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Upon Information and Belief

Dicta Editorial Board

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Upon Information and Belief

A Challenge

John Kirkland Clark, at the October meeting of the Denver Bar Association, presented to the lawyers of Denver, a challenge which cannot be ignored. A summary of this challenge is contained in this issue of *Dicta*. It is not new for the pages of *Dicta* to carry a challenge to the members of the bar. It has been the constant endeavor of the editors to present to the lawyers of Colorado, articles and observations which would challenge them to increase their professional skill, their professional earnings and their general self-interest, and also articles which would challenge them to increase the prestige of the bar, by greater service to the community and by furnishing leadership in the solution of community problems. Surveys recently made indicate that the lawyers of the State have sunk economically to a very low level. Newspaper articles and the comments of lay persons, in speeches and in private conversations, indicate that the lawyers have sunk to a low level in the esteem of the general public. Are you lawyers aware enough of this situation and interested enough in changing it, that you will put forth a little effort? We challenge you to increase the welfare of the lawyers individually and the prestige of the bar as a whole, and in doing so present this program for your consideration:

1. We will increase the knowledge and skill of practising attorneys. We will do this by the several methods now in existence, and in addition, by luncheon meetings at which members of the bar skilled in a particular problem, or having the benefit of particular professional experience will give to the other members of the bar the benefit of their knowledge and experience.

2. We will find ways and means of rendering all the legal services which should be but are not now rendered by lawyers, and collecting the legal fees for rendering these services, which fees are not now being collected by lawyers. We will establish a method whereby persons having police court cases, justice of the peace court cases, real estate transactions, income tax problems, and many other legal problems not justifying large fees, will be brought to the lawyers and the lawyers will render the services for fees satisfactory to both. We will see to it that no person other than a lawyer renders legal services or collects a fee therefor.

3. We will, by newspaper advertisements and stories, radio announcements, and pamphlets and letters, make the public aware of the large number of legal services which are now going unused and to which the public should have access. We will inform the public of the desirability of legal service, of the integrity and ability of lawyers, and of the extent and value of the public services being rendered by lawyers.

4. We will encourage specialized practice in all fields, particularly in fields of police and justice court work, real estate transactions, and other

transactions where the fees charged must be on a low cost basis, and where, by reason of this, it will be necessary for some lawyers to specialize in these fields and handle cases on a virtual mass production basis.

5. We will devise means for eliminating duplication of effort, such as in the field of abstract examinations, so that one lawyer will not unnecessarily retrace the steps already traced by another lawyer.

6. We will encourage our members to render public service and public leadership, and when one of our members does an excellent job of public service or public leadership we will publicly acknowledge that fact and make proper award therefor.

7. We will establish a low cost legal reference office where any person may be advised for a reasonable fee as to whether or not he has a legal problem and where and how it can be solved.

8. We will increase the desirability of holding public office by encouraging the increase in compensation for public officials and by increasing the prestige of public office holders in the eyes of the people. We will encourage our members to seek public office and we will educate the public as to the desirability of having lawyers in public office.

9. We will continue and bring to a successful conclusion our present plans for making Colorado's judicial organization the best in the world.

10. We will devise methods for improving the wording of our statutes and the elimination of obsolescence, inconsistencies and redundancies, and subsequent loss of many professional hours in seeking interpretation of statutes, for which no interpretation would be necessary were such statutes properly worded. We will bring about the revision and reprinting of the Denver Municipal Code, and the establishment of machinery to eliminate obsolescence, inconsistency and redundancy in our Colorado statutes. We will bring about the revision of our criminal procedure. We will study the Code of Evidence, and if we find it a desirable improvement in our rules of evidence, we will seek its adoption. We will interest ourselves in all legislation to the end that all future statutes and ordinances are clearly and properly worded, and do not bring into our laws inconsistencies and redundancies.

11. In order to insure that the bar will carry out its part of this, or any other recommended program, we will employ an executive secretary who will devote his entire time to the conduct of the program of the organized bar.

12. In order that every lawyer will be insured a place in the program of the bar, and the bar will have the funds necessary to carry out any proposed program, including the employment of an executive secretary, we will see that every lawyer in Colorado knows and understands the purposes and functioning of an integrated bar, and we will then establish a bar organization to which every member of the bar will belong and contribute.

This is no program for a weak and impotent bar. It will require time and effort to bring it into effect. Are you interested enough in the welfare

of lawyers, and in bringing them into high public esteem to join with us in bringing this, or any other comprehensive program, into being?

On-the-Job Training for Lawyer-Veterans Rejected

The Veterans Administration has refused to approve on-the-job training for lawyer-veterans under the G. I. Bill of Rights. It takes the position that a veteran who has been admitted to the bar and is legally qualified to practice law has achieved the job objective of lawyer, and therefore no further training is necessary or can be approved. Refresher courses and institutes, however, can still be had.

Judiciary

The Civil Judicial Council of Texas has proposed an amendment to the constitution for revision of the state's court system, and providing a new method of selecting judges.

A committee of the Pennsylvania Bar Association, at its annual meeting, recommended the adoption of the Missouri plan for selecting judges. The proposal will receive further consideration at the mid-winter meeting of the association.

A committee of the California State Bar has submitted a recommendation for extensive revision of the state's system of courts of limited jurisdiction.

Candidates for the Supreme bench in Baltimore brought an injunction against the Bar Association of Baltimore to prohibit it from conducting a campaign on behalf of sitting judges seeking reelection. The Court of Appeals ordered dismissal on the ground the public policy in Maryland is now committed to the principle of retaining on the bench judges who have demonstrated integrity, wisdom and sound legal knowledge, and to the protection of such judges from political attack.

Committees of the Delaware Bar Association are considering proposals to increase the compensation of state judges, which has remained unchanged since 1931. Proposals have also been made to improve the magistrate courts.

Federal court judges had their salaries increased when President Truman signed the act giving each of them a \$5,000 a year raise, the first in twenty years. Increased cost of living and income taxes persuaded Congress to give the increase.

The New York City Board of Estimate has made it possible to increase salaries of various New York City judges by \$1,000 to \$2,000 a year. This will be a partial restoration of a reduction brought about in depression years.

A speaker before the Idaho State Bar Association urged improved methods of judicial selection and higher pay for judges. He also urged the establishment of an agency to do legislative research and bill drafting.

Revision of Laws

In a recent editorial, *American Law and Lawyers* calls attention to the fact that in every state there are many dormant statutes which should be

repealed. In many cases the statutes are not being used, but might be brought to the front and enforced by persons who discover them and have particular axes to grind.

Toledo is preparing a new city code which will void 800 obsolete ordinances.

Dr. G. Homer Durham, director of the Institute of Government at the University of Utah, has recommended to the State Tax Study Committee the creation of a legislative interim committee to bring the executive and legislative branches of the government closer together, and to study legislation in advance of sessions. Twelve other states have interim committees, usually called legislative councils, and they work very well.

Claims Against the United States

Congress has passed the Federal Tort Claims Act, giving tort claimants the right to sue the federal government in certain cases. Within a few weeks, the first case under the act was started in Baltimore.

Integration

In 1943 the Supreme Court of Minnesota held that it had power to integrate the bar but declined to act at that time because of war conditions. A committee of the state bar is now taking a vote of all lawyers in the state to ascertain their attitude on integration at this time.

Integration has been under consideration in Massachusetts for some time. During the past year the members of the bar have had under consideration specific proposals for integration. The Lawyers Institute held in June provided that a petition be presented to the Supreme Judicial Court asking it to consider the proposed rules and by-laws which have been evolved by the committee in charge.

The Wisconsin Supreme Court has heard arguments on the proposal to integrate the bar of Wisconsin, and has taken the matter under advisement. The court has already affirmed the legality of the law permitting the Supreme Court to proceed.

Miscellaneous

The Supreme Court of Nebraska has ruled that a layman appearing in a representative capacity before the State Railway Commission and there performing such functions as are usually performed by a lawyer is practising law.

The State Bar of California has prepared and distributed to local associations a series of advertisements for use in local newspapers, dwelling particularly on preventive legal services.

The constitutionality of "blue ribbon" juries, selected by the answers prospective jurors give to a particular question, to which the "proper" persons had been given the answer previously, has been attacked in New York.

An Ohio judge has held that where a party to a divorce action has, in a

Nevada action, within twelve months, represented himself to be a resident of Nevada, he cannot claim to have been a resident of Ohio for the twelve months during which he claimed such Nevada residence. Tell your clients to watch their steps on this one.

New Type Luncheon Meetings Proposed

Some Denver lawyers, feeling the need for increased methods of interchanging knowledge and experience, have proposed a new type luncheon meeting. At the October meeting of the Denver Bar Association, John Kirkland Clark, stated it would take a lawyer an enormous amount of time just to glance through the court decisions, law review articles, new statutes, and rules and decisions of administrative agencies. Some Denver lawyers recognize the fact that it is a physical impossibility for each lawyer to keep abreast of all the new developments in the law. They have suggested that the Denver Bar Association sponsor luncheon meetings to which all members of the Denver bar will be invited, and at these luncheon meetings a member of the bar who is particularly aware of a particular problem in the law, will give, in an informal discussion, to the other members of the bar, the benefit of his knowledge and experience. Such meetings should help the lawyers keep abreast of legal developments and make them better able to serve their clients. The meetings would be strictly business and would be devoted exclusively to practical discussions of legal problems. If you are interested in such meetings it is suggested that you so advise Donald Leshar at TA 0191.

New Members of Denver Bar Association

The following persons were admitted to membership in the Denver Bar Association at the October 7, 1946, meeting:

Jean John Jacobucci	Virgil Albert Linger
Robert S. Zimmerman	Frank Henderson Conry
Harold Angus MacArthur	Joseph Edward Edwards
Gilbert Goldstein	Joseph Edward Maker
W. Russel Eddy	Mitchel Brady Johns
James Alexander Sweeney	Charles Andrew Graham
Edward John Scheunemann	Edwin Philip Van Cise
Richard Harding Shaw	Howard Kelley Phillips
Barkley L. Clanahan	Mrs. Bernice M. Buchler
Arthur James Louis	John Patrick Akolt, Jr.
Craddock Matthew Gilmour	Frederick Melvin Kal
William Van Stone Webb	Robert Henry Close
Philip Alan Rouse	Walter A. Ballou
Lawrence Alexander Long	John H. Tippit