January 1932

Dicta Observes

Dicta Editorial Board

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AN ALERT BAR

In the issue of Dicta for December an article was published entitled "The Law's Delay". Under this heading, comment was made upon the article and suggestions invited from members of the bar as to the method of expediting the trial of cases. The response from the bar was immediate and profuse. Dicta thanks all members who so kindly cooperated through letters, personal conferences and telephone messages.

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SUGGESTIONS MADE

A digest of the suggestions is as follows:
1. That all motions and demurrers be filed together.
2. That all motions, demurrers and the answer be filed together.
3. That a reasonable attorney's fee be taxed against the party filing a frivolous or purely dilatory pleading.

Under suggestion "1" the delay caused by filing a dilatory demurrer would be gained. Under suggestion "2", it is believed that in most instances the answer would be filed directly and the motions and demurrer filed as a means for delay would be omitted. Under suggestion "3", counsel would carefully consider his act before filing dilatory pleadings. All the suggestions made are concerned primarily with the elimination of frivolous and dilatory pleadings that serve no useful purpose and needlessly consume the time of the Court and opposing counsel.

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EXPEDITING HEARINGS

Dicta is indebted to Carle Whitehead and Albert Vogl of the Denver Bar, for submitting a plan to have motions,

demurrers and emergency matters heard very shortly after the same are filed. The idea suggested shows considerable thought by its authors and is set out in full in this issue.

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MONTHLY MEETINGS

It is to be observed that the monthly meetings of the association have become unusually well attended. The programs have been interesting, diversified and entertaining.

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PROFESSIONAL ETHICS

From time to time members of the Bar throughout the country are solicited to insert their photographs in current publications. The condition of this privilege requires a cash payment in the guise of a contribution to defray the cost of the space used. Dicta has received inquiries concerning the question of ethics, if any, involved in the proposition and submits in this issue opinion No. 43 of the Committee on Professional Ethics of the American Bar Association.

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UNLAWFUL PRACTICE IN JUSTICE COURTS

The practice of laymen in appearing before the Denver Justice Courts and acting as counsel is causing much comment among members of the bar. Although there is no direct statute opposed to such practice, the layman (acting as an attorney) states to the Justice he represents his client; when the case is tried he interposes objections to the admission of evidence and in all manner and form performs the function of a lawyer. Dicta has no quarrel with a layman plaintiff or defendant appearing upon his own behalf; however, as to those purporting to act as counsel, it ought to be within the discretion of the justice to insist that the party appearing by a representative be one lawfully entitled to practice the profession. The article by Max Melville of the Denver Bar upon this subject, published in this issue, is worthy of note.

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The Editorial Board of Dicta takes this means of extending greetings of the New Year to all members of the Denver Bar Association.