

January 1948

Upon Information and Belief - Ordinance Revision

Dicta Editorial Board

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Recommended Citation

Upon Information and Belief - Ordinance Revision, 25 Dicta 137 (1948).

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Upon Information and Belief

Ordinance Revision

In this issue of DICTA is an article by Denver City Attorney J. Glenn Donaldson giving the status of the revision of the Denver municipal code and asking for suggestions. DICTA, *Upon Information and Belief*, makes these suggestions. In the first place, we are glad that Mr. Donaldson saw fit to have the work done to date done by local talent, and we hope that he will continue to have all work on the municipal code done by local people. In the first place, we think that Denver lawyers are just as competent as persons residing abroad to codify, compile, arrange and index Denver ordinances. In fact we think local attorneys are better qualified than are non-resident attorneys. We feel that Denver lawyers who have practiced in Denver and have had to familiarize themselves with some of the local ordinances are more likely to know under what titles Denver lawyers will look for ordinances than are persons who approach it purely from a theoretical standpoint. We also feel that Denver lawyers are more likely to know than are non-residents what ordinances are enforced, and what ordinances are not enforced, what ordinances are still in effect and what ordinances have fallen into disuse, and in this latter connection we do not feel that there should be any republication of the code until there has been a substantial overhauling of the present ordinances with a weeding out of numerous obsolete provisions. For example, we know of no good reason why it should be necessary to continue to prohibit the picketing of any animal between the hours of 7:00 p.m. and 6:00 a.m. We also note a provision requiring every streetcar to sound its gong when approaching within sixty feet of any intersection. Whether this ordinance is desirable or not, it certainly is not being respected.

We congratulate Mr. Donaldson on the work that has been done to date. We are heartily in accord with a new codification by local people, and we hope that this codification will be completed at the earliest possible date. We wish to make this suggestion for the future. We feel that after the new codification is published, Denver lawyers should have available either in annual cumulative supplements or in looseleaf or other supplementary form published either by the city or by the bar association, all amendments to the ordinances, so that any lawyer may be able to advise a client on the status of the municipal law without having to make a trip to the court house to visit the City Clerk's office or the City Attorney's Office, make personal inquiries of the persons who have personal knowledge of the subject or use a crystal ball or an ouija board. No one can be expected to respect and obey the law, unless he can know what the law is. For twenty years it has been impossible for Denver residents to know with certainty what the law was on any given subject. This condition should never be permitted to exist in the future.

More Stuff Needed

Attention is directed to the invitation appearing on the title page of this magazine: "The submission to the editors of articles of interest to the legal profession is invited." For a number of months the editors of DICTA had a surplus of material available. This created the problem of publishing the articles most current and most pressing at the time of publication. Also, because of this some available articles were taken out of the hands of the editors and published in other publications. The situation has now completely reversed itself, and the editors are very desirous of receiving additional material. We trust that the experiences in the past will not discourage authors from submitting articles at this time.

In submitting articles we recommend that authors keep in mind the following suggestions:

First, the articles should be as concise as possible while yet covering the points to be covered.

Second, articles discussing a subject of general interest are more acceptable than articles discussing a subject of limited interest. The more likely a particular point is to be encountered by a large number of the members of the bar, the more desirous is its publication in DICTA. Even though very specific points may be discussed, if the particular point is likely to be encountered by a substantial number of practicing attorneys, the fact that the point is specific does not detract from the desirability of the article from the publication standpoint.

A more adequate coverage of the activities of the local bar associations and their committees and of the state bar association and of its sections and committees is desired.

Back Issues of Dicta Available

The editors have on hand a limited supply of many of the back issues of DICTA. Any attorney wishing to fill out a set of DICTA may have any of the back issues to the extent of their availability by addressing the editor, Hubert D. Henry, 620 E. & C. Building, Denver. Please give the number of the issues desired when writing for back issues.

Arthur T. Vanderbilt—Man of Action

In our opinion, one of the greatest men alive today is Arthur T. Vanderbilt. Mr. Vanderbilt is outstanding in his ability to convert ideas into action. During his presidency of the American Bar Association (1937-1938) the Judicial Administration section of that association brought forth its comprehensive report on improving the administration of justice which has done so much to stir up interest and activity in this program. He was chairman of the Advisory Committee on Military Justice of the War Department, chairman of the Advisory Committee of the United States Supreme Court on

Rules of Criminal Procedure, member of the Attorney General's Committee on Administrative Procedure, chairman of the committee that brought about the adoption of legislation creating the administrative office of the United States courts, and chairman of the National Committee on Traffic Law Enforcement. As Dean of the New York University School of Law, he was the inspiration and founder of the annual survey of American Law and the Law Center. He had been selected as the director of the survey of the legal profession and had plans for the survey well underway when he was appointed to become chief justice of New Jersey and thus the head of the New Jersey courts under the new judicial provision which will go into effect September 15. As chief justice, it will be his task to reorganize the courts of New Jersey under the new constitution adopted by that state last year, including the drafting of rules of procedure. His appointment as chief justice is the logical outgrowth of the tremendous amount of time he has devoted to improving the administration of justice and the reorganization of courts, particularly in his own state.

Typical of Mr. Vanderbilt's philosophy is the following statement of his idea of the Law Center: "Fortunately, we have learned the art of cooperation in the Restatement of the Law by the American Law Institute, in the work of the Advisory Committees of the Supreme Court on Federal Rules of Civil Procedure and Federal Rules of Criminal Procedure, and the American Bar Association is about to apply it to its projected Survey of the Legal Profession. Where and by whom must the task be done? Obviously not by busy judges on the bench, nor by harassed legislators in Congress or at the state capitol, nor by overburdened chief executives or department heads nor by the captains of industry or labor, nor by law-school professors alone, but by leaders of each of these groups working together and submitting their product to the frank criticism of the rank and file. This is my vision of a Law Center. Thus it is my hope that the new building to be erected on Washington Square, with architecture reminiscent of the Inns of Court, Independence Hall, and the buildings at Charlottesville designed by Jefferson, may be one center of a nationwide movement that will mold our law to the needs of the times, assuring to our people for another century and a half the supremacy of law, a government of law and not of men, and above all individual liberty."

Lawyers in the Public Service

L. WARD BANNISTER, past president of the Denver Chamber of Commerce, has been re-elected to the board of directors of the United States Chamber of Commerce for the sixth consecutive term.

BARNARD A. HOUTCHENS, Greeley, has been appointed by Governor Knous to the Board of Trustees of the Colorado teachers' colleges. He fills the vacancy created by the recent death of E. Tyndall Snyder.