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## Notes

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Should the matter of Estate fees be left entirely to the Judge of the County Court?

The following additional letters regarding minimum fees have been received by the Secretary since the last issue of the Record.

#### WHY A LAWYER?

Constant dropping of water will wear away any stone, 'tis said.

It is just possible that long continued agitation will result in some improvement in the lot of the average lawyer, but it is not apt to happen in the time given most of us.

The only way to correct any evil is to attack it at its source, and it requires but a moment's thought to enable one to fix the responsibility for most of the troubles that beset the lawyer, and that is upon his own head.

The dignity and importance that once attended membership in the profession has largely disappeared in the minds of the public and the disposition is to say of most any of us, "Oh, he's only a lawyer."

Judgeships are looked upon as little more than jobs for briefless lawyers. An unfair and unfortunate view, surely, but due to what?

The only class of men in this great country of ours that has not organized for mutual financial gain is the legal fraternity. Hedged about with time-honored, but musty, codes of various kinds, truly tradition-bound is the lawyer.

Is there any good reason why a member of this profession should work hard, live well and die poor, when his client works less, lives better and dies rich? Why should the lawyer be expected to present an apology along with his bill? To come as a supplicant, instead of as a creditor?

There is no one of us who has rendered the service and borne the burden, who is not better able to determine the amount of the fee than is any judge who may be called upon to approve it, for judges are only human. But the judge unconsciously leans away from the lawyer, and upon the merest suggestion that a fee is excessive, order it reduced. So fearful is he that an injustice may be done—the client.

No lawyer can file a claim in any estate or cause, in any court here for

his services, that there are not many, many of his fellows ready, able and willing to go into court and get it cut down for a share of the cuttings. Is that as it should be? Are lawyers not to be trusted to charge fair fees?

Why should some Realtor (whatever that is) make a commission of \$1,000, or more, on a sale of real property, and no questions asked, while the lawyer in the case whose services are more important and skillful, has to be content with a trifling \$15.00?

Thirty years ago a carpenter was glad to work ten hours for a day's wage of \$2.25, but he would now refuse to work eight hours for four times that amount. And so it is with every calling save only that of the lawyer, who seems content to drive Old Dobbin while his client drives a Packard.

No client going into any office can make a semi-intelligent guess as to whether he will be charged \$50.00 or \$500.00 for the service he wants, for there is that much latitude now prevailing. Is this fair to the public?

In the interest of the public, it seems that some scale of charges for the ordinary run of service should be adopted. This has been tried in other jurisdictions, we are told, and proved to be very satisfactory.

In the interest of the lawyer and those dependent upon him, the scale should be brought up to present-day standards, and "shopping" be abolished. The lawyer's services will be valued very largely as he values them.

Is not the lawyer his own worst enemy?

S. S. LARGE.

#### ANOTHER

I think that this matter of minimum fees should be constantly urged until it becomes effective. For the last few years the Bar Association seems to be making diligent efforts to take care of the poor, needy, criminal and the public generally.

If we could only spend a little more time taking care of the lawyers, I do believe we could accomplish more for the world in general.

Very truly yours,

LUKE J. KAVANAUGH.

### ANOTHER

I note with interest the article in the last Record in regard to minimum fees. I quite agree with the writer that it would be advisable if the Executive Committee would consider the feasibility of adopting a minimum fee schedule. It would not only be advantageous to the young lawyers starting in, giving them some idea of what their fees ought to be, but at least enable the older lawyers to charge as much for their work as a painter or plasterer receives. The adoption of such a schedule would not at all determine what a man's fees should be, but at least would give him a minimum below which he ought not ethically go, and I trust this question of the adoption of such a schedule may be referred to some committee and the matter thrashed out by the Bar Association.

Very truly yours,  
 CLYDE C. BARKER.

### HUGH O'NEILL

The last fortnight witnessed the passing of Hugh O'Neill, lawyer, editor, and man of letters. He died in Mercy hospital of pneumonia, following a serious abdominal operation.

Hugh O'Neill's life in the last ten years was an uphill struggle against not only blindness, but against a body wracked with pain and constitutional decline. And still, with the aid of his faithful wife, he was winning the battle against these terrible odds, when the last mortal stroke laid him to eternal sleep.

His example should give courage to timid hearts, just embarking upon the law. His handicaps should convince the man with health and sight, that the only sin is in giving up the fight.

### AMERICAN BAR COMMITTEE

At the regular meeting of this Association held October 5, 1925, a resolution was duly passed calling upon the President to appoint a Committee of as many members as he desired to cooperate with the State Bar Association in obtaining the 1926 meeting of the American Bar Association for Denver. This resolution also provided that this Committee should have full

power to appoint sub-committees and to act for the Association in the arrangements incident to entertaining the American Bar Association, should it decide to hold its meeting in this city next fall.

Judge Charles C. Butler, President of this Association, has appointed the following committee to carry out the terms of this resolution:

Charles S. Thomas, Chairman;  
 Henry McAllister, Jr., Vice-Chairman;  
 Mary F. Lathrop,  
 Wilbur F. Denious  
 Platt Rogers  
 William V. Hodges  
 Clayton C. Dorsey  
 Charles R. Brock  
 Henry J. Hersey

### INSTITUTE COMMITTEE

At the regular meeting of the Association held September 14, 1925, Wilbur F. Denious moved that a committee be appointed by the President to receive and distribute the drafts of "A Re-Statement of the Law," now being prepared by the American Law Institute. The above motion was duly seconded and carried and Judge Butler has appointed the following committee to carry out the terms of the above resolution:

Stephen R. Curtis, Chairman;  
 Elmer L. Brock  
 Stanley T. Wallbank

### AN ACKNOWLEDGMENT

Our Association is very much indebted to the A. A. Keith Safe and Lock Company, 1655 Blake street, of this city, for giving the Association a very special discount on a legal size steel filing cabinet with lock and a set of index cards.

The Association for sometime has been in need of a filing cabinet in which to commence a systematic preservation of the records of the Association including reports of committees for each year, copies of correspondence, etc.

The above company desiring to assist the Association in carrying on its work, submitted a bid much lower than that received from any other company, and the cabinet was purchased from them for this reason.