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Speeches of Rutledge and Lilliston Highlights of Annual Bar Meeting

District Judges Discuss Preliminary Draft of Federal Rules of Criminal Procedure

BY WILLIAM HEDGES ROBINSON, JR.

Highlighted by the addresses of Associate Justice Wiley B. Rutledge of the United States Supreme Court, and W. F. Lilliston of Wichita, Kansas, the forty-sixth annual meeting of the Colorado Bar Association held in Colorado Springs, September 17 and 18, 1943, was attended by over one-third of the practicing lawyers in the state. Chief items of interest on a vital two-day program were the symposium on war legislation and its effect on property rights, the legal clinic held for army legal assistance officers and lawyers, and a skit presenting some of the outstanding features of the proposed *Model Code of Evidence*.

The two-day bar meeting was preceded by a conference of district court judges, presided over by Judge John L. East of Trinidad. Chief subject of discussion by the judges was the preliminary draft of the *Federal Rules of Criminal Procedure*.

Officers selected for the forthcoming year were John L. Clark of Glenwood Springs, president; Benjamin E. Sweet of Denver, president-elect; Charles Rosenbaum of Denver, senior vice-president; Earl Bryant of Montrose, W. W. Gaunt of Brighton, and Chester B. Horn of Colorado Springs, vice-presidents; Vernon V. Ketring of Denver, treasurer, and Wm. Hedges Robinson, Jr., of Denver, secretary.

Declaring that the greatest danger from the present war would be the failure of this nation to participate in a world plan to enforce world peace, Justice Rutledge said that the "only security for the future is in the expansion of the basic principles of the legal profession—security in law and in the legal organization of human institutions so that there may be law not only among men and among states, but law also among nations. We cannot have law at home when we have anarchy abroad. We can have only the semblance of freedom here when international conflicts disturb not only our peace-time activities but threaten to disturb our whole social structure every score of years."

In a delightful satirical address, Mr. Lilliston dissected Mussolini and Hitler, and left their mangled remains quivering from his barbs. He pointed out, however, that there are democracies and dictators on both sides of the conflict and stated that we are fighting for the "personal liberty of self-commending men, the castle that is our home, the shrine that is our fireside and the privacy of private property and private

enterprise. We are fighting for that fifth freedom—the freedom of every man to be unequal according to his merits.”

After summarizing the tasks of the Colorado Bar Association during the past year and particularly with reference to war work, Edward L. Wood of Denver, retiring president, called upon the lawyers not to relax their efforts to strengthen the association. “The stronger we become as a bar organization, the sounder will be our individual position at the war’s end. This means a better place in life for those who return from the war. This much we owe to our members in the service.”

Major Milton J. Blake, Chief Legal Assistance Officer, J. A. G. D., spoke to the association concerning the legal assistance plan in action. Following his talk, legal assistance officers in the area held a conference in conjunction with members of the lawyers war emergency committee. Attending this meeting, among others, were Col. Frank E. Shaw and Col. Neal D. Franklin, Staff Judge Advocate, Fourth District, A. A. T. T. C.

One of the outstanding committee reports presented to the association was that of the Lawyers Emergency Committee, headed by Benjamin E. Sweet of Denver, which reported that it arranged a conference of all legal assistance officers of the Seventh Service Command and the Fourth District Air Force Technical Training Command to implement the legal assistance program, and that it had devised an induction notice and property guide for inductees and enlistees now used in this area, besides aiding the navy in its varied programs. Other committees reporting on the war work included that of the Legal Aid Committee under chairmanship of S. Park Kinney of Denver, which stated that legal aid bureaus for civilians and service men were functioning in Denver and Pueblo.

A traffic court survey conducted by that committee under the direction of Truman A. Stockton of Denver revealed that outside of Denver there is an urgent need for a new method of disposal of traffic cases and great need to eliminate the fee system in justice court proceedings. Following the report of this committee, James P. Economos of Chicago, Chairman of the Junior Bar Conference, commented on the need for a thorough overhauling of traffic court organizations all over the United States.

Discussion of minimum fee schedules by Carl Cline of Denver aroused considerable interest, and while there was a general agreement on the premise of the committee that “unless lawyers receive a reasonable compensation for services, leadership furnished by the bar is bound to decay,” there was no agreement on the method of securing adequate compensation to justify studious and painstaking efforts by lawyers in the disposition of legal matters.

The temporary committee on revision of criminal law and procedure, under the leadership of Judge Joseph E. Cook of Denver, urged that a modern criminal code be devised by the lawyers and adopted by the legislature as an effective weapon against crime.

Other committee reports suggested the establishment of a judicial council, the further study of the *Model Code of Evidence*, and the plan for uniformity in real estate title practice in the state and an agreement with realtors concerning the limits of their authority.

Section meetings of the association revealed that the water section, and the real estate, probate and trust law sections had drafted and were drafting model statutes in their fields. The district attorneys association devoted most of its time to a discussion of problems engendered by the war. A section on taxation was organized at this meeting.

While entertainment was not on the scale of previous conventions, the Law Club of Denver was above par with its presentation of *Follies of the Jealous Mistress by Her Punctilious Paramours*. The annual cocktail party—to say nothing of the private ones—measured up to past high standards.

Help Wanted for Part-Time Defense Work

The manpower shortage in the Denver area has become very acute. In the emergency the United States Employment Service has called upon lawyers to assist directly in part-time defense jobs.

In eastern states, where the labor shortage has become critical, local bar associations have given very material assistance through organizing "Victory Shifts" of lawyers and professional men who take four-hour evening shifts of work in defense industries. The local appeal of the United States Employment Service is for similar organizations among Denver lawyers through appropriate committees of the bar association.

Since skilled work requires training, full-time workers only are used for jobs of that sort. The part-time work for which assistance is asked is unskilled; in general, warehouse work requiring storekeepers, clerks, warehousemen and dock hands. Compensation is paid at regular hourly rates, varying from fifty-seven and a half to seventy cents an hour.

Members of the bar association have already responded generously, but further assistance is required. Those who can help and who desire further information should see or call one of the following lawyers who are members of the War Emergency Committee or the Junior Bar Committee: Mark H. Harrington, MA. 6273; Truman A. Stockton, CH. 3591; Hubert D. Henry, KE. 8127; Charles H. Haines, Jr., TA. 5111.