

Law Quadrangle Notes

School Publishes New Soviet Code

Professor Whitmore Gray is the co-author of the first English translation of the most comprehensive revision of Soviet Legislation since the death of Stalin.

The Civil Code of the Russian Soviet Federated Socialist Republic by Professor Gray and Raymond Stults, New York City attorney, was published during November by the Law School.



PROF. GRAY

The volume of about 200 pages is the first part of *Soviet Civil Legislation*. The civil code eventually will be supplemented by translation of another new Soviet code of law concerning marriage, the family, and guardianship. This will be published as soon as Soviet

materials become available.

A gradual revision of the Soviet legal system has taken place following the death of Stalin in 1953. The translated code is the most significant single piece of legislation to appear in connection with revised Soviet laws.

"The translation gives an overview of Soviet civil legislation, describing the significant changes in law that have been enacted in recent years," said Professor Gray. "Although each of the 15 union republics has its own code, we decided to do a full translation of the civil code of the most important, the largest, of the Soviet republics, and then provide a guide to variations in the codes of other republics."

The volume will be published in two forms, a paperback student edition and a looseleaf edition. The student edition will be used for a course in Communist Law at the Law School and at other schools.

To aid students, particularly those who speak Russian, the

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Class Quality Shows Steady Improvement

Information reported by the Law School Admissions Office for the past three years shows a steady rise in the quality of new students, as indicated by test scores, and the virtual elimination of marginal applicants at the low end of the test score scale.

The entering class of 1965 is the highest quality in the school's history, when judged by test scores. A comparison for the last seven years shows:

	1965	1964	1963	1959
Median LSAT score	616	601	584	NA
Mean LSAT score	614	598	583	552

At the opposite end of the scale, twenty-five per cent of the entering class of 1960 had scores below 500 (56th percentile). In 1964, this had dropped to five per cent and in the fall of 1965 the figure was below one per cent of the total class.

The entering class numbered 380 in 1964-63 entering during the summer and the remainder in the fall. These new students were drawn from a total of 2,018 applicants. The statistical breakdown of the disposition of these applications indicates the nature of the admissions program at the School:

Applications received	2,018
Less applications not completed	238
Applications completed and processed	1,779
Less rejections	1,142
Acceptances tendered	637
Less withdrawals after acceptance	257
New registrations	380

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Wellman Outlines Steps In Selection of New Dean

The following are remarks made by Richard V. Wellman at the meeting of the Committee of Visitors regarding the selection of a new dean for the Law School.

Administrative officers of the Law School, that is, the dean, associate dean, and assistant dean, usually carry the brunt of the responsibility to relate the Law School to the University, and the University to the Law School. They have performed their functions so well over the years that a good many of us whose lives are intertwined with the affairs of the School



PROF. WELLMAN

tend to slip into the assumption that the Law School is the University. We are likely to think of the University as some sort of a friendly landlord; something like an office building owner from whom we expect many services but do not take very seriously.

Now and again, however, something comes up that jars teachers and alumni alike into taking a thoughtful look at the institutional

bonds between School and University. A vacancy in the dean's chair is such an occasion.

Under the by-laws and customs of The University of Michigan, deans of component schools are named by the Regents upon the recommendation of the President. But, this is so also with professorial appointments. It is common knowledge that once budget commitments are provided, the selection of new law professors, save for the paper work, is the business of the Law faculty. Does the real process of selecting a new Law School dean differ from that used for selecting new professors? The answer is that it does, *somewhat*.

One might expect the process to be completely different. Deans are very much a part of University administration—too much, we might observe somewhat ruefully, as we contemplate how well known Allan Smith's talents had become in the five short years of his service as law dean. Conceivably, with deans, the University hierarchy might undertake simply to inform itself as best it could and select a successor with little attention to faculty wishes.

Happily, however, the tradition at Michigan is otherwise. Our top University officials are former professors. They are committed to the concept that a school can be no better than its faculty. Concomitantly, they accept the view that the faculty should have a very significant role in the selection of deans.

The result is that we are presently pursuing a procedure which has become standard at the University in respect to locating new deans. President Hatcher has appointed a Law School deanship committee of six Law School faculty members. These persons were selected from a panel of ten or so who were nominated by balloting of the entire Law School faculty. The committee consists of Olin Browder, Roger Cramton, Frank Kennedy, Robert Knauss, Hart Wright, and me as chairman. Our charge, as received from President

Hatcher and Executive Vice-President Niehuss is to identify, communicate and interpret consensus among members of the Law faculty concerning possible candidates to the President. The task for the Law faculty is not to align to University-prescribed limitations, for none have been imposed. It is simply to identify a person or persons, whether an "insider" or "outsider," the faculty deems to be best qualified for the post. Hence, the ultimate choice will result from agreement between the President and the Law faculty. The interests of the Law faculty as well as those of the administration should be served if the process works as intended.

The committee has been at work since its selection on September 28. A major part of our function is to serve as a clearinghouse and buffer for faculty discussion and comment, as well as to organize the process of articulating faculty consensus. Hence, I will not identify any names that have been suggested, nor comment on the procedures we are pursuing. To do so, even to good friends of the School, might jeopardize our chances of performing satisfactorily in respect to our handling of the comments of our colleagues since having their complete confidence is essential to every other task we will perform.

I can assure you, as I have assured the faculty, that we will move with all possible expedition. The essence of the job is not speed, however; it is identifying faculty sentiment concerning the best man available for the job. It will take time. I think you will agree that the time will be well spent if we can identify a successor who will administer the School's affairs as successfully as did Allan Smith.

Soviet Code—

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translated RSFSR Civil Code will include as an appendix the complete Russian text. This will enable the Russian-speaking reader to refer to the original text for the term being translated.

The new code is not a radical departure from legal concepts familiar to the West, Professor Gray said. For example, contrary to what one might expect in the Soviet Union, familiar concepts of civil liability continue to be used to work out compensation patterns for traffic accidents, industrial injuries, and governmental torts.

A significant change is the new tort liability of government institutions that is now imposed in favor of a citizen for injuries caused by improper acts of their officials.

Commenting on the problems in translating the civil code into English, Professor Gray said it is difficult to find equivalents for some Russian terms in our Anglo-American terminology. The Russians describe institutions and concepts borrowed from French and German law, based on Roman antecedents.

Other problems of terminology were due to the specifically "socialistic" aspects of Soviet Civil law. For example, special administrative courts handle the adjudication of all disputes between state enterprises, and for these translators used the transliterated Russian term, *arbitrazh*.

"A Feeling for Justice" Is New U-M Television Series

Professor Joseph R. Julin of The University of Michigan Law School is the faculty host on "A Feeling for Justice," a new series of educational television discussion programs examining the operations of justice in modern American society.

The series, produced by the U-M Television Center, is currently being circuitied for public service air time on a number of commercial stations throughout the state and across the nation.

Noting that the workings of the law do not always satisfy the average man's basic and deeply ingrained feeling for justice, Professor Julin undertook the series task as a means of examining the relationships and conflicts of the law and "social justice" in selected key areas of democratic society. "The aim of the series," according to Professor Julin, "is to seek out and pinpoint those social and professional areas in which the normal function of the legal machinery fails to gain the full sanction and support of the public which it was created to serve. These are areas in which the operations of the legal machine frequently seem more restrictive, unrelenting and antiquated than 20th century human nature wants

them to be."

Joined by colleagues from the U-M Law School and guest authorities from many fields of public, academic, and professional life, Julin hosts a challenging, searching, and often outspoken sequence of discussions. Dealing with a wide variety of subjects, the panelists consider the relationships of law and justice in such areas as the judiciary, the legislature, religious life, the press, the economy, and the fields of medicine and legal education. Special programs are devoted to such significant issues as the civil rights question, social reform, the rights of the accused, and the position of the child in the administration of justice.

University of Michigan Law School professors who appear with Professor Julin on the series include Allan Smith, former Law School Dean and now University Vice-President for Academic Affairs; Dr. Andrew S. Watson; B. J. George, Jr.; William J. Pierce; William B. Harvey; Marcus L. Plant; Jerold Israel; Yale Kamisar; Robert Harris; Theodore St. Antoine; and Russell Smith. TV Center personnel involved in the production are Mack Woodruff, producer, and Marshall Franke, director.

Professor Julin, a veteran educational television participant, was also the host for the U-M TV Center series on American law: "A Quest for Certainty," which received the 1964 Silver Gavel Award from the American Bar Association.

Admissions—

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For 1965 there was a thirty per cent increase in number of applications. Sixty-four per cent were rejected—as compared to fifty per cent in 1964.

Despite increased standards of admission, it was necessary because of limitations on the size of the class to reject 358 applicants who were qualified for admission under Law School standards. Only seven of these were Michigan residents.

The rejection rate for non-resident applicants was seventy per cent; for resident applicants forty-five per cent.

The same standards are, of course, applied to residents and non-residents, but an effort is made to see that few, if any, qualified residents are turned down solely because of limitations on the size of the class.

This year, fifty per cent of the first-year class is Michigan residents, as compared to forty-three per cent a year ago. The first-year class comes from thirty-one states and three foreign countries.

States leading the list (with number of students in parentheses) are: Ohio (35); Illinois (31); New York (21); Indiana (17); New Jersey (14); Connecticut (11) and Missouri and Massachusetts (9 each).

The first-year class comes from 93 undergraduate schools, as compared to 104 schools last year. The top undergraduate schools, in terms of representation in the Law School class are:

The University of Michigan	120
Yale University	19
Michigan State University	16
Harvard University	14
Princeton University	12

Cook Lecturer Cites Six Goals and Policies For Aiding Negro Poor

We face a desperate challenge—to build an integrated society where the voice of the Negro American rings with equality as a fact and a result.

Dr. Leslie W. Dunbar, delivering the 1965 W. W. Cook Lectures on American Institutions, called for Americans to build economic and educational realities to reverse the destiny of isolated Negroes.

He is the executive director of the Field Foundation, Inc., of New York. His topic for the five-lecture series was "The Rise of American Liberalism."

Dr. Dunbar called for six political policies and goals to give the "huge minority of depressed people" a share in the dreams and accomplishments of America.

The Cook lectures are the result of a gift from the late W. W. Cook, an alumnus of the Law School and donor of the W. W. Cook Law Quadrangle.

Wayne State University	12
Dartmouth College	10
Denison University	9
University of Pennsylvania	7
Cornell University	6
Northwestern University	6
Williams College	6

Admissions Office tabulations and comparisons, including those of adjusted undergraduate grade point averages and comparisons with the other two classes at the Law School also indicate the trend toward higher quality in entering classes and rejection of marginal applicants to the Law School.

Faculty News Notes

Professional Activities

Alfred F. Conard—addressed the Ann Arbor Conference on Automobile Insurance on "Sources of Reparation for Automobile Accident Victims," and the Kansas Bar Association hundredth anniversary "Institute on the Economic Treatment of Automobile Injuries: Facts and Figures;" has been appointed one of three American editors for an International Encyclopedia of Comparative Law, sponsored by the International Association of Comparative Law—will edit the volume on Business and Private Organization; and received, with other co-authors including alumni Robert L. Bombaugh and Charles E. Vaoltz the Clarence Arthur Kulp Memorial Award from the American Risk and Insurance Association for *Automobile Accident Costs and Payments: Studies in the Economics of Injury Reparation*.

Frank E. Cooper — has been elected vice-president of Scribes, an organization of lawyer-authors dedicated to the improvement of legal writing and has been elected to a three-year term as a member of the Advisory Board of the American Bar Association Journal.

Roger C. Cramton—served as visiting professor of law at the University of California Law School at Berkeley during the summer term and spoke on "Law and Civil Rights" to a Law School alumni meeting at Kansas City in connection with the Missouri Bar Association annual meeting.

Roger A. Cunningham—attended a workshop on highway law sponsored by the Highway Research Board at Washington University, St. Louis, and participated as a technical resource consultant in a panel discussion on the proposed Ann Arbor Housing Commission, sponsored by the Ann Arbor League of Women Voters.

B. J. George, Jr.—spoke on "Implied Consent Law Affecting Drivers' Licensing" at the Governor's 1965 Conference on Traffic Safety and on "Crime, Law, and the Community" at the Governor's Conference on Crime and the Law; is a charter member of the newly formed Michigan Association for Law and Psychiatry; and submitted the American National Report on the Competence of Courts to Try Offenses Committed Abroad for the sixth Congress of Comparative Law to be held in Uppsala, Sweden, in 1966.

Robert J. Harris—spoke on "Fair Housing Laws" at the First Presbyterian Church in Ann Arbor and on "ACLU Should Oppose Criminal Punishment of Homosexual Acts Between Consenting Adults in Private" at the state board meeting of the American Civil Liberties Union; and participated in an Ann Arbor Human Relations Commission discussion group series as a discussion leader.

William B. Harvey—spoke to the Conference on World Peace Through Law in Washington on "Existing and Proposed International and Regional Courts." A paper on the same subject by Professor Harvey will be published in the proceedings of the conference.

Jerold Israel—lectured on "The Changing Face of Criminal Law" before the Berrien County Bar Association.

Charles W. Joiner—attended a meeting of the Standing

Publications

Olin J. Browder, Jr.—*Family Property Settlements (Future Interests)*, Bobbs, Merrill and Co., 1965. (With R. V. Wellman).

Roger C. Cramton—"The Doctrine of Exhaustion of Administrative Remedies in Michigan," 44 *Michigan State Bar Journal* 10-20. (July 1965).

B. J. George, Jr.—"Law in Modern Japan," in *Twelve Doors to Japan*, 484-536, John W. Hall and Richard K. Beardsley, ed. McGraw-Hill, 1965; and "The Imperative of Modern Criminal Law Teaching," 53 *Kentucky Law Journal* 461-477 (1965).

Carl S. Hawkins—*Michigan Court Rules Annotated*, Vol. 3. (With J. Honigman).

Yale Kamisar—*Modern Criminal Procedure: Cases, Comments, and Questions*, West Publishing Co., 1965 (with L. Hall); *Criminal Justice in Our Time*, University Press of Virginia, 1965 (with F. Inbau and T. Arnold).

Spencer Kimball—"Administrative Control of the Terms of Insurance Contracts: A Comparative Study," 40 *Indiana Law Journal* 143-231 (1965); and "Insurance Regulation at the Crossroads: Where Do We Go From Here?," 18 *Annals of the Society of Chartered Property and Casualty Underwriters* 155-170 (1965).

Robert L. Knauss—*Cases on Business Organization*, 3rd ed, Foundation Press, 1965. (co-editor, with Alfred F. Conard).

Arthur R. Miller—"International Cooperation in Litigation Between the United States and Switzerland: Unilateral Procedural Accommodation in a Test Tube," 49 *Minnesota Law Review* No. 6 (May 1965).

Russell A. Smith—"Reappraisal of the Role of the States in Shaping Labor Relations Law," *Wisconsin Law Review* (Summer, 1965). (with R. Theodore Clark, Jr.).

Eric Stein—"Toward Supremacy of Treaty-Constitution by Judicial Fiat in the European Economic Community," 48 *Rivista di Diritto Internazionale* 1-28 (No. 1, 1965, Rome).

Committee on Professional Ethics of the American Bar Association in Miami, participated in the program of the Joint Committee on Continuing Legal Education, addressed the Section on Legal Education, and presided at the Michigan Law School Luncheon, also at the ABA annual meeting in Miami; attended a meeting of the National Council on Legal Clinics in Asheville, North Carolina, a meeting of the National Conference of Commissioners on Uniform State Laws, and a meeting of the Advisory Committee on Rules of Evidence in Washington.

Joseph R. Julin—participated in the Governor's Conference on Crime and the Law and spoke on "Law and the Citizen" before the American Association of University Women.

Frank R. Kennedy—testified at Senate Finance Committee hearings on H.R. 136 and H.R. 3438, regarding the priority and dischargeability of tax claims and liens in bankruptcy.

Spencer Kimball—was admitted to the Michigan Bar as a non-resident attorney on October 5.

Robert L. Knauss—has been appointed chairman of the Ad Hoc Committee on Student Participation in University Affairs.

William J. Pierce—attended the annual meeting of the National Conference of Commissioners on Uniform State Laws, at which he was elected chairman of the Executive Committee. This term he is on sabbatical leave for research in Washington, D.C.

Marcus L. Plant—spoke to the student body of the Louisiana State University Law School on “Dynamic Aspects of Medical Malpractice.”

Roy F. Proffitt—has replaced Allan F. Smith as secretary of the Special Committee of the Bar for Revision of the Michigan Criminal Code; spoke to Law School alumni at a luncheon meeting in Cleveland; and is serving as president of the University Civic Club, a weekly luncheon organization.

Russell A. Smith—spoke at the annual fall Industrial Relations Conference, Associated Industries of Cleveland on “Current Trends in Arbitration” and at the Advanced Studies Program sponsored by the Brookings Institution at Virginia Beach, Virginia, for trade union officers, on “Labor Legislation: Its History and Future.”

Eric Stein—participated in the Conference on the Relationship between Community Law and National Law at Bruges, Belgium, and in the Conference on the Fusion of Treaties establishing the European Communities in Liege, Belgium; has been appointed to the Board of the Review and Development of the American Society of International Law and attended a meeting of this board in Washington, D.C.; is co-author with Professor Bishop of a report on “Conflict of Treaties and National Laws in the U.S.A.” for the Congress of Comparative Law in Uppsala, Sweden; helped organize, wrote a paper for, and participated in the first conference of Legal Advisers of International Organizations under the auspices of the American Society of International Law in Bellagio, Italy; has been appointed to the Advisory Council of the Institute for European Studies at the Free University of Brussels; and participated in the session of the Committee on Atlantic Studies of the Atlantic Institute and of a planning subcommittee in Washington, D.C.

Roy L. Steinheimer—lectured on the Uniform Commercial Code at the annual meeting of the Missouri Bar Association in Kansas City, to Minnesota lawyers in Minneapolis, and to Kansas lawyers in Wichita and Lawrence.

Dr. Andrew Watson—spoke on “Family Law and its Challenge for Psychiatry” to the psychiatry staff of St. Luke’s Hospital in New York City, on “Reality Testing in the Therapeutic Relationship” to the Michigan chapter of Smith College alumnae, and on “Education for Professionalism” at the University of Wisconsin Law School.

Richard V. Wellman—spoke to the 1965 Trust Conference of the Michigan Bankers Association at Gaylord to suggest legislation concerning joint bank accounts and attended meetings in Hollywood, Florida, as a reporter for the Model Probate Code Project, National Conference of Commissioners on Uniform State Laws.

L. Hart Wright—was elected chairman of the Tax Section of the Michigan State Bar Association.



With the coming of fall, the Law Quadrangle begins to take on appearance with which most students are best acquainted—wintertime, when classes are underway. Copies of this picture are available from Information Services, 3528 Administration Building, The University of Michigan. Please make checks payable to The University of Michigan and specify picture number 7.

Alaskans Hit Record Level In Law School Fund Giving

Emmett Eagan, national chairman of the Law School Fund, has announced that for the first time in the history of the fund—or probably numerous other funds as well—an entire state, Alaska, has reported a gift from every alumnus living in the state. Alaska achieved this distinction in the early stages of the 1965 campaign.

As a matter of fact, Alaska reached a 110 per cent total because, in addition to obtaining a donation from each of the ten alumni in the state, Jim Bradley, LL.B. 1961, of Juneau, the Alaska chairman this year, obtained a gift from one of the partners in his firm who has a son in the first-year class at the Law School although he is not a graduate of Michigan.

Elsewhere, the campaign seems to be going well, although it is too early to predict the final results.

Assistant Dean Roy Proffitt noted that, while other states may not be able to match the Alaska record, it should challenge other chairmen to try and that it is a wonderful mark to aim for.

As in past years, the goal of the 1965 Law School Fund is to solicit the active support of as great a number of alumni as possible. In 1964 there were 2,913 contributors. The National Committee hopes that number will grow in 1965.

Yearbook Sponsors Are Sought for 1965

Law School students are again planning publication of a 100-page yearbook, *The Quad*, for 1966.

The yearbook annually reports on all facets of life within the school, including extra-curricular and postgraduate activities, with a major portion devoted to profiles and pictures of the faculty. In addition to the listings and pictures

of present students, there will be a section of special interest to alumni, including a history of the development of law school with many anecdotes from previous years.

Alumni are offered the opportunity to become sponsors of the yearbook and, at the same time, to receive copies of the book for their libraries. All sponsorships will be recognized in the book, to be published in May. The cost is \$7.50, covering both sponsorship and one copy of the book. Checks should be made payable to "The Quad. The form below is for your convenience.

Please enter the name of
as a sponsor of the 1966 *Quad*

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Enclosed is my check for \$7.50.

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