

January 1947

## The Lawyer Veteran and the G.I. Bill

Milton J. Blake

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

---

### Recommended Citation

Milton J. Blake, The Lawyer Veteran and the G.I. Bill, 24 Dicta 121 (1947).

This Article is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact [jennifer.cox@du.edu](mailto:jennifer.cox@du.edu), [dig-commons@du.edu](mailto:dig-commons@du.edu).

## The Lawyer Veteran and the G. I. Bill

BY MILTON J. BLAKE \*

There is pending in the Congress of the United States a bill (S. 986) which is of interest to lawyers and particularly lawyer veterans. This bill seeks to extend certain benefits under the Servicemen's Readjustment Act (G. I. Bill of Rights) to young lawyer veterans who had practiced only a short time, if at all, prior to their entry into the armed forces.

The need for this pending bill arose in the fall of 1946 when the Veteran's Administration ruled that under a then recent amendment (P. L. 679) to the G. I. Bill, lawyer veterans would be longer be eligible for "on-the-job training" under the law. The American Bar Association became concerned in regard to this situation and Mr. Carl B. Rix, the president of the association, promptly appointed a Special Committee on Veterans' Rights to investigate and take appropriate action. This committee is composed of the following: R. G. Storey, of Dallas, Texas, chairman; Conrad E. Snow, of Arlington, Virginia; William L. Ransom, Jr., of Binghamton, New York; Phillip J. Badell of Rushville, Indiana; and Milton J. Blake, of Denver.

The committee has investigated the situation and taken action, as more fully appears in the report below which the committee made to the American Bar Association early in May, 1947, The report, which is self-explanatory, follows:

### REPORT ON ACTIVITIES COMMITTEE ON RIGHTS OF VETERANS

The immediate objective of our committee has been to investigate, clarify and obtain action concerning "On-the-Job Training" for lawyer veterans. A meeting of the committee was held in Washington on January 6, 1947, and investigations made concerning alleged discrimination against the lawyer veteran. We discovered that a great deal of dissatisfaction and confusion has arisen from misunderstandings.

Prior to the enactment of Public Law 679, which is an amendment to the GI Bill, benefits were provided for the young lawyer the same as for other trades or professions. The effect of the amendment was to require a course of training to attain a specific job objective for the veteran, and certain requirements were made. Finally, the law provides (Sub-section j):

"No course of training will be considered bona fide if given to a veteran who is qualified by training and experience for the job objective."

---

\*Of the Denver Bar, member of the Special Committee on Veterans' Rights of the American Bar Association.

Hence, whenever a lawyer is licensed by the state and has met all legal requirements, he is not eligible.

Complaint has been made that there is a discrimination against the young lawyer in favor of the young doctor. However, in consultation with the authorities in the Veterans Administration headquarters we found that the American Medical Association has required training for certain specialties, such as surgery, anaesthesiology, etc. They showed us an approved list of institutions which provided special training in these fields of medicine, including the requirements of the American Medical Association for achieving such specialties. Hence, the Veterans Administration recognizes the young doctor who is pursuing his specialty because such training is required by the profession and by law. If we had similar provisions for lawyers there would be no question about payments to lawyers while training "on the job."

At the Mid-Winter Meeting of the House of Delegates at Chicago in February the following amendment to the existing law was recommended:

"That Paragraph II (b) of Part VIII of Veterans Regulations numbered 1 (a) be amended by inserting the following at the end thereof:

"4. Notwithstanding the preceding provisions of this paragraph, lawyers with less than two years active practice exclusive of the period of their military service shall be eligible for training on the job for a period not exceeding the unexpired portion of said two years of active practice. In such cases the lawyer need not be training for a specific job or job objective, and the approving agency of the state of the administrator shall waive the preceding requirements of this paragraph provided that the written application discloses that the training program is one appropriate to equip the veteran for active practice as a lawyer either in a job or in independent practice. This sub-paragraph shall be retroactively effective as of June 22, 1944."

The above amendment was approved by the Council of Legal Education which in effect adopted a *temporary* standard in recommending such amendment. Thereafter the amendment was approved by the Board of Governors upon recommendation of Reginald Heber Smith and the chairman of this committee and was later unanimously adopted by the House of Delegates. Hence, the American Bar Association has approved and is *urging* such legislation.

The above amendment is now incorporated in a bill before Congress known as S. 986 introduced by Senator Lodge. It will soon be heard by the Sub-committee on Veterans' Affairs of which Senator Morse is chairman. Many interested lawyers have written members of

the Senate committee, and it is urged that others do likewise. An early hearing will be held before the sub-committee.

If sufficient interest is shown by the members of the bar, the committee feels that the bill has a good chance to pass. Under the existing law there is no way for the lawyer veteran to be eligible for "on-the-job training," but if the amendment is passed relief will be available. There will be opposition; hence, the committee urges immediate action."

The attention of all Colorado lawyers is particularly invited to the last two paragraphs of the above report. Prompt action is necessary if we are to help our young lawyer veterans obtain the benefits to which we think they are entitled. The committee has done its work in getting the matter before the Congress and hopes that the profession will support its endeavors.

Accordingly, the members of the Colorado bar are urged to make their views on this matter known at once to Senator Wayne L. Morse, Chairman of the Sub-committee on Veterans' Affairs, Senator Henry Cabot Lodge, Jr., the sponsor of Senate Bill 986, or the members of the congressional delegation from Colorado.

## **Comments of the Bench, Bar, and Public Officers Upon Some Phases of the Colorado Judiciary System**

### **Report of the Judiciary Committee of the Colorado Bar Association**

By STANLEY H. JOHNSON, Executive Secretary

In the course of its work in analyzing the judiciary system of Colorado, and of submitting possible changes for the improvement of that system, the Judiciary Committee has sent out extensive questionnaires. Answers from a sufficient number had been received in May to warrant calling together the committee's district chairmen. Accordingly, a meeting was held on Saturday, May 24th, at the committee's office in Denver, presided over by Philip S. Van Cise, chairman of the committee, at which every judicial district, with the exception of the Sixth in southwestern Colorado, was represented.

At this meeting digests were submitted to each district chairman of the comments received concerning the courts in every county of his district. The chairmen, or their representatives, were then asked to comment freely upon their ideas of the needs of each county in their respective districts. The purpose of the meeting, primarily, was to give the committee members first hand opinion and information, not only of what might be desirable in improving the judicial system, but also what might be practical, considering the opinions of the bar and public in each community.

This information is most important at this time, because it is the intention of the committee, by the end of June, to present to the bar and public generally, for discussion and criticism, only such possible or proposed changes as