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Montana Bar Association Activities

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LAW SCHOOL

Due to the war emergency, the enrollment in the School of Law has further diminished this year. From a height of 35 in the fall, the enrollment shrank to 22 spring quarter. This compares with 74 and 58 at corresponding periods last year. Second and third year classes have been combined, and many of the courses above the first year level will, for the duration, be given in alternate years.

The Law School faculty has likewise dropped from a pre-war status of five full-time and two part-time members to two full-time and three part-time members. Dean C. W. Leaphart is on leave with the War Labor Board in Denver, Professor J. Howard Toelle acting in his stead as Dean. Professor David R. Mason is with the Antitrust Division of the Attorney General's Department in Washington, D. C. Assistant Professor Russell E. Smith is with the O. P. A. in Helena; and Assistant Professors Francis E. Coad and Jamesbert C. Garlington are with the Army and Navy respectively. Associate Professor Edwin W. Briggs continues as a full-time professor; and Messrs. Walter L. Pope, Donovan E. Worden, and Edmund F. Fritz have been added to the faculty as part time teachers of law.

With the nation's 110 approved law schools reporting a decrease in enrollment from 28,714 in 1938 to 7,787 in 1942, a serious shortage of trained lawyers is envisaged if the war is prolonged. Increasing difficulty in meeting the requests of the government and of law firms for recent graduates has already been reported.

The Law School owes a duty to do all possible to carry on in order that these demands be met and that a profession with so many liberal traditions behind it continue to serve the cause of democratic thought and action. The full three year course leading to the Bachelor of Laws degree will be offered as usual next year.

MONTANA BAR ASSOCIATION ACTIVITIES*

President John E. Corette, Sr., Butte, arranged an excellent program for the Fifty-sixth annual meeting of the Montana Bar Association held in Missoula August 7th and 8th, 1942. In his opening address he reiterated the purposes for which the organization had been founded, citing a number of

*This statement has been furnished by Marshall Murray, Secretary of the Montana Bar Association.

its worthwhile achievements. He urged that the Association take a more important and effective part in the activities of the state and national legislators—that other things being equal, a lawyer should make the best legislator. He pointed out that the Association already has much desirable legislation to its credit. Later in the meeting a motion was carried for the appointment of a Legislative Committee to assist in the furthering of any future legislation fostered by the Association.

John J. Jewel, Helena, addressed the members on the subject of "Salvage," and L. E. Glennon, President of the Idaho Bar, spoke on the "Idaho Bar Plan on Public Relations," stressing the mingling of the individual lawyer with other groups and his participation in community affairs as important factors in improving the relations of the legal profession with the general public.

Fred A. Ironside, Jr., Montana Law School graduate and present Director of the Budget and Administrative Planning, U. S. Post Office, Washington, D. C., discussed the "Application of the Espionage Act to the Mailing of Newspapers and Other Second Class Matter." W. E. Keeley, Deer Lodge, President pro tem of the Montana Senate and 1943 President of the State Bar Association, spoke on the subject of "Lawyers and Legislators."

Dean C. W. Leaphart of the Montana Law School, now with the War Labor Board in Denver, told of the value of the Law School to the State of Montana. Captain Milton E. Wertz, with the Selective Service System, Washington, D. C., explained "The Service Men's Dependents' Allowance Act of 1942." Russell E. Smith, State Attorney for the O. P. A., spoke on "Price Control, Rationing and Rent." A. N. Whitlock, Chief Counsel for the Chicago, Milwaukee, St. Paul and Pacific Ry. Co., and former Dean of the Montana Law School, gave an excellent address on "The Lawyer's Part" in the present emergency.

The report of the Committee on Judicial Administration and Remedial Procedure, presented by E. G. Toomey, Helena, showed that the Association members had voted overwhelmingly in favor of: (1) The establishment of a Judicial Council in Montana. (2) Promulgation by the Supreme Court of Rules of Civil Procedure following the new Federal Rules. (3) Uniform rules of court for the several judicial districts of the state. This suggestion was also advocated by the Committee on Improving the Administration of Justice in order to end the present conflict of rules existing among the various state district courts. (4) Use of blank legal and court forms under

the name of "Montana Bar Association Forms," with the object of improving the form and contents of written forms now in use. (See 3 Mont. L. Rev. 74, 1942). The Committee on Improving the Administration of Justice, Julius J. Wuerthner, Great Falls, reporting, also recommended certain changes in the selection of judges, their tenure and retirement, and detailed a plan for putting its suggestions into operation.

The Committee on Resolutions suggested the appointment of a committee to compile a record of the members of the Montana Bar now serving in the Armed Forces of the United States. In this connection, according to Frank Murray, clerk of the State Supreme Court, 135 of Montana's 747 attorneys are now serving in the Army, Navy, or Marine corps; not to mention the host of others who are engaged in non-military war work.

Walter Aitken, Bozeman, presented the report of the Committee on Bar Integration advocating an integrated State Bar, which was adopted by the Association. This subject has aroused considerable controversy in past years, and for the first time in the history of the Association, it was *unanimously* adopted. Walter L. Pope, Missoula, appearing for the Citizenship Committee, developed a procedure which has been adopted by the courts to instill a love of country in candidates for citizenship appearing before them.

William E. Keeley was elected President for the ensuing year; Marshall Murray, Kalispell, Secretary; and Julius J. Wuerthner, delegate to the House of Delegates of the American Bar Association.

Editor's note:

A committee was appointed at the 1942 Convention to investigate the possibility of publishing the proceedings of the Montana Bar Association in conjunction with the Law Review. This has been an aspiration of the Review staff for several years, and it is thought that mutual benefit would result to both organizations.

The Bar Association has experienced some difficulty in the past in publishing an annual report of its proceedings, this involving, after a lapse, the further difficulty of compiling the activities of several past years. Too, the reports lose much of their appeal when they date back that far. A joint publication is not an original idea with Montana, for a number of states already have adopted such a plan with much success.

The Review has a wide coverage, both state and national, so that the report of the Association proceedings could be found in most of the Montana law offices and in the Law Schools and libraries all over the country. A joint publication would also result in economy of printing expenses. In any event, it is something to which both organizations can give thought and consideration in the next year.