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## Dicta Observes

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# DICTA

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\* \* \* *Dicta Observes* \* \* \*

## DAY AND NIGHT LAW SCHOOLS

A recent report published under the auspices of the United States Department of Interior, discloses the astonishing fact that more students enroll in night law schools than those gaining their legal education during the day. The report according to the survey made, lists 24,536 students enrolled in night law schools as compared with 19,954 students attending day schools. The cost of the night law school too averages \$145.00 as compared with \$212.00 as the average for the day school. Twenty-eight states have within their boundaries a total of 85 night law schools, as compared with 99 day schools in 43 states. The State of California leads all other states with seven day law schools and ten night law schools. Six day law schools restrict their enrollments to men only, while the Portia Law School, at Boston, restricts its students to those of the female sex.

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## SPEED IN THE ENGLISH COURTS

The Practice book promulgating the procedure in English Courts, contains 72 orders embodying 1045 rules dealing with every possible contingency. Before the trial is had much of the testimony has already been taken through interrogatories, affidavits of witnesses and through Referees. If a litigant desires to orally give his testimony the Master of the Rolls of the Chief Justice handling the case must be presented with strong recommendations and good reasons before consent is granted. The rules limit the time to appear, answer, file particulars, interrogatories and other similar matters, within a certain number of days not exceeding eight. After a defendant appears in response to a summons, a Master ascer-

tains the basis of the suit and the defenses involved, and thereupon orders the various time within which the case proceeds. A typical order to plead is as follows:

Statement of the claim containing full particulars within 5 days; Defense containing full particulars 3 days thereafter; Reply in case of counterclaim, 2 days thereafter.

The English Courts have reduced litigation to a matter of days, not weeks and months. The advantages can easily be seen.

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#### APPELLATE COURTS

The Supreme Court of Massachusetts, to obtain relief for the Judges who are incapable of handling the tremendous increase in cases being appealed, is employing law clerks to assist. The clerk relieves the Judge of a great deal of research work, analyzing facts, checking authorities presented to determine if they are point and generally facilitating decisions upon appeal. A similar system is now being employed by the United States Supreme Court and the Supreme Court of Arkansas.

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#### UNLAWFUL PRACTICE

The legal aid department of the Brotherhood of Railroad Trainmen Grand Lodge recently was discontinued after an injunction suit was filed against it in Ohio for unlawfully practicing law. The membership of the Lodge is nationwide and contains an estimated 180,000 members. The legal aid department gave legal advice through an attorney to its members. In case of litigation 5% of the claim was assigned to the Lodge to defray the costs of maintaining the Department. By agreement of all parties a new plan was adopted by the Lodge so as to satisfactorily remedy the situation.

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#### ORGANIZATION OF BAR EDITORS

On April 23, a circular letter was addressed to 37 editors of known Bar Periodicals, suggesting an organization of such editors to cooperate to assemble, digest and transmit current professional news to its members. The response from the editors addressed was heartily in favor of such an organization.