilation. His recommendation was opposed by Mr. Appel on the ground that such a survey would only confirm an already existing consensus that revision is necessary and upon Mr. Appel's motion the board resolved:

"That the Committee on Statutes and Publications should continue its work without canvass."

The question of sustaining membership and the amount of dues was then discussed by the board. The treasurer stated to the board that twenty-five to fifty per cent of the income of the association was from sustaining memberships and he recommended the continuance of sustaining memberships even if the association should take action to increase the amount of annual dues.

Mr. Henderson gave it as his opinion that the Greeley area would favor \$10 annual dues but inquired as to whether a dues advance would result in the publication of Supreme Court opinions. Mr. Wilkes stated that he as well as many of his fellow lawyers miss the publication of Supreme Court opinions. Mr. Phelps then reported that the Board of Trustees of the Denver Bar Association appointed a subcommittee looking to the enlargement of DICTA policies to raise DICTA to a law review status.

It being the sense of the board that specific study of the publication problems and financial problems of the Colorado Bar Association should be made before action was taken. Mr. Robinson appointed, as a committee to study the question and report to the March 20th meeting of the Board of Governors, the following: Vernon V. Ketring, chairman, Walter M. Appel, John W. Henderson, Horace F. Phelps, and H. Harold Calkins.

Thereupon the board moved to a discussion of the vacancy now existing in the office of delegate for this association in the House of Delegates in the American Bar Association. A motion that the vacancy be not filled temporarily was carried.

### **New Members of Denver Bar Association**

At the March 1, 1948, meeting of the Denver Bar Association the following were admitted to membership:

Robert Guyer Bonham

Wayne D. Calderwood

**Denver Bar Association Will Elect**

Denver Bar Association president Horace F. Phelps has appointed a nominating committee to nominate a president, two vice-presidents, two trustees, and members of the Board of Governors of the Colorado Bar Association. The committee consists of John E. Gorsuch, chairman, and Robert E. More, Percy S. Morris, Elmer L. Brock and S. Arthur Henry. All suggestions for nomination should be in the hands of the committee by March 20.

**Law Books for Sale**

County Judge William Buck, Boulder, has for sale a complete set of American Jurisprudence. Anyone interested in purchasing this set should contact Judge Buck at Boulder or Donald Leshner, secretary of the Denver Bar Association, Midland Savings Bldg., Denver.

**Pueblo County Bar Association Elects**

The new officers of the Pueblo County Bar Association are:

Riley R. Cloud.....*President*  
 John L. Faricy.....*Vice-President*  
 Harold C. Rudolph.....*Secretary-Treasurer*

**Lawyers in Public Service**

EDWARD E. NEVANS, JR., has been named Assistant United States Attorney for Colorado by United States Attorney Max M. Bulkeley. Mr. Nevans resigned as special attorney for the Mountain States section of the Anti-trust Division of the Department of Justice, which he entered in 1941. He served in the army from 1942 to 1946, being discharged with the rank of captain after serving overseas in Africa and Italy.

STANLEY T. WALLBANK is a vice president of the Denver Community Chest. MARK HARRINGTON, WILLIAM F. MCGLONE and HOWARD S. ROBERTSON are directors.

MAYOR QUIGG NEWTON is a member of the university council of Yale University. Purpose of the council is to develop plans for the constant improvement of the school's academic and administrative affairs.

**Personals**

CHARLES J. BEISE, BYRON NEID and ROYAL C. RUBRIGHT became members of the firm of Fairfield and Woods on January 1. The firm offices are at 930 First National Bank, Bldg., Denver.

HELEN C. MYERS has moved her office from the Lawyers Bldg. to suite 605 Majestic Bldg., Denver, phone KE 5175.

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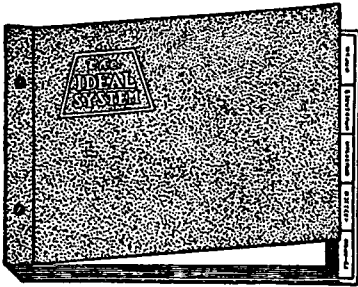
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